

National Judicial Academy

**P-1305: Workshop for District Judiciary on Medical Forensics & Medico-Legal Aspects in Trial
10th -11th September, 2022**

Programme Coordinator : Mr. Sumit Bhattacharya and Ms. Jaya Rishi

No. of Participants : 45

No. of forms received : 45

I. OVERALL				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The objective of the programme was clear to me	95.56	4.44	-	21. Good.
b. The subject matter of the programme is useful and relevant to my work	81.82	18.18	-	21. Good.
c. Overall, I got benefited from attending this programme	86.36	13.64	-	17. I would like to attend more programme in NJA. 21. Good.
d. I will use the new learning, skills, ideas and knowledge in my work	77.78	22.22	-	21. Good.
e. Adequate time and opportunity was provided to participants to share experiences	68.18	31.82	-	21. More time should be given.
II. KNOWLEDGE				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
The programme provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	81.82	18.18	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	78.57	21.43	-	-
c. Up to date	88.64	11.36	-	24. Not known.
d. Related to Constitutional Vision of Justice	80.49	19.51	-	24. Cannot comment.

e. Related to International Legal Norms	47.50	52.50	-	19. Not known. 24. Cannot comment.
III. STRUCTURE OF THE PROGRAMME				
PROPOSITION	Good (%)	Satisfactory (%)	Unsatisfactory (%)	Remarks
a. The structure and sequence of the programme was logical	88.89	11.11	-	-
b. The programme was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	83.72	16.28	-	-
(ii) Interactive sessions were fruitful	80.00	20.00	-	-
(iii) Audio Visual Aids were beneficial	66.67	33.33	-	-
IV SESSIONS WISE VETTING				
Parameters				
Session	Discussions in individual sessions were effectively organized		The Session theme was adequately addressed by the Resource Persons	
	Effective and Useful (%)	Satisfactory (%)	Effective and Useful (%)	Satisfactory (%)
1	90.91	9.09	97.14	2.86
2	90.91	9.09	97.14	2.86
3	84.09	15.91	91.43	8.57
4	95.35	4.65	100.00	-
5	83.72	16.28	97.14	2.86
V. PROGRAMME MATERIALS				
PROPOSITION	To a great extent (%)	To some extent (%)	Not at all (%)	Remarks
a. The Programme material is useful and relevant	93.02	6.98	-	5. Only the contents & Some portions. 24. Only read a part so far.
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	90.24	9.76	-	-
c. The content was organized and easy to follow	90.70	9.30	-	-

