1. THE HISTORY OF FORENSIC MEDICINE

Modern forensic medicine was born with the creation of three new Faculties of Medicine in Paris, Strasbourg and Montpellier after the French Revolution.

In 1794, medical studies were reorganised and professorships of forensic medicine in the new Faculties were established. In 1798, Francois Emmanuel Fodere (1764-1835) was the first to publish a treaty which establish the distinction between civil, criminal forensic medicine, administrative forensic medicine as well as health and medicine policing.

Under the French Directoire, Nicolas Pierre Gilbert (1751-1814) considered forensic medicine as “one of the noblest professions”. He reformed the teaching of this field forensic medicine, so that “wisely motivated reports” may be used in Court. He proposed also to instruct health professionals in this discipline in medical schools near the Courts of Appeal.

The importance of forensic medicine was highlighted when, in 1814, Le Roux des Tilliets, Dean of the medical school of Paris proposed the creation of professorships in clinical forensic medicine. Until this time teaching was mostly theoretical.

In 1813, Fodere, who held the chair of Forensic Medicine and Public Health in Strasbourg, published a new edition of his treaty, entitled “Treaty of forensic medicine, public health or health policing. His definition of forensic medicine in 1818 was: “By forensic medicine one means the application of physical, natural and medical knowledge to the legislation of the people, the administering of justice, local government, the maintenance of public health …” He wrote also: “How wrong are those who think that forensic medicine deals only with the right way to write a judicial report!”

Victor Balthazard had a more restrictive definition of forensic medicine than Fodere in his “Summary of forensic medicine” (1906) when he stated that “Forensic medicine is the application of medical knowledge to civil and criminal cases that could only be solved using its tools”.

New horizons were opened for this field by the development of pathological anatomy and toxicology as developed by Matteo-Jose Bonaventure Orfila (1787-1835), and the use of microscopy. One must also note the rise of forensic psychiatry with Jean-Dominique Esquirol (1772-1840).
At that time, the work of forensic medicine specialists was limited to autopsies in morgues where bodies were displayed to be claimed by the public; Ambroise Tardieu heralded social forensic medicine with his work on child abuse (1860).

The teaching of forensic medicine as proposed by Dean Le Roux des Tilliets remained at the theoretical level despite the introduction of clinical forensic medicine as a discipline. Around 1877, Dean Alfred Vulpian (1826-1887) organised practical teachings in morgues, which were conducted by Paul Brouardel (1837-1906). Brouardel held the chair of forensic medicine in Paris between 1879 and 1906 and became Dean of the Faculty of Medicine. In Lyon, forensic medicine was developed by Alexandre Lacassagne (1843-1924), who held the chair of forensic medicine in the Faculty of Medicine in Lyon for over 30 years, between 1880 and 1913. This position was created in 1870. Lacassagne’s work focused on the medical and social aspects of criminality. The Faculty of Lyon developed criminal anthropology, and created of the first technical and scientific police laboratory by Dr. Edmond Locard (1877-1966). The Institute of Forensic Medicine was located within the University of Lyon.

The creation of the first forensic medicine institute in Lyon took place in 1853 on a barge at the Rhone River, on the opposite side of the Hotel Dieu hospital. The successive professors of forensic medicine who directed the Forensic Institute of Lyon are: Professors Gromier, Lacassagne, Martin, Mazel, Bourret, Roche, Vedrine and Malicier.

A few words about Pr. Louis Roche: he was born in St-Etienne on 10 September 1916. He was appointed as university professor specialist of forensic medicine and deontology, and director of the Forensic Institute in 1955. The publishing house he founded, Alexandre Lacassagne Editions, has published 200 original works to date including forensic medicine and medical economy books. He remained exceptionally active until his retirement in 1985.

Examples of historical backgrounds

1.1. Forensic medicine in Normandy

In Normandy, Jean-Baptiste Vigne, head of the Hospice of Rouen since 1814, was a corresponding member of the Academy of Medicine of Paris and published a book, “On apparent death,” where he highlighted the dangers of premature inhumation.

