



# Autopsy Findings of the Case Child Murder: Is It Infanticide or Child Homicide? The Indonesian Perspective: A Case Report

Taufik Suryadi<sup>1</sup>, Muhammad Zakky Suryana<sup>2</sup>, Aisyah Laila Zulkarnain<sup>2</sup>, Chaira Sultana Mazaya<sup>2</sup>, Kulsum Kulsum<sup>3\*</sup>

<sup>1</sup>Department of Forensic Medicine and Medicolegal, Faculty of Medicine, Universitas Syiah Kuala, Banda Aceh, Indonesia; <sup>2</sup>Medical Professional Education Program, Faculty of Medicine, Universitas Syiah Kuala, Banda Aceh, Indonesia; <sup>3</sup>Department of Anesthesiology and Intensive Therapy, Faculty of Medicine, Universitas Syiah Kuala, Banda Aceh, Indonesia

## ABSTRACT

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**\*Correspondence:** Kulsum Kulsum, Department of Anesthesiology and Intensive Therapy, Faculty of Medicine, Universitas Syiah Kuala, Banda Aceh, Indonesia. E-mail: [kulsumanest@unsyiah.ac.id](mailto:kulsumanest@unsyiah.ac.id)

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Muhammad Zakky Suryana, Aisyah Laila Zulkarnain, Chaira Sultana Mazaya, Kulsum Kulsum

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**BACKGROUND:** Infanticide and child homicide are common but not the same cases of homicide. According to Indonesian criminal law, infanticide means murder committed by the mother him/herself, while child homicide means murder that can be committed by anyone. Signs of care for the baby became a very significant differentiating factor for these two types of homicide.

**CASE PRESENTATION:** It was reported a case of finding an unidentified baby with an unrecognizable face and incomplete body parts by residents in the Sanehan River, Silih Nara District, Central Aceh, in a state not wrapped in anything. In the identification of the baby, it is estimated that the age based on gestational age is 38–40 weeks with a body length ranging from 44 to 46 cm. On external examination, a sharp trauma was found on the back of the neck, both arms and both thighs were cut off, an open wound in the lower abdomen. Autopsy results showed blunt trauma to the back of the head and facial bones appeared to be crushed. The pulmonary flotation test showed that the baby was born alive.

**CONCLUSIONS:** The cause of death of the victim was a sharp and blunt force on the head and limbs and a blunt force on the stomach. Estimated time of death of the victim ranged from 6 to 8 days before the examination. It is necessary to determine whether this homicide case is a case of infanticide or child homicide. From the analysis and deepening of the data by the forensic medicine team, it is most likely that the baby in this case is an infanticide case, where the baby has received the affection of the baby's parents is not possible.

## Introduction

Infanticide is the killing of infants under 12 months of age by their own biological mother who has not fully recovered from the process of pregnancy, childbirth, and breastfeeding, and suffers from some degree of mental disorder none, became one of the key differences between infanticide cases and other murder cases [1]. Several factors for the occurrence of infanticide in newborns are usually due to pressure or mental disorders of the parents of the baby or the birth of an unwanted baby. Factors that cause infanticide are babies born with disabilities which are also often victims of infanticide [2].

In general, various types of killing of children are categorized as a homicide [2], but some countries distinguish between child homicide and infanticide for the sake of the applicable law in that country, like in Indonesia [3]. Usually, the sentence imposed on infanticide is lighter than for other categories of child homicide [2]. The history of baby care obtained by the infant who was killed is the key to distinguishing between child homicide and infanticide, where in the case of infanticide,

there was never a history of care for the infant [3]. The history of care creates a very deep emotional attachment between the mothers and their infant so that the mental burden left behind is deeper [2], [3]. Several experts distinguish homicides into intrafamilial and extrafamilial. Intrafamilial killings are also often referred to as filicide acts, where the perpetrators of the murder are the parents of the child themselves [4].

Surveys conducted [1] on the incidence of infanticide in various parts of the world find different reasons, economic background is also often a factor in the occurrence of infanticide, where parents feel unable to finance the child's life until he is able to earn a living on his own or also religious interests such as sacrifices to certain gods [5]. Approximately 95,000 children are killed each year globally and the risk of being killed in childhood is strongly related to age, gender, and geography. In India, infanticide mainly occurs in female infants. In Bolivia, incidents of infanticide also occur when mothers feel that they cannot raise their children in the circumstances dictated by their lives [6].