VIII. GENERAL SUGGESTIONS

1. Three most important learning achievements of this Programme	<p>1. 1.Added valuable insight on the subject; 2. Gained wisdom form the rich experience of the eminent speakers; 3. Received good reading material.</p> <p>2. Received good knowledge material experience.</p> <p>3. How DNA technology is used in identifying culprits is very useful.</p> <p>4. 1. Will keep in mind the things learnt here while appreciating evidence; 2. Has been made aware of a lot of new materials in development of crime investigation.</p> <p>5. None.</p> <p>6. 1. Expert opinion; 2. DNA technology; 3. Hand writing.</p> <p>7. Broke all previous misnomers; that I had learnt new technology will use in profession.</p> <p>8. The programme will benefit my work in examining the scientific evidence; The programme is very useful to interact with other participants. The programme will improve the functioning.</p> <p>9. I have learnt a lot form this programme specially on challenges regarding the legality of assisted reproduction, In Vitro Fertilization (IVF); Liabilities and obligations in transplantation of human organs; Evaluating forensic evidence.</p> <p>10. The scope of forensic evidence vis-a-vis the challenges; Discussion on expert opinion; The transplantation of human organs and tissues Act.</p> <p>11. 1. The process of IVF & its enactment which is very important; 2. The HOTA is also a new experience for me though our state is not so well equipped with transplantation.</p> <p>12. Very useful to know regarding prescriptive tests & probative value of forensic & the open session discussion.</p> <p>13. 1. Very useful in working as a judicial officer; 2. It enhanced our legal knowledge; 3. It became easy to analyse medical/Scientific evidence.</p> <p>14. The training programme will be helpful in analyzing the scientific evidence, particularly understanding on evidences based on DNA fingerprints will be great help in conducting criminal trial.</p> <p>15. Use of expert report, how to evaluate and how to determine the role of expert.</p> <p>16. None.</p> <p>17. 1. Application of judicial mind; 2. Appreciation evidence in respect of DNA (Expert Evidence); 3. Basic concept of compensation.</p> <p>18. Appreciating forensic and DNA evidence in court proceedings.</p> <p>19. Appreciation of forensic evidence. About DNA technology, Artificial technology.</p> <p>20. The knowledge of resource persons was very relevant.</p> <p>21. 1. Make the judges aware of scientific advancements; 2. How to appreciate scientific evidence; 3. Precautions to be used while evaluating scientific evidence.</p> <p>22. 1. It will help us, while deciding the cases; 2. Got good knowledge; 3. Medical forensic law can assist us.</p>
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	<p>23. 1.The topic which was selected for the programme is excellent as we rarely get training on this; 2. Many conventional theories which we followed are brushed aside; 3. We could get immense information on laws which are rarely used.</p> <p>24. None.</p> <p>25. 1. Understanding fundamental medical forensic; 2. Learnt a lot about transplantation of human organ; 3. Impact of technology in evidence.</p> <p>26. Artificial intelligence and digitization of techniques.</p> <p>27. 1. Gave me the broader vision and aspects of forensic examination of an expert i.e. evaluation of forensic evidence; 2. Organ transplantation of human beings was a new subject for me and came to know about it in detail; 3. Last but not the least forensic evidence how it is collected and evaluated by the experts and medical negligence and malpractices.</p> <p>28. Subject matter of programme is very useful in my life. Overall I got benefited from attending this programme. New learnings, skills, idea and knowledge in my work.</p> <p>29. All.</p> <p>30. 1. I have got a clue for further studies; 2. Learnt about new scientific method and 3. Understood the importance of scientific evidence.</p> <p>31. 1. Learning about new technologies; 2. Learning from other officer’s experience; 3. Application of forensic science in our daily work more effectively & logically.</p> <p>32. The training programme is very informative focused and practical.</p> <p>33. 1. Gain in knowledge and recent development in the field of organ donation and transplantation and its legal aspect; 2. Learnt best practices and case laws on various topics; 3.Discussion made the grey areas more clear.</p> <p>34. Updated my knowledge in the field of organ transplantation, DNA reports etc.</p> <p>35. 1. Learnt new development in forensics; 2. Had opportunity to interact with experts.</p> <p>36. Would help us to deal with the cases (i) Pertaining to DNA reports (ii) PM reports; (iii) Other forensic evidence.</p> <p>37. 1. Examination of Doctor who conducted PM; 2. What questions to be put to expert witness; 3. How to analyse DNA report.</p> <p>38. All.</p> <p>39. Covered the appropriate area. Resource persons were very homely and questions have been asked without hesitation. Instrumental in imparting learning.</p> <p>40. None.</p> <p>41. 1. Evaluating forensic evidence; 2. DNA analysis and its impact; 3. Novel technology enabling autopsy.</p> <p>42. Organ transplantation is very useful & this is the dais in which I learnt more; DNA sample collection.</p> <p>43. None.</p> <p>44. Session 2: Identifying Challenge & Culling out Best Practices – (Group Activity); Session 3: Liabilities and Obligations in Transplantation of Human Organs: Scope & Limits and Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper- Were the most important learning achievements of this programme.</p>
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	45. 1. Clarity in approaching/appreciating DNA report; 2. Examination of experts; 3. Awareness on the prevalent technology used in forensic examination.
2. Which part of the Programme did you find most useful and why	<p>1. 1. Impact of technology on forensic evidence; 2. Application of judicial mind to evaluate forensic mind.</p> <p>2. All the programmes were informative.</p> <p>3. DNA technology.</p> <p>4. All sessions.</p> <p>5. None.</p> <p>6. DNA technology because it is useful on matters related to POCSO act specially.</p> <p>7. Use of new technology and experience sharing.</p> <p>8. Open discussion (Q&A). Case law discussion in practical point of view.</p> <p>9. Session 1: Fundamentals of Medical Forensic Law and Medical Negligence: Setting the Context; Session 2: Identifying Challenge & Culling out Best Practices – (Group Activity); Session 3: Liabilities and Obligations in Transplantation of Human Organs: Scope & Limits and Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper- I find them useful as they will help me in my decision making and I have learnt a lot from these sessions.</p> <p>10. Session 2: Identifying Challenge & Culling out Best Practices – (Group Activity); Session 3: Liabilities and Obligations in Transplantation of Human Organs: Scope & Limits; Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper and Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence.</p> <p>11. Session 2: Identifying Challenge & Culling out Best Practices – (Group Activity); Session 3: Liabilities and Obligations in Transplantation of Human Organs: Scope & Limits – are most useful for me, since I learnt new enactments. Both acts are not used in our state though. But time will come after these will be present in all strata of the society.</p> <p>12. All.</p> <p>13. Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper - because it is very useful in judicial working.</p> <p>14. Forensic part.</p> <p>15. Forensic part & DNA.</p> <p>16. By Hon’ble Ms. Justice Mukta Gupta.</p> <p>17. Session 1: Fundamentals of Medical Forensic Law and Medical Negligence: Setting the Context; Session 2: Identifying Challenge & Culling out Best Practices – (Group Activity) – Helpful in our day to day work.</p> <p>18. Latest case law and PPT presentation on subject material.</p> <p>19. DNA technology; It is being used of late in many latest cases.</p> <p>20. All sessions were very relevant.</p> <p>21. Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper and Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence – Helpful for our day to day work.</p> <p>22. Session 2: Identifying Challenges & Culling out Best Practices – (Group Activity) – Because it is part when matter going on before the court.</p> <p>23. Forensic evidence evaluation.</p>

