

Original Research Paper

An Overview of Custodial Deaths in Pune Six years Retrospective Study

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Abstract

Numbers of deaths in custody are increasing every year. It is important to carry out research studies in this field. In this six year retrospective study, all cases of custodial deaths brought for post-mortem examination during year 2008 to year 2013 at Forensic Medicine department of B.J.G. Medical College, Pune were analyzed to study mortality pattern. Total 118 cases were studied which showed male preponderance with 107 males and 11 females. Out of 118 cases 109 died in jail and 09 deaths occurred in police custody. There were 96 cases of natural deaths, 18 cases of unnatural deaths and in 04 cases manner of death was undetermined. Out of natural deaths maximum cases died of respiratory diseases (42), of which maximum cases (22) were of pulmonary tuberculosis. Suicide was the most common unnatural manner of death. Major reasons behind custodial deaths were mainly unawareness and carelessness on the part of custodial authorities.

Key Words: Custodial deaths, Human rights, Tuberculosis, Suicide, Unnatural death

Introduction:

Any death in police custody is a serious matter causing public disquiet. Custodial deaths have become a major human right issue in world including India. [1] According to prison statistics of India by National Crime Records Bureau, total 1597 custodial deaths occurred in year 2013 as compared to 1332 in year 2011 and 1471 deaths in year 2012. [2-4] This shows that total number of deaths in custody has been increasing continuously.

Most of the times such deaths are considered as unnatural because the person in the custody is solely dependent on the custodial authorities for all of his/her constitutional rights including access to health care. On the contrary it is found that majority of deaths in custody are natural. [5] Hence post-mortem examination of custodial deaths requires prior organisation, planning and meticulous approach to put pause on all the rumours and to give best possible opinion regarding cause and manner of death.

National Human Rights Commission of India has hence laid down strict guidelines to be followed after custodial deaths. It is found that major reasons behind custodial deaths are mainly unawareness and carelessness on the part of custodial authorities on the health status of the inmates and poor condition of the cells. [5]

On the other hand unnatural deaths though less common as compared to natural deaths are equally important because they lead to public and media speculations against custodial authorities. [1]

From previous studies it is clear that many of these deaths are premature deaths and can be prevented with proper care and treatment. However knowledge and data regarding such deaths is important to focus attention on prison medical services and to facilitate the implementation of preventive programs. [6] Number of studies has been carried out on custodial death by various international agencies and authors of western countries, but only few studies have been done in India till date. [5] More and more studies in this field are required in future.

Hence we have conducted this study to highlight issues relating to deaths in custody.

Material and Method:

The present study is a six year retrospective study. The study was conducted at department of Forensic Medicine and Toxicology, B.J. Government Medical College, Pune. Data was collected from records of

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custody deaths that were brought for post-mortem examination during year 2008 to year 2013. The data was then analyzed for age, sex, cause of death, manner of death, pre-existing illness and place of death.

Observations and Results:

Total 118 cases were studied in this six year retrospective study. (Fig. 1) This Study showed male preponderance with 107 males and 11 females. (Fig. 2) Out of 118 cases 109 died in jail and 09 deaths occurred in police custody. (Fig. 3)

Maximum cases of males (20) were from age group of 31-35 years and of females (04) were from more than 61 years age group. (Fig. 4) Maximum age of male studied was 79 years and female was 76 years.

With respect to manner of death, 96 cases were natural deaths, 18 cases were of unnatural deaths and in 04 cases manner of death was undetermined. (Fig 5)

Out of natural deaths maximum cases died of respiratory diseases (42), of which maximum cases (22) were of pulmonary tuberculosis. (Table 1) Suicide was the most common unnatural manner of death with 10 cases, followed by accidental deaths consisting 06 cases and homicidal being the least common with 02 cases. (Table 2)

Out of 118 cases 16 cases were HIV positive. As far as pulmonary tuberculosis is concerned 11 out of 22 cases i.e. 50% cases were associated with HIV infection.