The psychological condition of parents who are disturbed after birth often leads to infanticide

incidents [3]. There are three categories, namely, postpartum blues (baby blues), postpartum depression or postnatal depression (PPD/PND), and postpartum psychosis [3], [7]. Baby blues conditions often occur in postpartum mothers, the stress experienced by the mother during pregnancy and quite large during childbirth, and environmental factors that cause a sense of isolation from the family after the baby is born make, the mother feel annoyed with the presence of the baby and lead to infanticide [8]. This article reports on a case of autopsy finding a baby suspected of being infanticide or child homicide from the Indonesian perspective.

### Case Report

A resident of the Sanehan River, Silih Nara District, Central Aceh, Aceh Province, Indonesia, has found the body of an unidentified baby with an unrecognizable face and incomplete body parts. The examination carried out on the corpse was in the form of identification, external examination, and autopsy.

On identification, measurement of body length in infants cannot be done directly, because of the condition of the baby whose lower limbs have been cut off, and the detached pieces were found so that the approximate length of the baby's body can only be estimated from the data on the length of the rest of the body found. The length of the baby's thoracic vertebrae and lumbar vertebrae is 21 cm, while the measurement from the tip of the head to the bottom of the baby's abdomen is 28 cm, based on the proportions of the baby's body, there are body parts found 5/8 of the body, it can be estimated that 5/8 of the baby's total body length = 28 cm, so estimate the baby's total body length to be ± 44.8 cm. From this body length according to the de Haas formula, it can be determined that the age of the baby based on the gestation period is 44.8 divided by 5 which is 8.96 months or rounded up to 9 months which means the baby is a term, as shown in Figures 1 and 2.



Figure 1: Body parts found by the investigative team on the scene crime

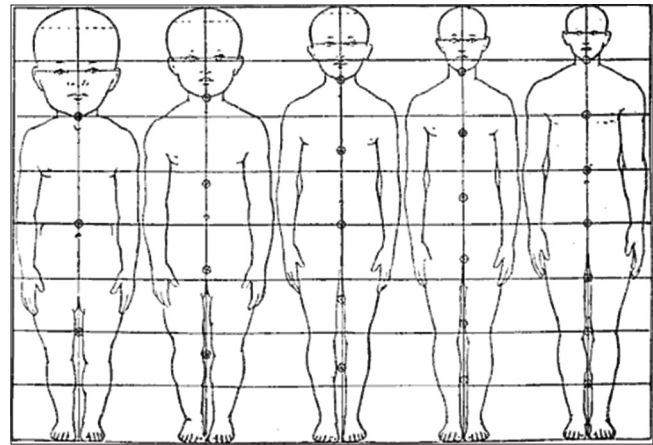


Figure 2: Human body proportion from child to adult

On external examination, the body was found wrapped in a transparent white plastic bag with a length of 182 cm. On the inside of the plastic, there is an orange body bag bearing the identification of Indonesia Automatic Fingerprint System (INAFIS) with a length of 120 cm and a width of 55 cm. Once opened, the bag is 215 cm long and 120 cm wide. However, an object was found next to the body in the form of a white infusion set. Bruises were found on the back and were not clearly visible because they had undergone a process of decay. The rigid process of the corpse has been completed because it has undergone decay. There has been a decrease in body temperature. Signs of decay are found all over the body in the form of skin that is black in color, already watery, and smells bad (Figures 1 and 3).

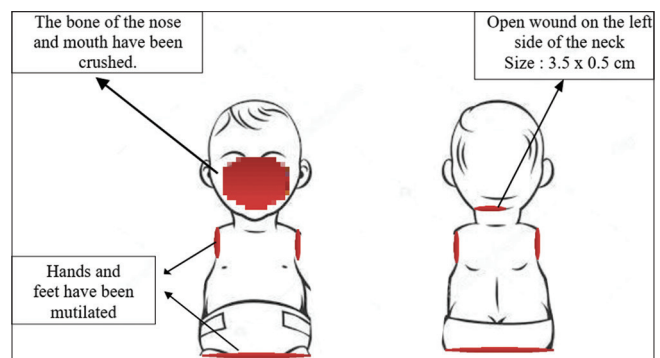


Figure 3: Schematic of external examination results

On internal examination of the body, when the scalp was opened, it was found that the skull bones were crushed and separated from each other. The length of the crown of the spine is 7 cm and the width is 7 cm, while the length of the right fontanel is 11 cm and the left fontanel is 11cm. On the right and left fontanel, a minimal fracture line was found. The left and right temple bones were not found. In the nape of the neck found blood infiltration. In the bone of the right eye socket found bruises marks with a size of 0.8 cm. In the bone of the left eye socket was found blood infiltration with a size of 0.6 cm. Brain tissue is already in the form of a brownish-red liquid. On palpation of

the face, a fracture of the right and left cheekbones was found (Figures 4 and 5).

