Ministry of Health of the Republic of Belarus

"Vitebsk State Order of Friendship of Peoples

medical University"

CHAIR PATHOLOGICAL ANATOMY AND FORENSIC MEDICINE WITH THE COURSE OF THE FACULTY OF ADVANCED TRAINING AND STAFF RETRAINING

Discussed at a department meeting

Protocol No. \_\_ dated \_\_\_\_\_\_\_20\_\_\_

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**METHODOLOGICAL GUIDELINES FOR STUDENTS**

to conduct a practical lesson

BY FORENSIC MEDICINE

for specialty 1-79 01 01 General Medicine

5th year students, Faculty of Overseas Students Training

Full-time higher education

**Theme:** «Subject "forensic medicine". Procedual and organizational bases of forensic medical examination in the republic of belarus. Forensic documentation»

**Time:** 6 academic hours (270 min)

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Vitebsk, 2024

**Theme:** Introduction to the academic discipline "Forensic Medicine". Procedural and organizational foundations of forensic medical examination in the Republic of Belarus. Documentation of forensic medical examination.

**Motivational characteristics of the need to study the topic**

The totality of scientific knowledge about forensic medicine and special research methods are necessary to solve medical and biological issues arising in the activities of law enforcement agencies, as well as issues related to improving the quality of medical care to the population.

In the system of special medical knowledge, forensic medicine widely uses theoretical and practical achievements of both medical and non-medical sciences (for example, criminal and civil law, human anatomy, histology, cytology, embryology, etc.).

Objectives and tasks of the lesson:

1. 1. To develop students' skills with the acquisition of scientific knowledge in the amount necessary for the successful performance of a specialist's duties in the conduct of investigative actions in cases where medical specialists are involved in resolving medical issues on behalf of judicial and investigative bodies, as provided for by the criminal procedure legislation of the Republic of Belarus.
2. 2. To lay the foundations for developing students' clinical thinking skills.
3. 3. To show the importance and necessity of independent cognitive activity, the ability to plan it.
4. 4. To develop the ability to exercise self-control, self-assessment and self-correction of their activities.
5. 5. To develop the ability to reason logically, clearly, briefly and exhaustively express their thoughts, to cover the presented material comprehensively, applying knowledge of other sciences.
6. 6. To cultivate students' self-confidence, their strengths and capabilities, as well as the ability to defend their opinions, their own views and beliefs.
7. 7. To awaken the desire to master and qualitatively perform professional skills and abilities, to acquire professional mastery.
8. 8. To cultivate in students, as future specialists, responsibility, composure, diligence, conscientiousness, accuracy, patience.
9. 9. To stimulate the manifestation of will, persistence, the desire to complete the work started, the ability to overcome difficulties in professional activity.

Forensic medicine is an academic discipline that contains systematized scientific knowledge about the patterns of occurrence, methods of identifying and expert evaluation of facts, on the basis of which issues of a medical and biological nature arising in the activities of law enforcement agencies are resolved, as well as contributing to improving the quality of medical care provided to the population.

The purpose of teaching and studying the academic discipline "Forensic Medicine" is to develop students' skills and acquire scientific knowledge to the extent necessary for the successful performance of specialist duties during investigative actions in cases where medical specialists are involved in resolving medical issues on behalf of judicial and investigative bodies, as provided for by the criminal procedure legislation of the Republic of Belarus.

The educational objectives of this lesson are:

- to master legislative and industry-specific regulatory legal acts governing the activities of a state medical forensic expert-specialist in the Republic of Belarus and establishing the limits of his competence;

- to master the general methodological principles of conducting forensic medical examinations of corpses, living persons (individuals) and material evidence;

- to master the methods of examining a corpse at the place of its discovery (incident) and describing material evidence of biological origin (blood, sperm, hair, etc.);

- to master the principles of describing bodily injuries;

- to know about the legal liability of medical workers in connection with their professional activities;

- to know the principles of medical ethics and deontology;

- to be able to use scientific terminology.

Educational goals.