	<p>24. None.</p> <p>25. All of them are very useful.</p> <p>26. DNA Technology. The insights and guidance provided by the resource persons was highly useful which would help me a lot in my working.</p> <p>27. All the sessions were important and relevant to our day to day working and gave me a broader vision to analyze the evidence and the necessary factors to be kept in consideration while examining an expert.</p> <p>28. Application of judicial mind to evaluate forensic evidence.</p> <p>29. All. New learnings.</p> <p>30. Discussion on application of judicial mind for evaluating scientific evidence. This is always required in the courts.</p> <p>31. Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper and Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence. – Are most useful because they are more related to our daily work.</p> <p>32. I particularly enjoyed the presentation of Justice K. Kannan and Dr. Jayanthi Yadav.</p> <p>33. Entire programme was linked and topics were closely connected so whole programme was very useful.</p> <p>34. Session 3: Liabilities and Obligations in Transplantation of Human Organs: Scope & Limits – Because it was new field for me; Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper – Both sessions very good; Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence.</p> <p>35. All sessions were useful.</p> <p>36. DNA analysis.</p> <p>37. Examination of expert evidence to rule out the doubts between oral and medical evidence.</p> <p>38. DNA Fingerprinting.</p> <p>39. DNA analysis and its impact on judicial decision making as now scientific investigation is call of the day.</p> <p>40. None.</p> <p>41. Open session discussions.</p> <p>42. DNA sample & collection.</p> <p>43. With experts of forensic science, as it enriches knowledge in those areas.</p> <p>44. I find all the programme useful but the explanations were very much academic based, that I cannot retain the whole information.</p> <p>45. All sessions by Justice K. Kannan.</p>
<p>3. Does the programme need further modulations or change</p>	<p>1. None.</p> <p>2. None.</p> <p>3. Transplantation of human organs.</p> <p>4. Nil.</p> <p>5. None.</p> <p>6. None.</p>

