

Dislocation Of The Eye Ball After A Traffic Accident In Cascade: Wrong Investigation Of The Police Officer

Théra JP¹, Diassana M², Théra F³, Soumah M⁴, Sow ML⁵.

¹Maitre-Assistant de Médecine Légale à la Faculté de Médecine,

²Substitut du Procureur, près le Tribunal de Grande Instance de Kayes (Mali)

³Docteur en droit Président du Tribunal de commerce, Bamako (Mali)

⁴Médecin Légiste, Maitre-Assistant, Faculté de Médecine de l'Université Cheikh Anta Diop de Dakar (Sénégal).

⁵Professeur Titulaire, Département de Médecine Légale /Médecine du travail, Faculté de Médecine de l'Université Cheikh Anta Diop de Dakar.

*Corresponding Author:

Name: Dr Japhet Pobanou THERA

Email: therajaphet@yahoo.fr

Abstract: Police investigations after road traffic accidents are mandatory in order to determine the circumstances of accident and to find out the authors. When many vehicles are involved, the investigations are tough and therefore need more expertise.

Keywords: accident, traffic, finding wrong..

INTRODUCTION

Road traffic accidents are one of the major causes of injuries, deaths and disabilities. 85% of the global deaths due to injuries occur in the developing world, consuming substantial health sector resources [1]. Injury mortality accounts for 9% of mortality and 16% of all disabilities annually. The global rate of unintentional injuries is 61/100 000 populations/year and road traffic injuries made up the largest proportion of unintentional injury deaths, 33% [2].

The traffic accidents represent a public health problem [3]. The worldwide incidence of road traffic injuries is on the rise. Over a million lives are lost and some 10 million people sustain permanent disabilities in road traffic accidents each year, worldwide. The causation of road traffic accidents remains multifactorial [4].

The accidents that involve a single conductor are easy to manage by the police officers during their observation; those in which several conductors are concerned pose more problems.

CASE REPORT

We report the case of a motorcyclist victim of a traffic accident. The accident involved a second motorcyclist and a car driver. He is a young motorcyclist of 35 years old; he was hit by another motorcyclist and projected on a vehicle. He did not wear a helmet at the time of the accident. After the

accident occurred, the nearby police officer came to the scene; the injured was taken to the Institute of ophthalmology. The clinical findings were: a dislocation of the right eye ball with detachment of all the ocular muscles (apart from the medial rectus) and the avulsion of the optic nerve. After an informed consent, the injured eye was enucleated

After the investigation of a police officer, the car driver was held accountable for the injuries suffered by the victim.



Fig 1: Dislocation of the right eye of a motorcyclist following an accident

DISCUSSION

Young men have four times the rate of injury death and three times the rate of hospitalization as young women the same age [5].

The two wheeler vehicles are commonly involved in accident. In their study in India, Singh R et al. found that the most common offender was two wheeler vehicles regarding recorded causality by type of collision, four wheeler to heavy vehicle 66.15% was most common form among dozens of causes observed, followed by collision of two wheeler to four wheeler 44.44%. [3]. The traffic accident is a frequent event in victimology at the basis of many traumas. The imputability of a trauma is the attachment of the latter to a cause. It is to identify the generator fact of the injury; it is relevant to the medical domain. The person at the basis of the generator fact is not necessarily responsible for the accident. The causation which aims to establish the legal liability is essentially legal and is therefore the domain of the judge. It is to identify the person accountable or liable for the damage. The legal causation includes three theories in the French legal system [6]: the proxima causa, the equivalence of the conditions and the adequate causation. In the “proxima causa”, the person responsible for the closer fact of an accident is held accountable. In the “equivalence of the conditions”, all the people involved of an accident are held accountable.

The “adequate causation” tries to find out the person, the most relevant in the occurrence of the accident; this last one is fairer than the others. In the current situation, without the collision with the second motorcyclist, the accident would not happen.

A prosecutor decision is based on police investigation form that includes a list of predefined information to fill in (date, time, place, etc.), a short description of the offense (in police officer’s own words), and in most cases an explanation of the offense and the basis for the charge. The accused has to sign the completed form and by doing so accepts what is written there [7]. In the current case, the investigation of the police officer was erroneous, since he confused imputability and responsibility. The injuries of the motorcyclist were imputable to the car driver that hit him; otherwise the dislocation of his eye is directly linked to his percussion by the car. In other hand if he was not projected on the car by the second motorcyclist, he would not have been injured. Definitely the second motorcyclist is to be held accountable for the causation of the accident and the injuries.

The solution chosen is empirical and was unfortunately enforced by the prosecutor.

CONCLUSION

Injuries related to traffic accidents are frequent. The observations made by the police officers on the scene are often erroneous.

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