- formation of a well-rounded, morally mature, creative personality of the student;

- civic-patriotic education of students, formation of citizenship, patriotism and national identity based on state ideology;

- popularization of state youth policy, including the use of the official pages of VSMU on the Internet and social networks;

- prevention of unlawful behavior, offenses, crimes, drunkenness, substance abuse, drug addiction, acquired immunodeficiency syndrome, etc.

- formation of moral, aesthetic culture, mastering the values ​​and skills of a healthy lifestyle.

Formation and development of the State Forensic Examination Committee of the Republic of Belarus. Main tasks and functions of the State Forensic Examination Committee of the Republic of Belarus at the present stage. The system of the State Forensic Examination Committee of the Republic of Belarus. State symbols of the Republic of Belarus and the State Forensic Examination Committee of the Republic of Belarus. Development of forensic medical and forensic psychiatric examinations in the Republic of Belarus.

A forensic expert of the State Committee of Forensic Examinations of the Republic of Belarus must be loyal to his Fatherland, strictly observe the Constitution of his state and its legislation, be faithful to his professional duty, serve as a model for the performance of his official duties, and have an impeccable reputation.

Considering the above, great importance is attached to patriotic education, since without loyalty to official duty, devotion to the Fatherland, and civic responsibility for the fate of the country, a forensic expert cannot succeed as a professional.

An important role in the formation of high patriotic consciousness, readiness to fulfill the duty to protect the sovereignty and national interests of the Republic of Belarus is played by the proper performance of official duties for the timely and high-quality conduct of forensic examinations and commitment to the law, devotion to the Motherland, loyalty to its historical traditions, a sense of patriotism and responsibility for the fate of the country, a respectful attitude to the symbols of the state, to the memory of the defenders of the Fatherland and their exploits.

Participation in events dedicated to significant and memorable dates of the Republic of Belarus, as well as honoring the State symbols of the country, play a special role in the formation of patriotic consciousness. Solemn rituals (for example, taking the Oath of an employee of the State Forensic Expertise Committee) also contribute to strengthening the authority and prestige of work in the State Forensic Expertise Committee. The importance of such events is given by their holding in special historical, memorable places of the Republic of Belarus. In turn, this helps to strengthen the sense of involvement in the history and culture of the country, ensuring the continuity of generations of Belarusians. Patriotic education forms in a citizen of the Republic of Belarus moral, psychological and physical readiness to defend his Fatherland.

During the course of studying the lesson, the student must learn:

- the concepts of forensic medicine and forensic medical examination. The main stages of development of forensic medicine in pre-revolutionary Russia and in the USSR.

- the history of the formation and development of the State Committee of Forensic Examinations of the Republic of Belarus.

- the main tasks and functions of the State Committee of Forensic Examinations of the Republic of Belarus at the present stage.

- the system of the State Committee of Forensic Examinations of the Republic of Belarus.

- the main ethical standards and principles that forensic experts must adhere to in their professional activities;

- rules of conduct in the professional activities of forensic experts;

- the relationship of forensic experts with colleagues, the procedure for resolving ethical conflicts and measures of responsibility for violating ethical standards and requirements.

- the relationship of forensic experts with judges, officials who appointed the examination, parties to the case.

- the goals, objectives and objects of forensic medical examination.

- the grounds and procedure for appointing and conducting a forensic medical examination. Cases of mandatory appointment and conduct of medical forensic examinations.

- the concept of a state medical forensic expert and types of practical activities of an expert.

- the content and components of the "Expert's Opinion", requirements for the expert's conclusions.

- types of forensic medical examinations, cases of mandatory forensic medical examination by a commission of experts.

- rights of a state medical forensic expert.

- duties of a state medical forensic expert.

- grounds for challenging an expert during a forensic medical examination.

- legislative and departmental sources regulating the activities of a state medical forensic expert in the Republic of Belarus.