7. None.
8. None.
9. **Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence.**
10. None.
11. None.
12. NA.
13. **Session 3: Liabilities and Obligations in Transplantation of Human Organs:** - because some cases are being tried by judicial officers in their working.
14. Each part was useful.
15. Artificial intelligence.
16. None.
17. **Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence** – At present no such cases are before me. But It is helpful in future.
18. No.
19. None.
20. None.
21. None.
22. All sessions are good.
23. **Session 5: Impact of Technology on Forensics Evidence and case law Jurisprudence** – Time was too less to have the doubts on electronic evidence cleared.
24. None.
25. None.
26. Nil. Almost all the parts of the programme were highly effective and useful.
27. None.
28. None.
29. Nil.
30. Discussion on the law relating to organ transplantation. I never found such cases in court.
31. **Session 3: Liabilities and Obligations in Transplantation of Human Organs: Scope & Limits** – Because personally I didn't deal with any case related to human donation/transplantation of human organs cases.
32. None.
33. No.
34. No.
35. None.
36. None.
37. None.
38. All were useful.
39. None.
40. None.

	<p>41. None.</p> <p>42. Nothing.</p> <p>43. None.</p> <p>44. I find Session 4: Application of Judicial Mind to Evaluate Forensic Evidence: Judge as a Gate-Keeper- Most useful.</p> <p>45. None.</p>
<p>4. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>1. Race for learning has no finish line and I wish to be the first one in this race. Looking forward for more such intellectually enriched learning sessions. Thank you.</p> <p>2. Looking for such sessions in future.</p> <p>3. The present one is effective.</p> <p>4. Case study method may be incorporated more.</p> <p>5. 1. Please mail the learning materials and the detailed programmes sufficiently early so that a glance can be had. 2. Please hand over the evaluation form along with other materials so that we will be able to evaluate and report it properly. Thanks to the co-ordinators.</p> <p>6. Academy should arrange the Hindi speaking resource persons also.</p> <p>7. Have longer sessions to cover greater number of topics.</p> <p>8. The programme and the subject matter is very excellent.</p> <p>9. No suggestions.</p> <p>10. None.</p> <p>11. Before coming to NJA. If someone is a first timer, a call of convenience may be done. So that new one will not find strange himself for first few hours.</p> <p>12. NA.</p> <p>13. Present programme is very useful. In future also programme which is very frequently used in working may also be included.</p> <p>14. None.</p> <p>15. TV screen should be enhanced in numbers in classroom.</p> <p>16. These seminars are indispensable for core competency capacity building.</p> <p>17. None.</p> <p>18. Yes, more practical material & trial court case material.</p> <p>19. Nil.</p> <p>20. Programme organized by NJA are always useful and effective.</p> <p>21. Can provide more training on digital evidence, cybercrimes.</p> <p>22. Everything is good.</p> <p>23. The scheduled time should be more; as the topic selected requires more focus and discussion.</p> <p>24. Duration of the course should be longer.</p> <p>25. None.</p> <p>26. Very effective and elaborate. I can only wish good luck to the Academy for doing a wonderful job.</p> <p>27. Since the subject of programme is vast so few more sessions would have made much more difference and the subject could have been dealt in more detail.</p>

	<p>28. None.</p> <p>29. Please improve the duration & permit the family accommodation.</p> <p>30. No.</p> <p>31. Working time should be extended at least there should be 3/4 sessions on second day also.</p> <p>32. Workshop period is too short. My humble suggestion is that the period may be extended so that we get more advantage and information.</p> <p>33. More focus should always be given on practical side than theory and this programme was so designed that it accomplished its goal and I want to express my gratitude to all resource persons, speakers and all research fellow and law associate of NJA Bhopal.</p> <p>34. More days of training are required.</p> <p>35. More time needs to be assigned for the topics.</p> <p>36. Programme is overall very comprehensive.</p> <p>37. More and more practical experience and knowledge should be shared by Resource Person.</p> <p>38. More of the day to day difficulty faced by the trial courts could be discussed.</p> <p>39. The participating judges/officers should be allowed to come and stay with spouse.</p> <p>40. None.</p> <p>41. Nothing.</p> <p>42. Too short programme; at least four days on one programme.</p> <p>43. None.</p> <p>44. This programme has expanded my knowledge immensely and is very helpful. It will be much better if the programme is more based on the judges/justices experience/problems faced when confronted with such cases and how to deal with it. So, the explanation and lecture given by Justice Mukta Gupta was very helpful as it was court based, the challenges we will face in court.</p> <p>45. Everything was excellent.</p>
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