In 1928, Antoine-Emmanuel-Pascal Blanche was appointed as clinical professor of the Hospice and professor of forensic medicine in the school of medicine. His course was unfortunately discontinued a few years later. A faculty of medicine was founded in Rouen in 1967, including a department of forensic medicine chaired by Professor P. Michon. Michon, who had an academic background and was not integrated in a hospital structure at the
time, resided in Paris. His departments were often called for expertise of a national level. He died in 1977 without having completed a reform of the forensic structure called for by many doctors.

Speaking at the opening of the French language speaking International Congress of forensic medicine in Paris in 1983, R. Badinter expressed his concern at the situation of forensic medicine in France and particularly in Rouen.

It wasn't until 1996 that an agreement between the legal authorities and the university hospital of Rouen were able to integrate the thanatological activities in the hospital.

1.2. Forensic medicine in Strasbourg

The curriculum of the college of medicine of Strasbourgh included a course in forensic medicine since its creation in 1795. This course began on 20 April 1795 and was given by military surgeon Joseph Noël (1753-1808), the future director of the college.

The chair of forensic medicine was created in 1796 and Noël was appointed professor of forensic medicine and in time director of the college.

The transformation of the college into the Faculty of Medicine took place on 17 March 1808, and confirmed the position of forensic medicine in higher education. The directive of 7 February 1809 organised twelve chairs, including the chair of forensic medicine. Jean-Louis Michel Tinchant (1741-1835), also a military surgeon, succeeded to Noel in 1809. He taught forensic medicine until the day he died, on January, the 23rd, 1813.

Francois-Emmanuel Fodéré (1764-1835) joined the Faculty of medicine in 1814, and remained in Strasbourg until his death in 1835. Fodere gave a definition of forensic medicine as “the art of applying the knowledge and principles of different branches of medicine in the interpretation of law items.”

Gabriel Tourdes was the head of the department of forensic medicine in 1840. He was the real founder of a practical approach to teaching this discipline.

In those times, the teaching of forensic medicine took an important part in medical studies in Strasbourg as evidenced by the fact that out of 2064 questions in the final examination, 306 pertained to forensic medicine. Tourdes died on 26 January 1900 in Strasbourg. His long career is one of the most remarkable in the history of forensic medicine.

The French victory in 1918 marked a resurrection for forensic medicine, and Chavigny (1869-1949) who was appointed in 1919, brought forensic medicine in Strasbourg to the forefront. Chavigny came from the Val de Grâce Hospital in Paris where he had been teaching forensic medicine since
1907. He had studied under Lacassagne in Lyon, himself a student of Gabriel Tourdes during the Second Empire. In Strasbourg, Chavigny created a teaching structure, laboratory, equipment, library and collection from scratch. He was succeeded in the chair of forensic and social medicine by Camille Simonin (1891-1961), who had been a student of his since 1930. In 1932, this chair was renamed chair of forensic and social medicine. Camille Simonin continued to develop forensic medicine in Strasbourg, succeeded by Pr. Chaumont in 1961.

2. The new organization of the discipline in France

2.1 The Higher Council of Forensic Medicine

The founding of the Higher Council of Forensic Medicine on 30 December 1994 (décret 94-1210 du 30/12/1994) led to a more structured framework for the activities of forensic medicine in the past 18 years.

The Higher Council of Forensic Medicine published on 1. February 1995 a report on the different services provided by thanatological structures within university hospitals as well as in the other teaching hospitals.

The Council inspired the following Directives:

- 27 May 1997 (DGS/DH No 97-380): Creation of regional centres for the treatment of victims of sexual abuse. These centres provide not only medical treatment for victims, but also legal and psychological support.

- 27 February 1998 (DH/AF1/98/No 137): Creation of emergency medico legal centers. This follows the creation under an interdepartmental project of the Departments of Health and Justice of 26 forensic medicine units in regional university hospitals. These units associate thanatological as well as clinical practices, carried out 24 hours a day by university clinicians, hospital consultants and private consultants. The location of these structures within teaching hospitals guarantees a high technical and scientific level.