**learn:**

- apply individual methods of examining objects of forensic medical examination;

- establish the fact of death and establish the time of death when examining a corpse at the scene of the incident (discovery);

- describe bodily injuries (when examining a corpse or examining a living person);

- identify material evidence subject to forensic medical examination during an inspection of the scene of the incident and conduct their expert assessment;

- prevent and assess the most typical professional and official offenses of medical workers provided for by the Criminal Code of the Republic of Belarus;

- prevent and assess the consequences of violations of the deontological principles of relationships between a doctor and a patient, a doctor and the head of an institution, etc.

- systematize the knowledge and skills acquired during the training session;

- apply the acquired knowledge in the practical activities of a doctor using the example of solving situational problems, formulating a diagnosis;

- plan and carry out independent cognitive activity;

- carry out self-control, self-assessment and self-correction of one’s activities.

**to practice:**

- skills of describing bodily injuries;

- skills of examining victims and suspects in cases of sexual crimes.

- skills of conducting a forensic medical examination to establish the nature and severity of bodily injuries;

- skills of certifying death;

- skills of examining a corpse at the place of its discovery (incident);

- skills of collecting autopsy material for laboratory research (chemical, biological, forensic);

- skill of formulating conclusions in an expert report;

- skill of formulating a forensic diagnosis.

**Practical skills developed during the lesson, including the use of simulation learning technologies:**

During the course of studying the discipline, students must acquire academic competencies, the basis of which is the ability to independently search for educational and information resources, mastering the methods of acquiring and understanding knowledge:

− legislative and industry-specific regulatory legal acts governing the activities of the state medical forensic expert-specialist in the Republic of Belarus and establishing the limits of his competence;

− civic-patriotic education;

− general methodological principles for conducting forensic medical examinations of corpses, living (physical) persons and material evidence;

− tasks solved by the state medical forensic expert-specialist at the scene of the incident;

− methods of examining a corpse at the place of its discovery (incident) and describing material evidence of biological origin (blood, sperm, hair, etc.);

− principles of describing bodily injuries;

− legal liability of medical workers in connection with their professional activities;

− standards of medical ethics and deontology;

− the scientific terminology used.

**Interdisciplinary and intradisciplinary connections**

The knowledge, skills, and abilities obtained in studying this topic are necessary for the successful study of the following academic disciplines: "Pathological Anatomy", "Histology, Cytology, Embryology", "Surgery", "Obstetrics-Gynecology", "Internal Medicine", etc.

**THEORETICAL PART:**

Forensic medicine (SM) is a special medical discipline, which is a system of scientific knowledge, which is designed to study and resolve issues of medical and general biological nature, arising in the investigative committee, the court in the process of investigation and judicial consideration of criminal and civil cases.

Currently, the system of the subject of forensic medicine is presented in the following form:

- organizational and procedural provisions of forensic medical examination (the procedure for assigning forensic medical studies, the implementation of the rights and obligations of the expert, the assessment of the conclusions of forensic medical examinations, etc.);

- forensic medical doctrine on damage from various types of external influences (the nature, mechanism of occurrence, severity of bodily injuries, outcomes of injuries, etc.);

- forensic medical examination of living persons (the presence of diseases, determination of age, resolution of controversial sexual issues, research in sexual crimes);

- forensic thanatology (the doctrine of death - studies the dynamics, time since death, cadaveric phenomena, etc.);

- Forensic medical examination of material evidence of biological origin (determination of biological origin, relationship of objects, etc.);

- Forensic medical toxicology (the study of poisons with their clinical picture, consequences, criminological significance, etc.);

- Forensic medical examination for identification of instruments of infliction of bodily harm and personality;

- Forensic medical examination based on materials of criminal and civil cases;

- Forensic medical examination in cases of professional offenses of medical workers and issues of legal regulation of medical activity.

When conducting forensic medical examination, a large number of different special research methods, which can be divided into three groups:

1. general medical – morphological, microscopic, clinical and laboratory (X-ray, ECHO, ultrasound, cardiography, etc.), etc.

2. forensic – description of a verbal portrait, reproduction of the original situation of the incident, forensic medical (for example, the method of color prints), scientific photography, etc.

