

Ethical and Legal Responsibilities of Nursing Staff in Forensic Cases: A Review

Kundan Khalkho¹, Om Prakash Swami², Anamika Singh³, S. Bharti⁴, Diwakar Shukla⁵

¹Assistant Professor, Department of Mental Health Nursing Government, College of Nursing, Bilaspur, C.G.

²Associate Professor, Mahatma Gandhi Nursing College, Jaipur

³Principal, Apex College of Nursing Raigarh, Chhattisgarh

⁴Assistant Professor, Govt. College of Nursing Bilaspur

⁵Vice-Principal, Institute of Nursing Research Centre Surajpur, Kalua,
Krishnapur Bharuhamunda Road Surajpur, Chhattisgarh

Abstract

"Forensic nursing" is a nursing profession that blends medical care with legal and forensic procedures. Nurses have a critical role in identifying, assessing, treating, and recording medico-legal issues in healthcare settings. They frequently assist in providing care for both victims and offenders in cases such as assault, abuse, burns, poisoning, accidents, and sexual violence. Ethical and legal responsibilities are essential to forensic nursing practice because improper handling of evidence or patient rights violations may affect the legal process. Nursing staff are responsible for maintaining confidentiality, obtaining informed consent, accurately documenting, preserving forensic evidence, and reporting medico-legal incidents to the appropriate authorities. Nursing staff are guided by ethical principles including autonomy, beneficence, non-maleficence, and justice when administering forensic care. Inadequate training and understanding of forensic duties may result in carelessness and legal repercussions. In addition to highlighting the significance of forensic education in nursing practice, this review paper addresses the ethical standards, legal obligations, difficulties, and professional responsibilities of nursing personnel in forensic situations.

Keywords: Forensic nursing, ethics, legal responsibilities, nursing staff, medico-legal cases, evidence preservation, patient rights

INTRODUCTION

Nursing science, forensic theory, and legal procedures are all combined in the new field of forensic nursing.¹

Patients involved in medico-legal issues, including domestic violence, child abuse, sexual assault, poisoning, homicide, suicide attempts, and traffic accidents, are often seen by nurses working in hospitals and community healthcare settings.²

In these situations, nurses' responsibilities go

beyond treating patients; they also include coordinating with law enforcement, preserving evidence, and completing legal paperwork.³

In forensic scenarios, nurses are frequently the first medical experts to deal with victims and criminals.⁴

As a result, they are crucial in spotting indicators of

Address for Correspondence: Assistant Professor Department of Mental Health Nursing Government. College of Nursing, Bilaspur C.G.

E-mail: kundankhalkho86@gmail.com

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abuse, aggression, and illegal activity.⁵ For nursing professionals to ensure patient safety and support the legal process, proper assessment and prompt intervention are crucial.⁶ Lack of understanding of forensic techniques can lead to evidence loss and legal issues.⁷

In the profession of forensic nursing, ethical obligations are essential.⁸ Nurses must respect patient autonomy, uphold confidentiality, give objective care, and defend people's rights and dignity.⁹

Maintaining patient privacy while adhering to legal reporting obligations can provide ethical challenges. Nurses are expected to adhere to institutional policies and professional ethical standards in such circumstances.¹⁰

Accurate recording, gathering evidence, upholding the chain of custody, obligatory reporting, and testifying in court when necessary are among the legal obligations of nursing personnel. Medical records may be crucial legal evidence in court, therefore documentation must be factual, understandable, and impartial. Additionally, nurses are responsible for making sure that forensic items like clothing, blood samples, bodily fluids, photos, and personal possessions are handled and preserved properly.¹⁰

Globally, there is a greater need for qualified forensic nurses due to the rising rates of crime and violence. Enhancing nurses' knowledge and abilities in forensic evidence management, ethical principles, and legal duties requires education and training programs. In addition to improving patient outcomes, appropriate forensic nursing practice makes a substantial contribution to the administration of justice.¹¹

Objectives of the Review

1. To review the ethical responsibilities of nursing staff in forensic cases.
2. To discuss the legal responsibilities of nurses in medico-legal situations.
3. To identify challenges faced by nursing personnel in forensic practice.
4. To highlight the importance of forensic nursing education and training.