- 13 July 2000 (DGS/DH No. 2000-399): Extension of these centres for the support for child abuse.


From an educational perspective, the Higher Council proposed the creation of university degrees in forensic medicine and health law.

These structures led to:
- the creation of clinical research positions in forensic medicine,
- the creation of clinical research departments in hospitals and universities,
- the creation of forensic medicine units in hospitals located near courthouses,
- new diplomas in forensic medicine (DESC and Capacity, see below),
- the teaching of forensic medicine during the first years of medical studies
- the development of new fields in biological research (toxicology, genetic fingerprinting, …)

The major modifications of the practice of Legal Medicine in France was induced by the “Circulaire du 27 décembre 2010 relative à la mise en oeuvre de la réforme de la médecine légale. NOR: JUSD1033099C (circul CRIM-2010-27/E6).”

The framework of the different departments of clinical and thanatological forensic activities is shown in the figure showed below and the complementary document at the end of the paper.
2.2 Activities of the forensic medicine departments

Clinical forensic medicine includes the examination of living victims: child abuse, battered women, assaults, rape cases, and people in custody.

Thanatological activities include body examination at the scene and medico legal autopsies ordered by legal authorities.

These structures dispose of laboratories or often collaborate with laboratories within the same university hospital structure for toxicological analyses laboratory and in some cases for genetic or dental identification.

2.3 TEACHING

In the first years of medical studies, forensic medicine and health law are taught within modules in humanities, social sciences, clinical practice, and gynaecology as well as modules relating to abuse and sexual violence.

Following the 2-year specialisation internship, medical students can then study for the DESC (Diplôme d'Etudes Spécialisées Complémentaires) in Forensic Medicine and Medical Expertise. This includes students who have completed specialisation internships in occupational medicine, public health, psychiatry, pathological anatomy, internal medicine, surgery, but also specialisation in general practice.

Legislation passed on 10 January 2000 under the influence of the Higher Council of Forensic Medicine introduced a new diploma called “Capacity in Medico legal Practice”. The Capacity should compensate the lack of places in the DESC programmes, and is open to family practitioners or specialists who would not qualify for a DESC. This teaching also takes two years, and students must conduct over 100 autopsies supervised by an experienced professional before they can practice forensic medicine autonomously.

Forensic medicine is also part of the curriculum of a number of university diplomas. The University Diploma in bodily impairment is delivered following university studies that do not encompass the whole range of forensic medicine activities but deals with compensation for the physical injuries. Finally a number of Masters and University Diplomas nationwide include different aspects of forensic medicine.

It must be noted that forensic medicine is a medical activity that is not recognised as a medical speciality, but as a competence, by the French Medical Association.

Students engaged in professional courses can get masters lessons in different scientifically fields. The Masters take two years and are organised
by medical schools or other schools such as law and life sciences. Among these are Masters in anthropology, forensic biology, toxicology, medical law, ethics and different domains of biology.

A list of experts is established by each Court of Appeal, under the Forensic Medicine chapter. About 530 medical doctors are registered. One must note however that many registered doctors do not hold diplomas in forensic medicine. Magistrates do not always have a precise knowledge of the diplomas delivered and the corresponding level of formation. Magistrates are not limited to experts registered under these chapters, but experts who are not registered have to swear an oath in court proceedings, and magistrates can be required to motivate their decision to choose an expert outside of the register.

Within continuous education, one can note a course given nationally by the Society of Forensic Medicine, which includes teachings on the crime scene, the medical file, child abuse. Local and regional courses by the Mediterranean Society of forensic Medicine and the Belgian-Italian-French-Swiss Association of forensic Medicine yearly organized by Pr. Daniel Malicier of Lyon. Numerous other regional courses are also organized by hospital and university centres. Online e-learning is also being developed, notably on the site of the Faculty of Medicine of Grenoble. Continuous education courses tend also to be undertaken by people in the police force, lawyers and forensic medicine practitioners.

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