



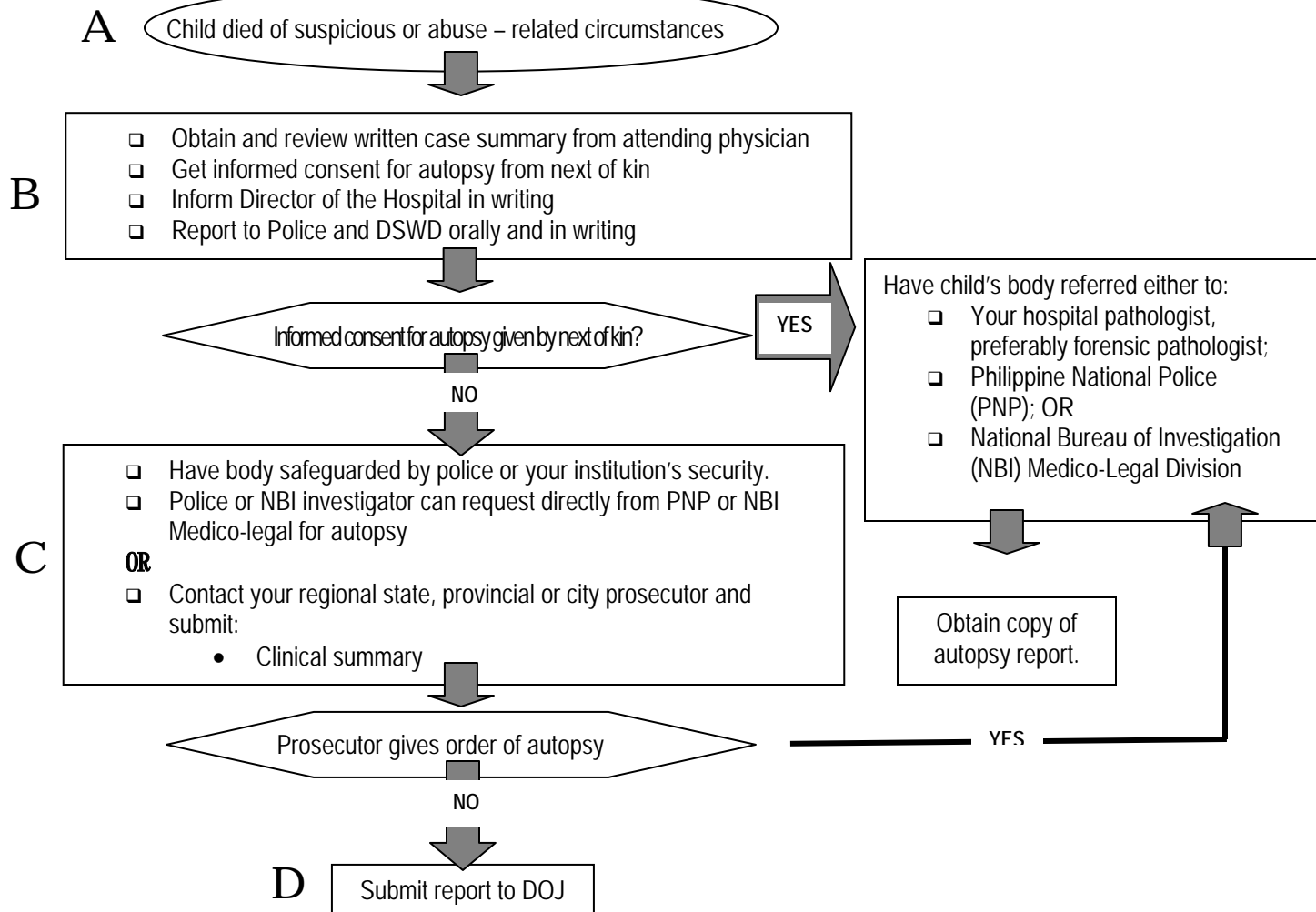
# CPU-Net MEDICAL ALERT

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## AUTOPSY OF SUSPICIOUS CHILD DEATH AND CHILDREN WHO DIED OF ABUSE OR MALTREATMENT:

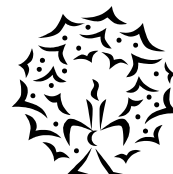
The Department of Justice (DOJ) released Circular No.55 (*appended*) on September 11, 2002 authorizing all regional state, provincial and city prosecutors and their assistants to order the conduct of autopsy of a child who may have died of suspicious or abuse-related circumstances. DOJ Circular No. 87 (*appended*), on the other hand, approved the "Order of Autopsy" to implement DOJ Circular No. 55.



