



Original Contribution

RANDOM STUDY ON LEGAL PRACTITIONERS ON THE NECESSITY OF FORENSIC MEDICINE IN LEGAL PRACTICE

D. Dekov*

Department of Forensic Medicine, Medical University - Pleven, Bulgaria

ABSTRACT

Forensic medicine is a science, which develops medical and biological questions for the legal profession. The ever-changing society requires that judicial practice acquire fully this area of medicine as a very useful tool. To determine the awareness of this discipline among legal practitioners a random study was conducted on 87 subjects in the Pleven region of Bulgaria. Sixty-three percent of the surveyed were men, the rest were women. The main terms in this study included a study of forensic medicine in the law school and a subjective opinion on its importance in legal practice. Thirty-one percent studied and passed exams in forensic medicine. Ninety-five percent were of the view that forensic medicine was necessary for the lawyers' practice. All responders were willing to attend short-term courses and seminars to improve on or acquire knowledge of this discipline, especially the traumatology, sexual assault, criminal abortion and infanticide aspects. This result shows that forensic medicine is a necessity in legal practice. Therefore it should be included in all law schools and taught in short-term lecture courses and seminars, as well as published in an abridged form as guide for lawyers.

Key words: random study, forensic medicine, teaching.

INTRODUCTION

Forensic medicine is a uniform, basic, interdisciplinary and multidisciplinary science that develops medical and biological questions and problems arising from legal and prosecutorial investigations in the criminal and civil trial processes. This science also attempts to answer these questions and solve the consequential problems. Judicial practice needs to acquire it as an integral medical tool and hence make it a compulsory discipline. At the moment medical universities in the country teach it in the fifth course of study. Teaching forensic medicine at the Law Faculty at the University of Sofia dates back to 1894 [1, 2, 3], and this remains the first place forensic medicine is taught at the academic level in Bulgaria.

PURPOSES AND TASKS

Our purpose is to find out how many legal practitioners in Bulgaria studied forensic medicine as students. We also want to find out

their personal opinion regarding the necessity of such knowledge in their practice.

MATERIALS AND METHODS

We used questionnaires on 87 randomly selected legal practitioners and judicial officers in the region of Pleven. There were 12 questions in the questionnaire. The information gathered from the study was put into the computer and statistically studied. Sociological and statistical methods were used.

RESULTS

55 (63%) of the surveyed are men and 32 (37%) are women. According to their age they are divided as follows: up to 30 years old – 17 persons (19,5%), from 30 to 50 years old – 64 persons (73,5%) and above 50 years old – 6 persons (7%). Of the surveyed 22(25,3%) are working as examining magistrates, 8 (9,2%) – as police preliminary investigators, 31 (35,6%) as public prosecutors, 18 (20,7%) as judges and 8 (9,2%) as lawyers. According to their length of service they are divided as

* **Correspondence to:** *Dancho Dekov,*
Department of Forensic Medicine, Medical
University - Pleven, Bulgaria; +35964/884195;
E-mail drdekov@abv.bg

follows: up to 1 year length of service – 4 persons (4, 6 %), from 2 to 5 years – 24 persons (27,6%) from 6 to 10 years – 33 (37,9%) from 11 to 20 years – 19 (21,8%) and above 20 years length of service – 7 persons (8%).

Only 27 or 31% answered affirmatively to the question, “Have you studied forensic medicine as a subject at the University and have you had to pass an exam for it?” The other 59 persons (67,8%) answered negatively. One person didn’t answer to that question. 16 persons of those who answered affirmatively have studied forensic medicine as a compulsory subject and the rest 11 have chosen it as a liberal study.

According to the Higher Educational Institution they have graduated from, the subjects who have studied forensic medicine are divided as follows:

- Sofia University “Kliment Ohridski” – 9 persons;
- Technical University – Varna-town – 5 persons;
- Free University – Varna-town – 6 persons
- Academy of the Ministry of Internal Affairs – Sofia – 6 persons (at the time when a diploma for higher judicial education was given to the cadets);
- Graduated abroad – 1 person.