3. special methods developed and used only by forensic doctors:

- restoration of the original form of altered wounds;

- identification of the traumatic object and the mechanism of its action;

- biological and genetic methods associated with establishing paternity, determining species and group affiliation, genomic identification, etc.

The currently available research methods and techniques used in forensic practice allow us to provide more substantiated and objective conclusions.

According to the law (Article 228 of the Criminal Procedure Code), the appointment and conduct of an examination is mandatory if it is necessary to establish:

1) the cause of death, the nature and severity of bodily injuries;

2) the age of the suspect, accused, when it is important for the criminal case, and documents on age are missing or raise doubts;

3) the mental or physical state of the suspect, accused, when doubts arise about their sanity, i.e. their ability to independently protect their rights and legitimate interests in criminal proceedings;

4) the mental and physical state of the victim, when doubts arise about his ability to correctly perceive the circumstances that are important for the criminal case and give testimony about them.

The duration of the examination should not exceed 30 calendar days.

According to the order of implementation, there are: primary, additional, repeated, commission and comprehensive examinations.

A primary examination is the first study of an object and the preparation of an expert opinion based on the results of this study by one or several experts.

An additional examination is appointed if, after the conclusion of the primary examination has been drawn up, additional questions are asked, in cases of insufficient clarity or incompleteness of the previous conclusion, when new questions arise, in relation to previously investigated circumstances. As a rule, it is assigned to the expert who conducted the primary examination or to another expert.

A repeat examination is appointed in cases where the conclusion of the primary examination raises doubts or is unfounded.

A commission examination under the Criminal Procedure Code of the Republic of Belarus (Article 232) is conducted by several forensic medical experts of the same specialty (profile):

• if it is necessary to conduct complex studies;

• when conducting repeat examinations based on materials of criminal, civil cases and cases on administrative offenses;

• if there is a direct indication of this in the resolution;

• when conducting examinations on cases (materials) on bringing medical workers to criminal liability for improper performance of professional duties;

• when conducting examinations to establish age;

• in other cases established by law, legal acts of the State Committee, as well as by decision of the head.

The experts, having discussed and analyzed the obtained results of the commission examination and having come to a unanimous conclusion, draw up and sign a general conclusion on behalf of all members of the commission. If the opinions differ, then each expert presents his own separate conclusion. The Criminal Procedure Code of the Republic of Belarus (Article 233) provides for a comprehensive examination. It is carried out by experts of various specialties (profiles) within the limits of their competence in cases where knowledge in different fields of knowledge is necessary for conducting research. The conclusion of the comprehensive examination must indicate what research, in what volume each expert conducted and what conclusions he came to. Each expert signs the part of the conclusion that contains his research and conclusions. The general conclusion (conclusions) is made by experts competent in assessing the obtained results. In the event of disagreement between the experts, each of them gives a separate conclusion.

The expert has the right to:

1) Review materials related to the subject of the examination and write out the necessary information from them;

2) File motions to provide him with additional materials necessary for giving an opinion, to involve other experts in the examination, to take measures to ensure his safety, family members, close relatives, and property;

3) With the permission of the body conducting the criminal proceedings, participate in the investigative and other procedural actions, ask the persons being interrogated and other persons participating in these actions questions related to the subject of the examination;

4) Give opinions both on the questions posed and on circumstances within his competence that came to light during the examination;

5) Review the protocol of the investigative or other procedural action in which he participated, as well as the relevant part - the protocol of the court hearing and make comments to be entered into the protocol regarding the completeness and correctness of the recording of his actions and conclusion;

6) Group the questions put to him/her without changing their wording, present them in the order that ensures the most appropriate order of conducting the study, and, if necessary, contact the initiator of the appointment of the examination for clarification of their content;

7) Answer questions that relate to the area of ​​his/her special knowledge, and are also within the competence of the forensic medical examination;

8) Demand from the court clearly formulated written questions, receive the necessary time to answer the questions posed, using any textbooks and manuals. In this case, the expert may ask for clarification and explanation of the questions put to be resolved.