Ethical Responsibilities of Nursing Staff in Forensic Cases

Respect for Patient Autonomy

Respecting the patient's freedom to choose their own course of treatment and evaluation is known as patient autonomy. Before conducting forensic tests or gathering evidence, nurses should, whenever feasible, seek informed consent. ¹¹ Patients should be made aware of the processes, dangers, advantages, and legal ramifications associated with forensic investigations.

Beneficence and Non-Maleficence

It is the ethical duty of nurses to act in patients' best interests while avoiding damage. Nurses should minimize patients' physical or psychological trauma while doing forensic investigations.¹²

Confidentiality and Privacy

One of the main ethical duties in nursing practice is to maintain confidentiality. According to institutional and regulatory regulations, information about forensic cases should only be disclosed to authorized medical specialists and legal authorities. Confidentiality violations may have ethical and legal repercussions.¹²

Justice and Equality

All people must be treated fairly and equally by nurses, regardless of their gender, religion, socioeconomic standing, or criminal history. Respect for human dignity and nondiscriminatory practices are essential components of ethical nursing care.

Advocacy Role

By defending patients' rights, guaranteeing their safety, and facilitating their access to psychological counseling, legal assistance, and rehabilitation services, forensic nurses serve as patient advocates.

Legal Responsibilities of Nursing Staff in Forensic Cases

Accurate Documentation

In forensic instances, nurses have a significant legal obligation to document. Information on injuries, patient statements, treatment received, evidence gathered, and examination observations should all be included in medical records. Documentation ought to be factual, impartial, and devoid of subjective viewpoints.

Preservation of Evidence

In order to preserve forensic evidence, including blood samples, clothing, hair, nail scrapings, and photos of injuries, nurses are crucial.¹³ The integrity of forensic materials is preserved and contamination is avoided by proper evidence handling.

Chain of Custody

To guarantee the legal validity of evidence, the chain of custody must be maintained. Accurate documentation of the gathering, storing, transferring, and handling of evidence materials is required of nurses.

Mandatory Reporting

Cases involving child abuse, sexual assault, poisoning, domestic violence, gunshot injuries, and suspicious deaths must be reported to the proper authorities by healthcare personnel. Healthcare workers may face legal prosecution if medico-legal cases are not reported.

Court Testimony

It may be necessary for nurses to testify in court on patient conditions, documentation, and evidence handling protocols. As a result, forensic nursing practice requires accurate documentation and professional behavior.¹⁴

Challenges Faced by Nursing Staff in Forensic Cases

When handling forensic cases, nursing staff face a number of difficulties. Common obstacles include insufficient institutional support, emotional stress, fear of legal involvement, poor staffing, and a lack of training. Nurses have additional difficulties due to ethical conflicts between patient confidentiality and legal reporting requirements. To enhance forensic nursing practice, institutional policies and ongoing professional education are required.¹⁴

Importance of Forensic Nursing Education

Enhancing nurses' proficiency in forensic care requires education and training. Forensic science, legal procedures, ethical concepts, evidence collection, and documentation techniques should all be covered in nursing courses. Nurses' confidence and practical skills in handling medico-legal cases can be

improved through workshops, seminars, and simulation-based learning programs.¹⁵

Conclusion

In the crucial specialty of forensic nursing, nurses must uphold their moral and legal obligations while caring for patients. In medico-legal matters, nurses are crucial in patient advocacy, recordkeeping, evidence preservation, and required reporting.¹⁵ Professional nursing practice in forensic contexts is guided by ethical values including autonomy, secrecy, beneficence, and justice.¹⁵ Enhancing forensic nursing expertise and guaranteeing high-quality patient care and legal justice require sufficient education, training, and institutional support.

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