The subjects graduated from Plovdiv University”P. Hilendarski”, South-west University “Neofit Rilski” Blagoevgrad-town, Veliko Tirnovo University “ Kiril and Metodii”, Burgas Free University, University of National and World Economy – Sofia, Russe University “Angel Kanchev” and University of Economy – Varna have not studied forensic medicine during their course of study. There is an impression that those who have studied forensic medicine at Sofia University graduated more than 15 years ago.

Those who have studied forensic medicine were asked the following question, “What materials did you use to prepare for the examination?” To this question 17 persons (63%) answered, “Mainly the lectures I have listened to” and the answer of the other 10 persons was, “Mainly the forensic medicine textbook for jurists”.

To the question, “Do you think that studying forensic medicine is necessary for your practice as jurists (your personal opinion based on your experience)” 83 persons (95%) answered affirmatively. Only 4 persons answered that studying forensic medicine is not necessary for the jurists. Two of these are

lawyers; one – police preliminary investigator and one is a public prosecutor. Three of them have a length of service up to one year and one is from the group of 2 to 5 years length of service. Three of the surveyed are women, and one is a man.

62 persons (71%) of the surveyed answered affirmatively to the question, “Is there a need of issuing a new “Forensic Medicine Practical Manual for Jurists” not containing 423 pages as Stoicho Radanov’s “Forensic Medicine Textbook for Jurists” from 2001. The number of those who answered “No” or “A can’t decide is nearly the same (13:12).

To the question, “Do you think that it is useful in a period of 2 or 3 years in different courses and seminars 1 or 2 lectures to be read to the law-students by specialists in this field of science and questions concerning forensic medicine expertise to be discussed during these courses and seminars?” 83 persons (95,4%) of the surveyed answered, “Yes, definitely”, two persons answered, “It is not necessary.” And two others – “I can’t say.” The main forensic medicine parts and chapters according to the last issue of forensic medicine textbook for jurists were listed at the end of the questionnaire [4]. The surveyed were asked to underline those ones they were interested in and those ones they think were of great use for their practice. More than one answer was possible. The results are as follows:

- Forensic medicine procedure bases and organisation;
- Forensic medicine traumatology (health disturbance expertise or death caused by traffic accidents, shooting and others.) – 67;
- Health disturbance expertise or death caused by asphyxia (hanging, strangulation, drowning) – 39;
- Health disturbance expertise or death caused by high or low temperature, electricity, ray energy) -33;
- Health disturbance expertise or death caused by intoxication -44;
- Forensic medicine expertise in case of body injuries – 60;
- Forensic medicine expertise in case of sexual assault, criminal abortion, infanticide – 59;
- Forensic medicine thanatology (death prescription, cadaveric changes, autopsy, exhumation) – 48;
- Forensic medicine expertise for identification of the person – 43;

- Expertise for material and real evidence – 48
- Forensic medicine expertise in case of medical specialists' professional offence – 43.

The most preferred topics were: "Forensic medicine traumatology", "Forensic medicine in case of body injuries" and "Forensic medicine in case of sexual assault, criminal abortion and infanticide". In the column "Other (write in words)" one of the surveyed had written "Complex expertise" and two others had written "Forensic medicine in case of occupational accident".

CONCLUSION

Despite the low number of the surveyed the results of our study show that less than one third of the responders who have graduated in Bulgaria, have studied forensic medicine as students. But a great number of them (95%) are absolutely sure of the necessity of forensic medicine knowledge in their job. Nowadays

this subject is taught in very few of the Law Faculties in the seventeen universities giving legalized diplomas. It is undeniable a subject taught 110 years ago not to be taught at present. Forensic medicine had to be restored immediately as a compulsory subject at all Law Faculties. The lack of such knowledge for the present moment can be compensated by short-term lecture courses and seminars, as well as by publishing a short version of a forensic medicine expertise guide for lawyers.

REFERENCES

1. Burilkova L. Parvostroiteli na balgarskoto zdaveopazvane, Medicima i fizkultura, Sofia, 1981, 20.
2. Dimanova V. D-r Stefan Vatev, Balgarski cherven crast, Sofia 1981, 22.
3. Radanov St. Sadebnata medicina v Balgaria, Siela, Sofia, 1999, 11.
4. Radanov St. Sadebna medicina za uristi, Siela, Sofia, 2001.