

**HARMONISATION OF MEDICO-LEGAL AUTOPSY RULES IN EU -
RECOMMENDATION No. R (99) 3**

Part 2

Principle I - Scene investigation

a.General principles

1. In case of obvious or suspected unnatural death, the physician who first attended the dead body should report to the competent authorities, the latter deciding whether an examination should be carried out by a qualified medico-legal expert or by a physician familiar with medico-legal examination.

2. Particularly in cases of homicide or suspicious death, medico-legal experts should be informed without delay and, where appropriate, go immediately to the place where the body is found and have immediate access there. In this respect, there should be an adequate structure of co-ordination among all persons involved and, in particular, among judicial bodies, medico-legal experts and police.

b. Examination of the body

Role of the police

The following tasks, among others, should be carried out by police officers:

- a. record the identities of all persons at the scene;
- b. photograph the body as it is found;
- c. make sure that all relevant artifacts are noted, and that all exhibits, such as weapons and projectiles, are seized for further examination;
- d. in agreement with the medico-legal expert, obtain identification of the body and other pertinent information from scene witnesses, including those who last saw the decedent alive, where available;
- e. protect the deceased's hands and head with paper bags, under the control of the medico-legal expert;
- f. preserve the integrity of the scene and surroundings;

Role of the medico-legal expert

The medico-legal expert should without delay:

- a. be informed of all relevant circumstances relating to the death;
- b. ensure that photographs of the body are properly taken;
- c. record the body position and its relation to the state of the clothing and to the distribution pattern of rigor mortis and hypostasis, as well as the state of post-mortem decomposition;
- d. examine and record the distribution and pattern of any blood stains on the body and at the scene, as well as other biological evidence;
- e. proceed to a preliminary examination of the body;
- f. except where the body is decomposed or skeletal, note the ambient temperature and deep-rectal temperature of the body, and estimate the time of death by recording the degree, location and fixation of rigor mortis and hypostasis, as well as other findings;
- g. make sure that the body is transported and stored in a secure and refrigerated location in an undisturbed state.

Principle II - Autopsy physicians

Medico-legal autopsies should be performed, whenever possible, by two physicians, of whom at least one should be qualified in forensic pathology.

Principle III - Identification

In order to ensure that proper identification of the body is carried out in accordance with the

disaster victim identification guide adopted by the General Assembly of Interpol in 1997, the following criteria should be considered: visual recognition, personal effects, physical characteristics, dental examination, anthropological identification, finger prints and genetic identification.

1. Visual identification

Visual identification of a body should be carried out by relatives or persons who knew and have recently seen the decedent.

2. Personal effects

A description of clothing, jewelry and pocket contents should be recorded. These may assist correct identification. Physical characteristics

3. Physical characteristic

Physical characteristic should be recorded through an external and an internal examination.

4. Dental examination

Where appropriate, the examination of teeth and jaws should be carried out by a dentist with medico-legal experience.

5. Anthropological identification

Whenever human material is skeletonised or in an advanced stage of decomposition, an anthropological identification should be carried out, if necessary.

6. Fingerprints

Where appropriate, fingerprints should be taken by police officers. A close collaboration should exist between all experts involved.

7. Genetic identification

Where appropriate, genetic identification should be carried out by an expert in forensic genetics. It is appropriate to take biological samples from the deceased in order to assist genetic identification. Measures should be taken in order to avoid contamination and guarantee appropriate storage of biological samples.

Principle IV - General considerations

1. Medico-legal autopsies and all related measures must be carried out in a manner consistent with medical ethics and respecting the dignity of the deceased.

2. Where appropriate, the closest relatives should be given an opportunity to see the corpse.

3. Before beginning the autopsy, the following minimum rules should be applied:

- a. record the date, time and place of autopsy;
- b. record the name(s) of the medico-legal expert(s), assistant(s) and all other persons present at the autopsy with indication as to the position and role of each one in the autopsy;
- c. take colour photographs or video, where appropriate, of all relevant findings and of the dressed and undressed body;
- d. undress the body, examine and record clothing and jewelry, verify the correspondence between injuries on the body and clothing;
- e. where appropriate, take X-rays, particularly in cases of suspected child abuse, and for identification and location of foreign objects.

4. Where appropriate, before beginning the autopsy, body orifices should be appropriately swabbed for the recovery and identification of biological trace evidence.

5. If the decedent was hospitalized prior to death, admission blood specimens and any X- rays should be obtained as well as hospital records.