



RESEARCH ARTICLE

Legal Rights and Freedom of Healthcare Professionals against Violence: Comparative Analysis among India, U.S.A and United Kingdom

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Abstract

Rights are the interest which law protects by imposing duties on other persons. Any form of violence against healthcare professional is abuse of law, violation of constitutional rights and freedom. Physical and verbal violence are very often faced by healthcare professionals while delivering medical services. The present study attempts to investigate and compare the statutory acts, policies, procedures and historical judicial dicta as applicable for enriching the rights of healthcare professionals against violence in India, U.S.A and United Kingdom. Study is collectively based upon legal analysis, empirical evidence and qualitative research. The comparative study develops based upon evaluating and exploring rights which are commonly cherished by the healthcare professionals while delivering medical services. The study attempts to consider and analyze legal rights and further reviews its protection framework. The paper finally states suggestive methods to condense the violence faced by healthcare professionals so to enrich the rights as granted to healthcare professionals. The findings suggest medical institutes should work in collaboration with government agencies and vice-versa to minimize all form of violence against healthcare sectors. State shall be aggressive in making public awareness campaign reference to stop all form of violence towards healthcare professionals. Legal fraternity should take all necessary measure to stop the encroachment of perpetrators who are actively violating rights delegated to healthcare professionals.

Keywords: Legal Rights and Freedom, Healthcare Professionals, Violence, Legal Framework, Judicial Approach, Contemporary Analysis.

Introduction

"So long as I maintain this Oath faithfully and without corruption, may it be granted to me to partake of life fully and the practice of my art, gaining the respect of all men for all time. However, should I transgress this Oath

and violate it, may the opposite be my fate" (*U.S. National Library of Medicine, n.d.*). It (*Biswas and Shenoy Belle 2021*) has specifically been mentioned in the Hippocratic oath as medical practitioner has a right to lead a normal social life with dignity and respect, which ensures protection in all aspects.

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Healthcare professionals are the spine of any of the human civilization era being even such human societal group structure may be of civilized or uncivilized land. Healthcare professionals has always claimed and also retained the topmost position in any of the list of professions while kept in comparison with other professionals as a result such healthcare professionals and or associates are always been credited and appreciated workforce for the society at a large.

According to International Standard Classification of Occupations (ISCO) of international Labour Organisation (ILO 2008; WHO 2010) healthcare professionals consist of Medical Doctors – both Generalist and Specialist Practitioners, Nursing Professionals, Midwifery Professionals, Dentists, Pharmacists. That definition of the healthcare profession could suitably be widened if the healthcare practitioners are also included in the same. (*Blank, S. S. and A., 2022*)

Healthcare practitioner includes physicians, registered nurses, laboratory technicians, and pharmacists; and people who provide healthcare support, such as nursing assistants, personal care aides, and home health aides

(Dalton *n.d.*) Rights is always closely associate with duties same cannot be separated from one another, Mahatma Gandhi in Hind Swaraj observed that, "Real rights are a result of the performance of duty." (Irani *et al.* 2001) Actually, rights and duties are the two sides of the same coin. For every right, there is a corresponding duty. Rights flow only from duties well performed. Duty is an inalienable part of right: What is duty for one is another person's right and respect human life and not to injure another person. The state as a guardian protects and enforces rights of the citizen and on other hand as a citizen of the state, they are duty bound towards state. Henceforth it could be said citizen have both rights and duties.

The Violence Prevention Alliance (VPA) was officially formed in (World Health Organization, 2022), VPA addresses the problem of violence as defined in the World report on violence and health (WRVH), namely: "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal development, or deprivation." It was noted (O'Brien *et al.* 2024) violence upon the healthcare professional is now a global issue, factors of high rate of violence are unmet patient expectation, poor communication, long wait hours and infrastructure henceforth such activities of violence require special consideration and action from various stakeholders of society.

"Particularly following the COVID-19 pandemic, there is a moral obligation to address the long-standing crisis of burnout, exhaustion, and moral injury across the health sector by protecting decent work, improving the practice environment and tackling the root causes of mental health problems in our workforce," stated Jim Campbell, (World Health Organization: WHO, 2024) WHO Health Workforce Director.

That (Vento *et al.* 2020) World Medical Association has specifically highlighted the increase reporting of case of attack upon the healthcare workers as the fear that healthcare workers do spread SARS-CoV-2, specifically in India shockingly they are stigmatized, ostracized and physically attacked moreover such incidents are also reported across the world for instance from France, Turkey, UK, Philippines, USA, Australia etc.