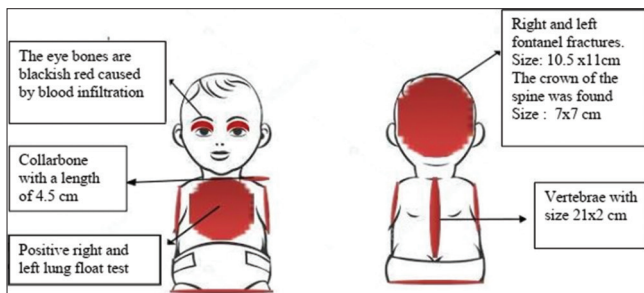


Figure 4: Schematic of internal examination results (autopsy)



Figure 5: Bruises on the head, around the eye sockets, and clavicle bones

At the opening of the chest skin, maggots were found throughout the chest cavity and the sternum was missing. On the ribs found a bruise marks. On cardiac examination, the heart looks like a cone (normal), blackish-red in color. The consistency of the heart is supple, not covered by fatty tissue and the surface is smooth. On examination of the lungs, when palpated, no adhesions were found. On examination of the right and left lungs, the color of the lungs was brownish-red and maggots were found in all lung cavities. The right lung is 4 cm long and 4 cm wide. The left lung is 4 cm long and 3 cm wide. The baby's body was tested for lung expansion by injecting lung tissue into water and both lungs floated (Figure 6).



Figure 6: A positive pulmonary buoyancy test indicates that the baby was born alive

At the opening of the abdominal organs, a brownish abdominal cavity was found and maggots were found. At the bottom of the abdominal cavity found

the presence of bruise marks. At the opening of the skin of the stomach found bruise marks of the lining of the abdominal wall. The intestine was found to be brownish in color.

## Discussion

Based on the law in force in Indonesia, the types of infanticide are divided into two broad lines, namely, infanticide and child homicide. The distinguishing factor of these two types of child murder lies in the history of whether the baby has received baby care or sign of parental affection for the baby, if there is no history of affection for the baby who is the victim, then legally the murder is categorized as infanticide. If the baby has received baby care and then the baby was killed, it is called as child homicide [9]. In the law, there is no mention of an exact time limit for determining infanticide, it is stated that the case of infanticide if the victim is "sometime after birth or not long after."

In determining the case infanticide or child homicide, it must meet the following criteria: (a) The murder must be committed by the biological mother of the victim, (b) the victim must be the biological child of his mother, and (c) the mother kills the child on the grounds of fear of being known by the people for the birth of her child [3], [9].

It is difficult to prove the existence of a biological relationship between mother and child in this case because the suspected perpetrator of infanticide has not been identified. In this case, the lack of data obtained from the victim's body makes it difficult to distinguish, is this case an infanticide case or is it a case of child homicide? Therefore, the forensic team must be extra to explore the scanty data, to expand and estimate what is the greatest possibility that happened to the victim.

The baby's body needs to be known, namely, the baby's age, stillborn or alive baby, and the age of the baby after birth, whether the baby has been treated, what was the cause of the infant's death. All of these data were not found clearly from the victim identification process, due to the lack of information and conditions mutilated and decayed victims [10].

The possibility of the exact background of the murder of baby is still not very clear, the data obtained are majority, such as data on the condition of the baby when it was found. The lack of information about babies is caused by finding babies far from the community there are no trusted sources other than the police who can be asked about the incident [10]. Based on several epidemiological studies that have been carried out for infanticide cases, it is influenced by several different factors based on the habits and beliefs of the people in the area [7].

Based on the body length measurement that can be done on this baby, it can only be done from the vertex to below the navel (parallel to the base of the 5<sup>th</sup> lumbar vertebra), the value is 28 cm. The total body length that has just been obtained is only 62.5% of the total body length of a newborn, it is estimated that the total body length of this baby is  $\pm 44.8$  cm [11].

The existence of an intravenous catheter found next to the baby, it can be estimated that the baby had received medical care it could be that the baby was born with the help of health workers shortly before the murder of the baby in question. It is very likely that the victim's parents asked for help from health workers to help with the delivery process, but when the delivery process was successful, the baby was taken away and killed in the surrounding area when the baby was found by police officers in a lifeless condition [12], [13].

