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Forensic case-work analysis and legal challenges during pandemic: an update from Pakistan

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To the editor!

According to Global Initiative Against Transnational Organized Crime, COVID19 has slowed down criminal activities globally in contrast to which, Pakistan experienced an increase in crime-rate due to increase in financial and psychological problems. National Initiative Against Organized Crime (NIOC) Pakistan reported that crimes in Pakistan continues unabated in pandemic. One terrorist attack in tribal district of North Waziristan and three different cases of massive quantity of drug trafficking were reported in May 2020. In addition to this, some incidents of kidnaps, rapes, extortion, domestic violence cyber-harassment and human trafficking have also been reported. Issues in governance and security during pandemic is changing pattern of crimes necessitates novel strategies, training, infrastructure, and preparedness to control COVID19 related crimes. Expert criminologists have also clarified that this pandemic is creating fresh opportunities for mafias and criminals to commit organized crimes [1, 2].

In May 2020, 326 personnel were found COVID19 positive of which, 241 were police officers [3]. World Health Organization (WHO) defined a standard protocol and stressed the need of PPE in deployed force. Government of Pakistan implemented Section 144 of Code of Criminal Procedure (CCrP) 1898 that urges the deployment of law enforcement personnel without the use of personal protection equipment (PPE) and of the police officials have performed their duties without practicing safety measures. Although, the government has now issued standard operational protocols for law-enforcement agencies but crime control, legal proceedings, and forensic casework analysis has become a huge challenge because COVID19 has affected all segments of society including police, lawyers, forensic experts, and clinic practitioners.

Due to ongoing criminal activities even in lockdown, forensic experts and police officials kept on performing their duties and many of them acquired COVID19. Later on, institutes got more strict

in emphasizing the need to practice safety measures but the availability of full PPE kits was limited. A full PPE kit includes gloves, face shields, N95 masks, covered boots, goggles, and full-sleeved impervious gown. Globally, most of law-enforcement agents are not pided complete PPE kits instead they are only using common surgical mask and sanitizers. Existing literatures has only discussed the importance of PPEs for healthcare professionals while, the some other professions such as security and law-enforcement are as much sensitive and risky as health profession is.

Due to increase in crime rate in Pakistan, forensic experts are at potential risk of acquiring COVID19 during death investigation, autopsy, and sample transfer and storage as forensic practitioners are not aware of victim's travel history and medical history and almost 50% of COVID19 positive patients are asymptomatic carriers and COVID19 has also been reported to stay active in dead bodies for few hours [4].

Forensics is an important part of criminal justice system that had been ignored in Pakistan for quite long time but a substantial progress in this field has been made by government in last decade but still there is only one fully operational advanced forensic science laboratory (PFSA) while, 2 other recently established laboratories (FSL, SFSA) will also strengthen quality investigation in future. PFSA is on the forefront and receive samples from all across Pakistan to solve crime scenes and current increase in crime-rates during pandemic has raised serious legal challenges because of lesser number of forensic laboratories with limited man-power acquiring COVID19 infection due to excessive fieldwork. According to police officials, they are dealing with workload twice of the actual workload because police is currently engaged in routine duties as well as in implementation of Section 144 of CCrP. Likewise, forensic experts are also regularly screened to detect the presence of COVID19 and this additional burden of regular screening also prolongs the casework proceedings.

In conclusion, increase in crime rate and an increase in COVID19 prevalence in already limited man-power, may pose delays in forensic casework analysis and cause challenges in legal proceedings. Therefore, there is an urgent need to provide complete kits of PPEs to law enforcement agents, security agents, and forensic scientists to minimize prevalence of COVID19 and other pandemic associated legal challenges.

Keywords: COVID-19, SARS-CoV-2, Pakistan, Asia

Conflict of interest: None

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