Review of Literature

Annually across the world, one out of five healthcare professionals have experienced violence which may be either penetrated by patients or their relatives such violence in health sectors has effect on health care professionals

an on the entire health care environment. It was observed (*Legal Guarantees in Ensuring the Safety of Medical Personnel in the Health Sector, n.d.*) Harmonization among legal norms, medical ethics and surveillance systems must be articulated in appropriate manner in order to develop a protective and sustainable ecosystem whereby upon proper understanding of the regulations would minimize violations and increase legal protections for the healthcare profession.

(Hendarsyah, 2022) Legal guarantee comprises of fortification from various areas like the risk of malpractice, harassment and threats to the physical and mental safety of healthcare professionals. (Phillips, 2016) Stated legislation may constitute provisions which imposes harsh punishment for any violence against healthcare professionals by bifurcating as special class of offence moreover adopt simple incident-reporting trials that preserve complainants from retribution resulting into evidence-based solutions.

That (Edward *et al.* 2015) nursing staff mainly faces common physical violence in the form of being spat on, being hit, being pushed / shoved, scratched and kicked are the acts done by the patients who are mainly cared. Healthcare staff and respective employers should identify (Gillespie *et al.* 2010) that for restricting negative consequences of workplace violence an effective violence prevention program should be adopted as healthcare professionals have right to be safe while being on duty. Violence against the healthcare professionals requires urgent attention (Nair and Zadey, 2022) as with close association of all stakeholders of society as violence weaken the quality of medical service which trigger more violence therefore for holistic viewpoint to break the vicious cycle zero tolerance approach in the form of policy should be adopted.

Objective

The present study attempts to investigates the legal framework as applicable for enriching the rights of healthcare professionals in India, U.S.A. and United Kingdom. This study aims to evaluate how the present acts, policies and regulation holistically regulates rights of health workers as well as the legal protection available to medical personnel. The main focus is to understand and discuss the extent to which this state is able to provide satisfactory legal certainty so that health professionals could carry out their professional skills.

Methodology

Researcher has analyzed contemporary literature, laws, policies of India, U.S.A, UK and recent landmark case laws in the subject matter. Study is added based upon data accumulated from multiple sources such as articles, journals, government regulations and relevant study topics. Juridical analysis is done by analyzing present legal principles, existing legal protection, case laws and recommendations. Moreover, in-depth investigation, discussion and qualitative research

are done to determine the specific rights established and guaranteed to healthcare professionals.

Challenges for Healthcare Professionals

COVID pandemic period (Brigo et al. 2022) is a point since when there is significant increase and reporting of the violence against healthcare professional in the world which trend seems to continue. Violence primarily damages the trust and the right to health for all. (Kuhlmann et al. 2022) Every act of violence is the attack made on the democracy, values and civil society therefore strong coordinated political response is need of time. It was concluded (Iyengar et al. 2020) that for proper sustainable protection of the healthcare workers apt laws as in the form of permanent legislation should be incorporated with strict enforcement.

Rights of Healthcare Professional

Human rights are universal in nature as they are enjoyed by all human beings. All states extend a range of natural inalienable rights to both its citizens and non-citizens in collaboration to respective rule of law. Certain rights are reserved and exclusively granted to one or particular group of people under some special law, basically such enactment is imposed in order to grant exclusive rights intended for protection of individual freedom of precise group.

Legal and Enforcement position of countries like India, United Kingdom and U.S.A is considered to understand the how Healthcare professional are relishing their statutory rights. That as observed (Butt et al. 2023) although many developing countries are the hub of medical tourism, healthcare professionals prefer to work in developed countries. Career of healthcare professional is better in developed countries due to multiple factors like better working condition, technological advancement etc. as contrary to developing counties which are still facing multiple challenges like lower job satisfaction, lack of recognition, low rate of compensation, unaddressed socio-economic determinants etc. Healthcare professionals shall adore the rights of patient as it's their moral responsibility and duty ensuring adequate healthcare facilities to patients however rights of healthcare professionals are in scattered form therefore requires to be monitored, evaluate and protected perspective.

Healthcare workers always face noteworthy risk (Khanji et al. 2025) as they are involved in providing essential support and medical assistance at the times of conflict. (WMA - the World Medical Association-WMA Declaration on Physician Independence and Professional Freedom, n.d.) has recognized the importance of the Physician's independence and professional, same was elaborated in World Medical Declaration of Lisbon, the physician must have freedom to care for the patient without any inference. Professional freedom without interference would ensure communities the opportunities of best medical care which in turn make

an addition to create a strong and secure society. Rights of doctors and nurses and allied health professionals are reviewed (Taylor, 1982) as "Right to Practice Healthcare" which deals with the hospital staff privileges.