### PREPARATORY STEPS:

- A. Contact your regional state, provincial or city prosecutor via a letter and remind them about DOJ Circulars 55 and 87. Provide them a copy of the "order of Autopsy" form. Do this as soon as possible before you actually encounter the need to use it.
- B. Inform your hospital administration, department heads and physicians and other health personnel that you as Child Protection Specialist have to be contacted in cases of unnatural, unusual, suspicious or questionable child death as well as those who die of abuse-related circumstances.
- C. Institute a procedure in your institution on where the body should be kept and who should safeguard the body until notice from the prosecutor has been received.
- D. This may mean that you have to release the body to the next of kin if both the police and prosecutor won't order an autopsy. The report to the Special Committee for the Special Protection of Children will conduct a review of procedure and case.

*Merry Christmas and a Blessed New Year to all!*





Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
*Manila*

05 SEP 2003

**OFFICE ORDER NO. 87**

**SUBJECT : APPROVED "ORDER TO CONDUCT AUTOPSY FORM" RE IMPLEMENTATION OF DEPARTMENT CIRCULAR NO. 55 DATED SEPTEMBER 11, 2002**

In the interest of public service and pursuant to the provisions of existing laws, all Regional State Prosecutors, Provincial and City Prosecutors and their assistants, State Prosecutors and Prosecution Attorneys, are hereby directed to adopt the attached "Order of Autopsy" form in compliance and in the implementation of Department Circular No. 55 dated September 11, 2002 relative to the authority of the foregoing to order the conduct of the autopsy on the body of a child who may have died under suspicious or abuse-related circumstances.

For strict compliance.



**JOVENCITO R. ZUNO**  
Chief State Prosecutor

Copy furnished:

All concerned.

## ORDER OF AUTOPSY

By virtue of Section 95 of the Sanitation Code of the Philippines (P.D. No. 856), pursuant to Department Circular No. 55 authorizing all prosecutors to order the conduct of autopsy on the body of a child who may have died under suspicious or abuse-related circumstances, to perform autopsy based on the suspicious death of :

Name :  
Age :  
Sex :  
Date of Birth :  
Date of Death :  
Place of Death :  
Possible cause of Death :  
Location of Cadaver :  
Person in custody of cadaver :

Pursuant to this order, the person or institution in custody of the cadaver is hereby restrained from releasing the said cadaver prior to the performance of the said autopsy.

This order is issued in the City of \_\_\_\_\_, Republic of the Philippines on \_\_\_\_\_.

Strict compliance herewith is enjoined.

NAME & SIGNATURE  
PROSECUTOR



Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
*Manila*

11 SEP 2002

DEPARTMENT CIRCULAR NO. 55

**TO :** ALL REGIONAL STATE PROSECUTORS,  
PROVINCIAL AND CITY PROSECUTORS AND THEIR  
ASSISTANTS, STATE PROSECUTORS AND  
PROSECUTION ATTORNEYS

**SUBJECT :** Authority to order the conduct of autopsy on the body of  
a child who may have died under suspicious or abuse-  
related circumstances

It has come to the attention of the Special Committee for the Protection of Children under the Department that there are cases where children die under suspicious and abuse-related circumstances (i.e. shaken baby syndrome) that would need further medico-legal examination or autopsy, a procedure that will trigger an investigation on the cause of death of the child-victims. In most instances, the relatives of the victims refuse to consent for the conduct of such examination or autopsy. It cannot be ruled out, however, that the perpetrator may have been a relative or a close member of the family.

Presidential Decree No. 856(Sanitation Code of the Philippines), insofar as pertinent, provides:

**"Sec. 95. Autopsy and Dissection of Remains.-** The autopsy and dissection of remains are subject to the following requirements:

"a. xxx xxx xxx

"b. Autopsies shall be performed in the following cases:

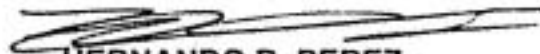
1. xxx xxx

2. Upon orders of a competent court, a mayor and a provincial or city fiscal;

xxx xxxx xxx".

Pursuant to the above-quoted provision of law and in pursuit of the government's policy of protecting children from all forms of abuse, cruelty, neglect and discrimination, Provincial and City Prosecutors are hereby directed to order the conduct of autopsy on the body of child-victims, upon the request of any interested party, and upon proper showing that the child may have died under suspicious or abuse-related circumstances, there being no external signs to readily conclude that the child died as a result of violence or crime. "Any interested party" shall include but be not limited to a law enforcement officer, parent or legal guardian, or authorized physicians of the UP-PGH Child Protection Unit (CPU) and other government hospitals.

Strict compliance herewith is enjoined.

  
**HERNANDO B. PEREZ**  
Secretary

Copy furnished:

**All concerned.**