7) Change the wording of the questions put to him/her by written agreement with the initiator of the appointment of the examination, which must be indicated in the expert's report;

8) File a motion to involve other forensic experts or other persons in the production of the forensic examination, if their special knowledge is necessary for the production of the forensic examination;

9) Provide written and oral consultations to the initiator of the appointment of the examination on issues of its appointment;

10) To appeal in the established manner the actions and decisions of the head that violate the rights of the forensic expert.

The expert has no right, in addition to the body conducting the criminal proceedings, to negotiate with the participants in the criminal proceedings on issues related to the conduct of the examination; to independently collect materials for use; to conduct research that may entail the complete or partial destruction of the objects of the examination; to resolve issues that are beyond his competence and special knowledge.

The expert is obliged to:

1) Provide a reasoned and objective opinion in writing on the questions put to him;

2) Refuse to provide an opinion. In the event that the questions put to him go beyond the scope of his special knowledge or if the materials presented to him are insufficient to answer these questions. Refuse to continue conducting the examination if the expert comes to the conclusion that it is impossible to provide an opinion, of which he must notify in writing the person who entrusted him with the conduct of the examination, with a justification for this refusal;

3) Appear when summoned by the body conducting the criminal proceedings, to introduce himself to the participants in the criminal proceedings and to answer their questions, as well as to explain the content of the opinion given by him;

4) Maintain order during the conduct of investigative actions and during the court hearing;

5) Maintain investigative secrecy. Not disclose, without the permission of the head, information that became known to him in connection with the conduct of the forensic examination, including information that may limit the constitutional rights, freedoms and interests of citizens;

6) Accept for production a forensic examination entrusted to him by the manager, if there are no grounds provided by law that exclude the possibility of his participation in the production of a forensic examination;

7) Immediately inform in writing the manager who entrusted the production of a forensic examination of the existence of grounds provided by law that exclude the possibility of his participation in the production of a forensic examination;

8) Apply scientifically based methods (methods, methodological materials) and the technical means at his disposal to resolve the issues posed to him.

An expert is liable for:

1) disclosing data from a preliminary investigation or closed court session without permission from the body conducting the criminal proceedings;

2) giving a knowingly false opinion, as well as refusing or evading, without good reason, the performance of his duties.

The Criminal Procedure Code (Article 85) provides for the removal of an expert from participation in the production of an examination and participation in any investigative and judicial actions if he is a victim, civil plaintiff or defendant, witness, or is related to, in official or other dependence on the accused, victim, civil plaintiff or defendant and their representatives. And also if there are other circumstances that give grounds to believe that he is personally, directly or indirectly, interested in the outcome of the case. In such cases, the expert is subject to removal or must declare self-recusal.

Conducting a forensic medical examination in a court session is provided for by Article 334 of the Criminal Procedure Code of the Republic of Belarus. The examination is conducted by experts who gave an opinion during pre-trial proceedings or other experts appointed by the court. During a court session, an expert, with the permission of the presiding judge, has the right to ask questions of the persons being interrogated, get acquainted with the materials of the criminal case, participate in inspections, experiments and other judicial actions related to the subject of the examination. Questions to the expert are submitted in writing by the court. The expert gives an opinion in writing and announces it in the court session. The expert has the right to include in the opinion findings on the circumstances of the criminal case related to his competence, about which he was not asked questions. After giving an opinion, the expert may be interrogated to clarify or clarify the opinion. Questions to the expert are asked by the parties to the process. The court may ask questions to the expert at any time during the interrogation.

Structure of the expert opinion and requirements for the expert's conclusions

The results of each forensic medical examination are drawn up in accordance with the requirements of the Criminal Procedure Code and the Civil Procedure Code and this Instruction in the form of an "Expert Opinion".

The expert opinion consists of an introductory, research part and conclusions.

The protocol part of the expert opinion is called the introductory and research parts. After the protocol part of the "Expert Opinion", a forensic diagnosis is given.

The conclusions of the "Expert Opinion" are formulated on the basis of a comprehensive, objective and complete analysis of the results.