Based on this scenario, it is most likely that what are suspected as the background for this murder is the mental condition of the baby's parents and the unwanted presence of the baby [10]. The probability value of this case is an infanticide case so it is quite increasing [13]. From the identification results, it was found that the baby was killed in a mutilated condition, where the baby's lower limbs (below the stomach) were separated from the baby's body (missing).

The condition of the baby's body when it was found was incomplete made the identification process difficult. Based on the configuration of the width and height of the vertebrae in this baby, it is suspected that the baby is male, based on the calculation of the width of the lumbar vertebra divided by the same height of the lumbar vertebra, and the value is  $> 1.5$ , which is according to the results of research by Gilsanz for gender. Males have a ratio of the transverse dimensions of the lumbar vertebrae to their verticals above 1.5 [14].

Determination of infant age can use the de Haas formula, namely, the relationship between body length and infant age. In addition to using the de Haas formula, determining the age of the baby can also be done by calculating the weight, head circumference, and ossification center [15]. However, in this case, the weight cannot be assessed because the baby has been mutilated. Head circumference is difficult to assess because there is a fracture in the baby's head which causes the baby's head to be incomplete. Reinforcement center is not performed on this baby [10]. The shape of the cranial bones found in the baby's head which is almost square in shape, it can be concluded that this baby has a mongoloid race, which we also know that the deuterio-Malays mongoloid race is the majority race of the Acehnese people.

Assessment of live or stillborn babies can be done by observing whether there is air in the lungs and whether there is air in the intestines and stomach. In live births, the lungs appear to be inflated with a reddish lung color, a soft, foamy consistency with blunt edges and a lung weight of  $1/35 \times$  body weight, and a positive pulmonary flotation test. In stillborn infants, the lungs

were not inflated with brown color, solid consistency with sharp edges, the lung weight was  $1/70 \times$  body weight, and the pulmonary flotation test was negative [3], [4]. In this case, the lung color was found to be brownish-red with a positive pulmonary flotation test. Hence, it can be concluded that this baby was born alive.

The age of the baby after birth can be identified from external examination through the umbilical cord. Redness at the base of the umbilical cord indicates that the age of the baby is 36 h and the umbilical cord is dry, 2–3 days and loose umbilical cord, 6–8 days. The umbilical cord has healed indicated that the baby is 15 days old. In addition to the assessment of the umbilical cord, it can also be assessed from changes in skin color, meconium, and icterus [10]. In the case, it is difficult to assess the condition of the umbilical cord, skin color, or meconium, because there has been decay in the baby's body.

The age of the baby which is classified as very early when the baby is killed is 9 months or with a possible birth age at 38 weeks 4 days of pregnancy, it is very unlikely that this baby had been cared for by the baby's parents, plus the evidence of intravenous catheter found around the baby's body can be evidence that the baby killed shortly after delivery. Based on the things that have been described, the case that occurred in baby is closer to the case of infanticide than homicide, where it is possible that this baby has never received treatment, as evidenced by the age of death which is very close to the age of birth, there are signs of violence in the form of fractures in the body, cervical, and cheekbones of the victim, a positive pulmonary flotation test indicates that the baby was born alive (Figure 6).

Information on whether the baby has been treated previously or not is difficult to identify because the condition of the body found has decomposed. Even though, not all cases of infanticide, the absence of signs of baby care. It must still be proven that the victim is the biological child of the perpetrator. A sign of care is evidence that there is affection from the mother to her child. The determination of cause of death is difficult to be identified. The decay that occurs in the corpse makes it difficult to obtain information.

Based on the data that have been obtained from the identification results, we can draw an outline that this baby was identified as a male baby with a body length of approximately 44.8 cm, aged approximately 9 months in the womb when the baby was killed, and was a mongoloid race baby is race typical skull bones of Acehnese descent.

## Conclusions

Important things that are commonly found in infanticide cases are the length of the baby's body, the

baby's age after birth, the baby's birth age, the baby was born alive or dead, and the history of care (affection); the baby has received to distinguish between infanticide and child homicide. Based on the results of the examination carried out, there is not much concrete evidence that can be concluded from the baby's condition, so that in this case, it cannot be concluded as an infanticide or child homicide. From the analysis and deepening of the data by the forensic medicine team, it is most likely that the baby in this case is an infanticide case, where the baby has received, the affection of the baby's parents is not possible.

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