Discussion:

Death occurring in some form of custodial detention is commonly known as death in custody, such as police cell or prison. It should also include deaths resulting from police or prison officers attempting to detain a criminal or a person escaping or attempting to escape from police custody or prison. [7]

In this study we have retrospectively analyzed all cases of custodial deaths which came to department of Forensic Medicine for post-mortem examination during the period 2008 to 2013. Study showed male preponderance with 107 male cases (91%). This finding was consistent with other studies conducted previously. [6, 8-12]

With respect to manner of death out of 118 cases maximum cases (97) were of natural deaths. Other researchers also found that natural deaths are more common than unnatural deaths. [5, 6, 9, 13, 14] But some workers reported that unnatural suicidal deaths are more prevalent. [1, 10, 15-17]

Among the natural deaths most of the deaths were due to respiratory system involvement with pulmonary tuberculosis being commonest. This finding was supported by various researchers. [6, 13, 18] However Wobeser et al [17] and Frueshwald et al [19] found that majority of deaths were due to Cardio-vascular diseases.

In our study out of 118 cases 16 cases (13.5%) were HIV positive. As far as pulmonary tuberculosis was concerned 11 out of 22 cases i.e. 50%. Bardale et al [6] found that 14.08% cases were associated with HIV in his study.

From above observation it was clear that prisoners constitute high risk group for acquisition of tubercular infections. This is attributed to overcrowding, closed living conditions, insufficient ventilation, poor living conditions and poor nutrition. [20]

According to prison statistics India by National Crime Record Bureau 2013 there are total 1391 prisons across India, having authorised capacity of 3, 47, 859.

On the contrary Indian prisons are overcrowded with 4, 11, 992 prison inmates, exceeding the authorised capacity having occupancy rate of 118.4%. [2] In present study suicide was the most common unnatural manner of death with 10 cases, followed by accidental deaths consisting 06 cases and homicidal being the least common with two cases.

The present study is in line with that of Bansal et al [13] who found that suicide is the most common unnatural manner of death, however they found, fall from height as the cause in most of suicidal cases as opposed to hanging in present study. Hanging was also found to be most common method of suicide in custody by Agnihotri et al. [1]

This study showed two cases of homicides with cause of death as shock due to peritonitis in case of blunt injuries in one case and asphyxia due to ligature strangulation in another case. According to study by Bansal et al [13] majority of homicidal deaths were due to trauma. They also reported one case of homicidal burns in judicial custody.

All these cases be it natural deaths or unnatural deaths show some sort of carelessness and disrespect for human life on the part of authorities.

Authorities are not aware about any history related to health of inmates and they take action only when the condition deteriorates and the inmates ultimately succumb to death. [5]

Conclusion and Suggestions:

There should be responsibility on the part of custodial authorities and the public to regularly review causes and rates of death among people in police custody and to look for the preventive measures. It is also evident that deaths occurring in custody are mostly natural ones; where previous history of medical, surgical and psychiatric illness is present but authorities are unaware of those facts. Hence we recommend following suggestions in addition to suggestions of previous studies:

1. Complete pre arrest medical check-up as per NHRC guidelines. This must include screening of diseases like HIV, HBV, Tuberculosis, Diabetes, Hypertension and previous psychiatric illness.
2. Custodial authorities should maintain proper registers regarding health issues of each inmate.
3. A surveillance team of qualified persons under the supervision of collector/ executive magistrate consisting of physician, surgeon, medico legal expert, and food inspector should be appointed to regularly inspect health care facilities, accommodation facilities and quality of food supplied.
4. Closed circuit television cameras (CCTV) should be installed in all cells and police lockups to have the check on the activities of inmates and custodial authorities.
5. Timely education and training program should be organised by custodial authorities with the help of nearest government medical college to address the health issues of jail inmates and to increase health awareness. This should also include health check up by medical professionals.
6. Awareness cum training programs should be undertaken by NHRC to make prison inmates aware about human rights.
7. Appreciating the problem of overcrowding of jail inmates, it is needed to increase number of jails to accommodate extra burden.