Former 50th Chief Justice of India D.Y. Chandrachud specifically mentioned that "The simmering anger of the public against injustice in healthcare is aggravated when either a patient treats the doctor as an infallible service provider who mechanically provides services or when a doctor looks at a patient merely as a medical issue which needs to be solved. This dehumanization of healthcare has often resulted in violent confrontations between the citizens and hospitals with medical professionals being caught in the crossfire." (Shaji, 2023).

Classification to Rights of Healthcare Professionals

Right to Practice Profession

Healthcare professionals being doctor, nurses, para-medical staff, pharmacist etc. are the professionals who are registered under special acts or provision of law. Such professional requires specialized knowledge whereby upon successful completion of course they opt themselves for hold registration whereby specific acts provide them right to practice to profess their specialized profession. (S. Ross and W Vernaglia, 2019) State department of health or public health or such similar establishments manages the general affairs for registration and certifications of healthcare providers and professionals whereby such authorities are the regulatory bodies which defines and guard the scope of practice, which generalized the principles of right to practice.

Right to a Safe Work Environment

(Safe and Healthy Working Environments: From a Right to a Reality! - World Employment Confederation, 2023) Workers have fundamental principle and right to work in healthy and safe working environment. All the members of International Labour Organisation's (ILO) (A Safe and Healthy Working Environment Is a Fundamental Right for Every Worker, 2024) specifically 186 members are obligatory to respect, promote and accomplish safe and healthy working environment as a fundamental principle and right at work, this contention is applicable to all irrespective of such persons have ratified either of the ILO's convention. That it was noted (Mahani and Zadu, 2024) Hospital shall develop secure environmental setting, locked duty-rooms, luminated pathways and trained security personnel as improper infrastructure, inadequate institutional support leads to unsafe environment and leads to compounding problems.

Right to Protection Against Violence

(United Nations, n.d.) Article 3 of the UDHR states, "Everyone has the right to life, liberty and security of person.". In harmony to International Covenant on Civil and Political Rights Article 3 postulates the right, enforcement and

remedy. Abuse or Violence in any form may be either in mental or physical could be said as violation of rights. It is the duty of the state to ensure effective remedial mechanism wherein recognized rights or freedoms are not violated.

Right Against False Prosecution

Doctors cannot be prosecuted in the routine manner (Sundaram, 2025), specifically to prosecute a medical professional in criminal law it should be showcased that such person did something or failed to do something which in the given facts and circumstances no medical professional in his reasonable senses and prudence would have performed or failed to do so. In the present era designated legal representatives are appointed by the hospital or healthcare organisation who would represent or prosecute the perpetrators under applicable laws moreover appropriate training as legal workshop are organised so that the healthcare workers empower themselves upon their legal rights.

Right to be treated with Respect

In healthcare setting respect could be labelled as "professional respect" and "humanistic respect", co-workers by wise engagement among themselves could nurture both professional and humanistic respect. Patients' duty is to be courteous (Evans, 2007), tolerant and as a part of responsibility while healthcare professionals are addressing them moreover, they should respect all healthcare personnel, including non-clinical and administrative staff. According to Salmond "no right can exist without any corresponding duty and vice versa." Henceforth healthcare professionals have right to be treated with respect and dignity, these rights involve corresponding duties from patients.

Right to Fair Compensation

That (Ballard et al. 2021) Community workers are often labelled as front-line warriors in healthcare sectors as they perform at ground level although they are subject to global discussion about the remuneration, they are paid by their respective employers. "One of the fundamental human rights is the right to a just remuneration that ensures an existence worthy of human dignity. The preamble to the Constitution of the International Labour Organization identifies the provision of an adequate living wage as one of the conditions for universal and lasting peace based on social justice," says ILO senior economist, Patrick Belser (A Fair Wage: A Human Right, 2024). Identical to other professionals and workforce healthcare professionals do have equal rights of fair compensation policy. (Dynamic Layers n.d.) Fair wage concept derives that compensation paid to workers should be just and fair in comparison to the work they performed so that balanced is maintained among the basic rights of workers and needs of business.

Right to Professional Autonomy

As mentioned (Okazaki, 2006) Professionals' voluntary

creates their own code of ethics and based upon the concept of positive freedom professional do comply to professional autonomy as physicians' discretion. It is argued (Elahi et al. 2020) that the concept of professional autonomy is a developing characteristic which could be achieved primarily through patient-based competence and self-reliance to develop the optimal care plan by decision, interaction with other professional team members, thus freedom in the form of decision in clinical judgment were associated with the concept of autonomy.

