

National Consultation on Medico-Legal Protocols (MLPs)

Minutes

The National Consultation on Medico-legal Protocols (MLPs) was organised by NHSRC at New Delhi on 23rd March 2015 to discuss the formulation of uniform comprehensive MLP for all the States. List of participants is annexed.

The meeting began with opening remarks by Dr. Satish Kumar, OIC, NHSRC. He extended a very warm welcome to all the participants and set the tone for the day-long discussion by commenting on the necessity of having uniform MLPs.

Mr. Prasanth K.S. NHSRC, made a presentation explaining the objectives of the consultation. The main objective was to (a) arrive at a consensus for development of a comprehensive uniform MLP for the country; (b) form a group/taskforce that will draft the comprehensive MLP; (c) devise a governance structure and support system that will aid the implementation of ML system; and (d) explore the possibility of developing a Medico-legal Act. He also highlighted several reasons necessitating formulation of comprehensive and uniform MLPs - quality of reports is not adequate for evidentiary purposes in the courts; the need to incorporate the laws/requirements laid down by recent judgments on medico-legal examinations; use of technology in Medico-legal cases, the need to incorporate legislative amendments for instance in IPC and CrPC which have a bearing on medico-legal cases etc.

Dr. P. B. Gujaral made a presentation on the draft MLP developed by him under the aegis of Kerala Medico-legal Society, for National level – containing Constitutional provisions, judicial pronouncements and legislative requirements emanating from IPC, CrPC and several other legislations. He emphasized that the draft shared is updated in accordance with the directions of the Hon'ble Supreme Court of India, Madras High Court and Circular from Government of India. He also added that the errors in the formats prescribed by various agencies of the Central Government and many State Governments for the medico-legal examination and reporting (e.g. of survivors of sexual offences) is a cause of concern, since the discrepancies in these formats could lead to undesirable outcomes for the practitioners.

Decisions & Action Points

1. There is a general agreement regarding the necessity of developing a comprehensive uniform Medico-legal protocol for the country.
2. Process of developing the MLPs would be consultative, involving all relevant stakeholders.
3. Institutional partners for development of the protocol would be (a) Kerala Medico-legal Society (KMLS) under the aegis of which the 1st Medico-legal code came into existence in the country; (b) National Judicial Academy (NJA) and any other premier institute with a similar mandate in the country.

The TOR (including financial support) for institutional partnership will be developed by NHSRC in discussion with KMLS and NJA.

4. NHSRC could be the secretariat for undertaking the task.
5. WHO offered to provide all assistance / support including financial (subject to WHO norms) for undertaking the work. Specific support for drafting work etc. would be decided after meeting with WHO.
6. Governance issues like – engagement of MCI for the incorporation of MLP in MBBS curriculum, HRH requirement for doing ML work, scope for development of Forensic Nursing, etc. would also be discussed in future consultative meetings.
7. Operationalizing the protocols – issues of training, sensitisation, awareness programmes would also be developed.
8. Dr. Tessy would develop a concept note/ white paper on Forensic Nursing - operationalizing of nursing staff for performing the forensic work.

The consultation ended with concluding remarks from Prasanth K S and vote of thanks by Dr. Himanshu Bhushan.

List of Participants

S No.	Name	Organisation	Contact details
1	Dr. P.B. Gujaral	President, Kerala Medico-legal Society	drpbgujaral@gmail.com
2	Dr. Hitesh Sankar	Secretary, Kerala Medico-legal Society	hitheshdr70@gmail.com
3	Amar Jesani	Editor, Indian Journal of Medical Ethics	amar.jesani@gmail.com
4	Dr. Abhishek	Assistant Professor, Forensic Medicine, AIIMS	drayad in@yahoo.com
5	Dr. Sunil K. Khanna	Dir. Prof. & HOD, Forensic Medicine, MAMC	drsunilkhanna@gmail.com
6	Dr. Anil. K. Aggarwal	Dir. Professor, Forensic Medicine, MAMC	anil.aggrawal@gmail.com
7	Dr. Jugal Kishore	Professor, Community Medicine MAMC	drjugalkishore@gmail.com
8	Dr. Kiran Sharma	Technical Officer, Adolescent Health & Dev., WHO	sharmaki@who.int
9	Trideep Borah	WHO	borah@who.int
10	Dr. Tessy Teresa Jose	Prof. & Head Psychiatry Nursing Manipal University	tessy.ja@manipal.edu
11	Sanmit Seth	National Judicial Academy	sanmit.seth@gmail.com
12	Dr. Satish Kumar	OIC, NHSRC	satish.kumar@nhsrccindia.org
13	Dr. Himanshu Bhushan	Advisor, PHA, NHSRC	drhbbhushan@gmail.com
14	Prasanth KS	Senior Consultant, NHSRC	prasanth.mph@gmail.com
15	Dr. Uddipan Dutta	PAO, NHSRC	uddipan.dutta@nhsrccindia.org
16	Ms. Shivangi Rai	Consultant, NHSRC	shivsrai@gmail.com
17	Dr. Anil Kandukuri	Consultant, NHSRC	anil.kandukuri@nhsrccindia.org
18	Dr. Sonia Luna	Consultant, NHSRC	drsoniabds@gmail.com