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Fig. 1: Year wise Distribution of Cases

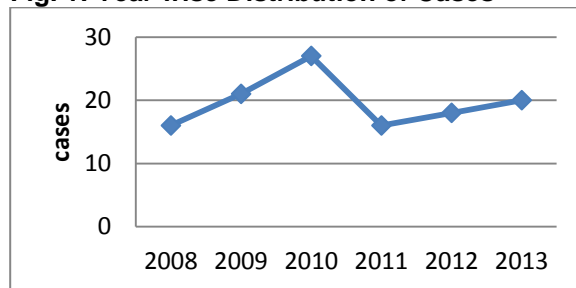


Fig. 2: Sex wise Distribution of Cases

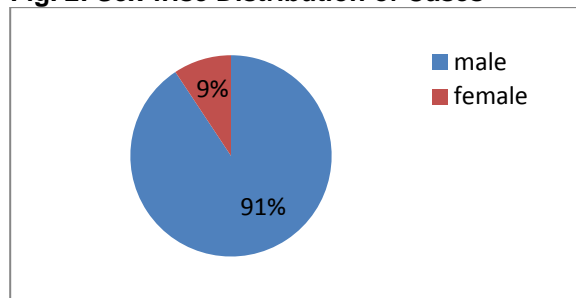


Fig. 3: Custody wise Distribution of Cases

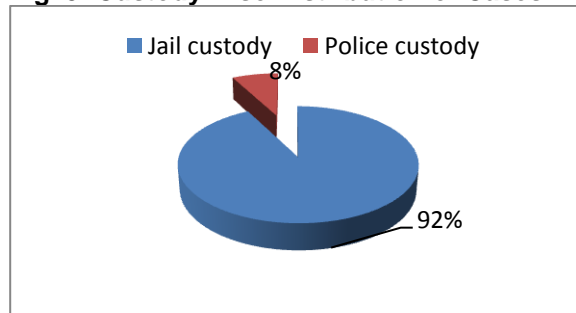


Fig. 4: Age and Sex wise Distribution of Cases

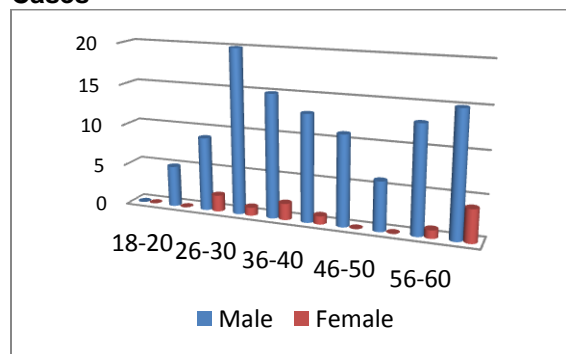


Fig. 5: Cases According to Manner of Death

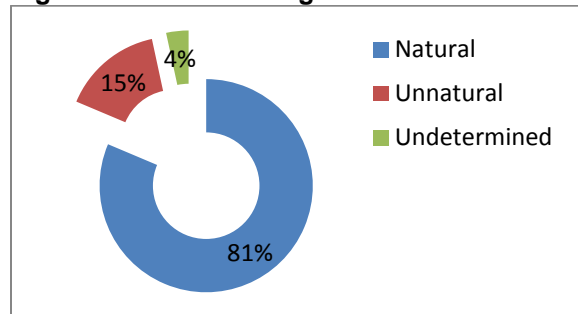


Table 1: Distribution of Cases of Natural Deaths

S.N.	System Involved	Cases
01	Central nervous system	03
02	Cardiovascular system	26
03	Respiratory system	42
04	Gastrointestinal system	02
05	Genitourinary system	03
06	Multi-systemic involvement	14
07	Septicaemia	02
08	Malaria	01
09	Diabetic ketoacidosis	01
10	Carcinoma	02

Table 2: Distribution of Cases of Unnatural Deaths

Manner of death	Cause of death	Cases
Suicidal	Hanging	06
	Poisoning	02
	Cut throat injury	01
Accidental	Head injury	04
	Multiple injuries	01
	Intraperitoneal haemorrhage due to laceration of mesentery of small intestine.	01
Homicidal	Shock due to peritonitis in case of blunt injuries	01
	Asphyxia due to ligature strangulation	01