The conclusions in the report are drawn up in accordance with the questions posed to the forensic expert for resolution. The expert's conclusions, given in affirmative form, are of exceptional importance for the investigative committee. The conclusions are formulated on the basis of a comprehensive, deep and objective analysis and synthesis of the results obtained during the examination of the corpse. In cases where the conclusion cannot be formulated without a detailed description of the results of the study, set out in the research part of the expert's report and containing an exhaustive answer to the question posed, a reference to the research part of the expert's report is allowed.

The conclusions set out answers to all questions posed to the state medical forensic expert in a brief, clear form that does not allow for various interpretations. The report is signed by the expert.

Requirements for expert conclusions:

The conclusions must set out answers to all questions put to the forensic expert, they must be brief, clear, in a form that does not allow for various interpretations and without the use of special medical terms (Latin terminology). The expert's conclusions must be scientifically substantiated, motivated, supported by relevant, factual, scientific data, follow from the results of the examination, and must contain answers to all questions posed. In addition, in the conclusions, the expert may answer questions that, although not put to the examination for resolution, follow from the examination itself. Conclusions on circumstances that were established by the forensic expert on his own initiative are stated last.

In cases where the conclusion cannot be formulated without a detailed description of the results of the study, set out in the research part of the expert's report and containing an exhaustive answer to the question posed, references to the research part of the expert's report are allowed.

The main documents regulating the forensic medical examination of a corpse and living persons are:

- Resolution of the State Forensic Examination Committee of the Republic of Belarus No. 16 of 05/24/2016 "On approval of the Instruction on the procedure for conducting a forensic medical examination to determine the severity of bodily injuries";

- legal acts of the State Forensic Examination Committee of the Republic of Belarus.

In their work, a forensic medical expert is guided by two sources - departmental and legal. Departmental sources are described above, and the legal sources are the Criminal Procedure Code of the Republic of Belarus and the Criminal Code of the Republic of Belarus.

**Questions for classroom knowledge assessment:**

1. Definition of the concepts of forensic medicine and forensic medical examination. The main stages of development of forensic medicine in pre-revolutionary Russia and in the USSR.

2. Formation and development of the State Forensic Examination Committee of the Republic of Belarus.

3. The main tasks and functions of the State Forensic Examination Committee of the Republic of Belarus at the present stage.

4. The system of the State Forensic Examination Committee of the Republic of Belarus.

5. Symbols of the State Forensic Examination Committee of the Republic of Belarus.

6. Development of forensic medical and forensic psychiatric examinations in the Republic of Belarus.

7. The main ethical standards and principles that forensic experts must adhere to in their professional activities;

8. Rules of conduct in the professional activities of forensic experts;

9. Relationships of forensic experts with colleagues, the procedure for resolving ethical conflicts and measures of responsibility for violating ethical standards and requirements.

10. Relationships of forensic experts with judges, officials who appointed the examination, parties to the case.

11. The purpose, objectives and objects of forensic medical examination.

12. The grounds and procedure for appointing and conducting a forensic medical examination. Cases of mandatory appointment and conduct of medical forensic examinations.

13. Definition of the concept of a state medical forensic expert. Types of practical activity of an expert.

14. Contents and components of the "Expert's Opinion". Requirements for expert conclusions.

15. Types of forensic medical examinations. Cases of mandatory conduct of a forensic medical examination by a commission of experts.

16. The rights of a state medical forensic expert.

17. Duties of a state medical forensic expert.

18. Grounds for challenging an expert during a forensic medical examination.

19. The main aspects of the development of the structure of forensic medical expert institutions in the Republic of Belarus.

20. Structural organization of forensic medical expert institutions in the Republic of Belarus.

21. Legislative and departmental sources regulating the activities of the state medical forensic expert in the Republic of Belarus.

**PRACTICAL PART:**

Tasks and questions to monitor the assimilation of the topic

Https://do2.vsmu.by: LMS Forensic Medicine: materials for students' guided independent work: test tasks on topic No. 1.

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Main:

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