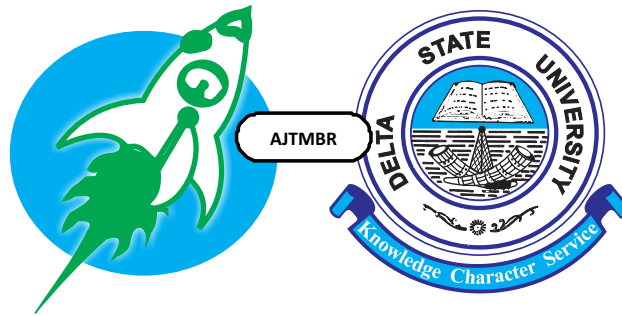



# African Journal of Tropical Medicine and Biomedical Research (AJTMBR)



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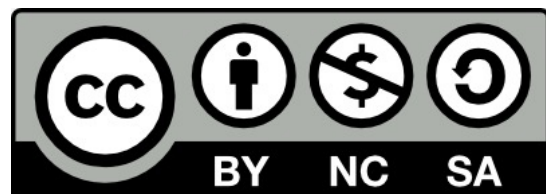
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## Table of Contents

### Editorial

- The Role of Forensic Medicine in Criminal Justice Delivery in Nigeria 7-11  
*Umeaku, U*

### Original articles

- Differential Alterations In Behavioural Phenotypes, Brain Biochemical Profiles And Histomorphology In Mice After Administration Of Sildenafil-dapoxetine Formulation 12-26  
*Omogbiya A, Orowigbo O, Moke EG, Obob M, Emudainobwo JOT, Awbin PE, Saviour GU*
- Pre-Examination Stress Among Pre-Clinical Medical Students: A Nigerian Survey 27-33  
*Ominde, BS, Enaobwo, MT, Jeremiah, O, Omoro, OF, Igbigbi, PS.*
- Evaluation Of Computational And Insecticidal Activities Of Oils From Ocimum Grattissimum And Cymbopogon Citratus Against Anopheles Gambiae Mosquito 34-49  
*Elelegu, EJ, Dunkwu, CC, Enyi, KC, Onuelu, JE, Onyesom, I.*
- Induced Abortion As A Method Of Contraception By Married Women With Unintended Pregnancy In Delta State, Nigeria: Prevalence, Predictors, And Reproductive Health Burden. 50-60  
*Williams, OO, Ayo, N, Omonigbo, E.*
- Duration-Dependent Post-Trauma Sleep Deprivation Differentially Modulates PTSD-Like Anxiety and Oxidative Markers in Mice 61-70  
*Ben-Azu B, Omogbiya AI, Ayereoghene SM, Usin SG, Oyonmi MO*
- Assessment of cytotoxicity and growth inhibitory effects of methanol extract of *Ageratum conyzoides* Linn 71-77  
*Ikoya, S, Apitikori-Owumi, JE, Nwoguzę, BC, Agboola, OE, Ekakitie, LI, Odegbe, OJ, Ofoke, IH, Oviri, MO.*
- Evaluating The Impact Of Computer Assisted Cognitive Remediation On Recovery Outcomes In Schizophrenia: A Quasi Experimental Study From Northwest Nigeria. 78-85  
*Yakubu AA, Bashir SM, Aveka AI, Murinyi MM, Khalid S, Yakasai BA*
- Biochemical Impact Of Occupational Cement Dust Exposure On Block Industry Workers In Rivers State, Nigeria. 86-90  
*John, GC, Anosike, IK*



# The Role of Forensic Medicine in Criminal Justice Delivery in Nigeria

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## **Introduction**

Forensic medicine is the use of medical knowledge for the purposes of the law.<sup>1,2</sup> Like in other sub-Saharan African nations, Nigeria's criminal justice system functions within intricate institutional, social, and economic frameworks. One area of the judiciary dedicated to enforcing justice and granting its citizens rights is criminal justice.<sup>1</sup> By using medical expertise in court investigations, forensic medicine—also known as legal medicine—offers a scientific basis for justice. Its function is especially important in situations when the public's trust in legal systems is brittle, investigative resources are scarce, and eyewitness reports may not be trustworthy. Through the promotion of accuracy, justice, and accountability, effective forensic medical practice enhances the delivery of criminal justice. Clinical forensic medicine, toxicology, forensic pathology, and laws pertaining to medical practice are the four primary subfields of forensic medicine.<sup>1,2</sup> The coroner system, which was in place after British colonisation, is the method of providing forensic pathology services in Nigeria just like other commonwealth countries.<sup>2,4</sup>

## **Determination of Cause, Manner, and Time of Death**

Coroner autopsy is one of forensic

medicine's most well-known functions. According to forensic pathologists, cause of death refers to things such as poisoning, physical force trauma, or gunshot wound.<sup>2,3</sup> Manner of death refers to whether the death is natural, accidental, suicide, homicide, or unidentified. The mode (or mechanism) of death is the specific physiological derangement resulting in death, such as asphyxia, syncope (heart failure), or coma.<sup>2,3</sup> The use of post-mortem changes like rigor mortis, livor mortis, algor mortis, and decomposition to estimate the time of death. Precise certification of death avoids false allegations, separates criminal from non-criminal fatalities, and directs the focus of investigations.<sup>2,3</sup>

## **Coroner Autopsy and Death Investigation**

In Nigeria, medicolegal problems frequently centre on deaths resulting from terrorism, traffic accidents, violence, and incarceration. Forensic pathologists are essential to:

- Identifying the cause and manner of death in cases of accidental fatalities, suicide, and suspected homicide,
- Distinguishing between criminally caused and natural deaths, especially in circumstances that are unexpected or unexplained,
- Looking into deaths that occur while

a person is in custody, or in gatherings like hostels, schools, camps e.t.c. as these are of great public and human rights importance.<sup>4,5</sup>

When carried out correctly, coroner autopsies help police investigations, avoid false allegations, and give judges impartial proof. However, there are still many obstacles to overcome, including a lack of qualified personnel, poor mortuary facilities, and cultural and religious opposition to autopsies.<sup>5</sup>

### **Examination of Victims of Violence and Abuse**

The recording of injuries sustained by victims of assault, armed robbery, child abuse and neglect, domestic violence, and sexual and gender-based violence (SGBV) depends heavily on forensic medicine.<sup>6</sup> This falls under the area of clinical forensic medicine.

Due to inadequate evidence, SGBV cases are usually underreported and poorly punished in Nigeria and other sub-Saharan African nations. The chances of a successful prosecution are significantly increased when forensic examination, prompt injury documentation, and biological evidence preservation are done while protecting the rights and dignity of the victims.<sup>6</sup>

### **Injury Interpretation and Crime Reconstruction**

By analysing injury trends and connecting them to purported incidents, forensic

specialists support law enforcement organisations. This comprises:

- Separating self-inflicted wounds from defensive injuries,
- Recognising injuries brought on by clubs, machetes, firearms, or homemade weapons,
- Distinguishing post-mortem artefacts from ante-mortem injuries.<sup>7,8</sup>

These interpretations are especially crucial in areas where narratives may be contradictory and politically sensitive due to insurgency, vigilante violence, and communal conflicts.<sup>8</sup>

### **Forensic Toxicology and Substance-Related Offences**

In Nigeria, forensic toxicology is becoming more and more important because of:-

- An increase in drug trafficking and abuse cases,
- Road traffic accidents caused by alcohol,
- Possible poisoning in political, professional, or domestic settings.

Toxicological analysis aids in proving drug use, poisoning, or intoxication as causes of death or criminal activity. Unfortunately, the usefulness of toxicological evidence in court is frequently jeopardised by inadequate laboratory capacity and delayed sample analysis.<sup>9</sup>

### **Forensic Psychiatry and the Criminal Justice System**

Like many African nations, Nigeria lacks adequate mental health services, yet forensic psychiatry is essential in:

- Evaluating the ability to stand trial,
- Assessing criminal culpability
- Giving judges advice on risk management, treatment, and punishment.<sup>10</sup>

By ensuring that mentally ill offenders are treated in compliance with legal requirements and human rights norms, these evaluations help to decrease unwarranted incarceration and enhance rehabilitation results.<sup>10,11</sup> Forensic psychiatry also falls under clinical forensic medicine.

### **Expert Testimony and Judicial Decision-Making**

As unbiased witnesses, forensic medical specialists help courts make sense of complicated medical data. Clear and impartial expert testimony in Nigeria and other jurisdictions can:-

- Make defences and prosecutions stronger,
- Lessen the dependence on potentially forced admissions,
- Reduce the number of erroneous convictions and acquittals.<sup>12</sup>

Although judicial understanding of forensic evidence is growing, judges, attorneys, and investigators still need ongoing training.<sup>12</sup>

### **Forensic Medicine and Human Rights Protection**

In Nigeria, forensic medicine is essential to the defence of human rights since it examines claims of police brutality and torture, records injuries in situations involving wrongful detention and helps to

handle large deaths during diseases, conflicts, or disasters. The rule of law is upheld and accountability is encouraged by impartial and skilled forensic investigations.<sup>13</sup>

### **Laws pertaining to Medical Practice**

Here it pertains to the functions of Medical and Dental Council of Nigeria which was first established in 1963. Its work include among other things the protection of the public from medical practitioners. This it does through The Medical and Dental Investigating Panel and The Medical and Dental Disciplinary Tribunal.<sup>14,15</sup> These bodies serve to investigate and discipline the doctor for various types of misconduct including negligence with the tribunal equal in status to that of a high court.<sup>14,15</sup> The laws pertaining to medical practice also guides the issuance and use of medical certificates including practicing licence. Medical certificates may play a role in criminal justice delivery. Lastly the law relating to medical practice also play a role in how the doctor carries out his duty. The most relevant to this is the importance of proper documentation and as the saying in law goes anything that is not documented never happened. So lack of proper documenting can be considered as the doctor being negligent in the discharge of his duty. It also helps the doctor to remember that each case is a potential medico-legal case.<sup>13</sup>

### **Challenges to Effective Forensic Medicine Practice**

Nigerian forensic medicine service delivery has several major obstacles, such as insufficient funds since the government should bear the expense, subpar mortuary

facilities, lack of qualified forensic pathologists and experts, inadequate cooperation between the police, courts, and health services, limited availability of contemporary forensic labs and religious and cultural objections to autopsies.<sup>1,9</sup> Legal changes, capacity building, and consistent government commitment are needed to address these issues.

### Conclusion

Forensic medicine is a vital component of legitimate criminal justice delivery in Nigeria. It improves investigations, promotes fair trials, defends human rights, and boosts public trust in legal systems by offering unbiased, scientifically supported evidence. To promote justice, accountability, and social stability in the area, forensic medical services must be funded through training, infrastructure development, and institutional independence.

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