Right to Choose and Refuse

That (Al-Wathinani et al. 2023) treatment refusal has always been a challenge in the all the countries. Healthcare professionals has the right to refuse violent, aggressive or abusive patients. Doctors often not refuse to care for patients (Kling, 2013) just having reason he dislikes patient lifestyle choices as smoking or alcohol although in some criteria's refusal may include risk to doctor, non-compliance of treatment from patients, conscientious objection for treatment, patient is hostile or abusive to healthcare professionals nevertheless as per constitutional provisional and ethical standards in emergency situations doctors including healthcare professionals are compelled to protect the lives and health of the people who are in danger.

Right to Protest and Strike

Strike is always been a strategic move for any individual, group or body association to showcase disagreement of opinion. It was observed (Yadav, 2016) strike is a legal weapon for employees worldwide although the legality and ethically there are multiple dilemmas of the strike by professionals moreover for healthcare professionals like doctor the issue is unsettled as legal battle over doctors' strike is oft-debated reason being in the present scenario the medical services are a profit-oriented business. Strikes as form of protest are common in healthcare sector as often healthcare professionals and staff of healthcare settings opts to go on strike against state and or authorities when their collective demands are not fulfilled. In early literary works (Chima, 2020) on ethical issues of physician strike were analyze as justice, rights and moral duties. Strikes if exceeds a particular boundary which is harming the patients would be opposed by public and government (Aacharya and Varghese, 2016) but if the strike is with utilitarian demand as for fair wages, infrastructure and working condition it would be justifiable because gives better service and prospects to patients.

Further (Roux and Cohen 2016) has discussed that United Nation through the International Labour Organization ILO has recognized the right to peaceful assembly and association as a civil right whereby strike form a corollary part to such rights. However it can be said strike is not an absolute right as it may be in conflict with fundamental rights of others like access to healthcare, right to life, emergency medical treatment etc.

India

That as discussed (Goyal et al., 2019) interpersonal relationship of medical professional and patient is like an optical prism as expectation is to get error – free treatment against payments of high professional fees. It was observed (Nagpal, 2017) The Prevention of Violence against Medicare Persons and Institutions Acts, which have been notified in 19 states in the past 10 years, has failed to address the issue. Every healthcare professional expects certain respect, safety and security so that medical service could be delivered by them without anxiety or fear. Violence and vandalization create feeling of distress among the medical professionals. That from the initial phase of treatment healthcare professionals are very well aware that patient is potential aggressor or litigant still healthcare professional has to remain impartial while delivering the services.

The (Srivastava, 2025) National Medical Commission has specified set of policies in the form of rights wherein doctors are allowed to refuse patient's treatment who are abusive or violent, as doctors they also have a right to a safe working environment and fair payment towards their service of professional care.

Violence in any form is gross violation of rights (Law, 2025) as been enshrined in the Constitution of India. Judiciary is the primary institution which ensures that the rights granted are recognized in its pure form and further such rights are also effectively upheld. Judiciary ensures rights are not violated and individuals can access justice. That in Indian context state protects the fundamental rights by not violating the same and also affords remedies by the support of judiciary in situation of violation.

United States of America (U.S.A.)

Under American law (Hood, 2008) medicine is not regarded or considered as a moral enterprise nevertheless as a legal contract among the doctor and the patient. A 2022 survey of the American College of Emergency Physicians (Kumar and Adashi, 2025) revealed that 55% of all emergency physicians were physically assaulted in the emergency department at some point, a 47% increase relative to 2018 data moreover Virtually all (98%) of the assaults in question were perpetrated by patients. The (Workplace Violence - Overview Occupational Safety and Health Administration, n.d.) describes workplace violence as any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at work. That (Fact Sheet: Workplace Violence and Intimidation, and the Need for a Federal Legislative Response AHA, 2023) polices are made applicable in the health system to trace and reduce violence, incidents persist although two nurses per hour reported being victims of violence in the U.S. Even with policies in place at health systems to detect and minimize violence, incidents persist, with as many as two nurses per hour reporting being victims of violence in the U.S. Recently,

(NIOSH Science Blog, 2024) The Save Healthcare Workers Act, (H.R. 3178/S. 1600) bipartisan US legislation introduced in 2025 to save and protect healthcare workers from violence in healthcare settings which is supported by broad coalition of health care organizations including the American Hospital Association, American College of Emergency Physicians, American Association of Orthopedic Surgeons, American Nurses Association, etc.

The (The Legislation - Dr. Lorna Breen Heroes Foundation, 2026) Dr. Lorna Breen Health Care Provider Protection Act is one of the first-of-its-kind special law for health workers' mental health wellbeing and since its enactment the law has transformed, saved lives, improved the systems in which health workers are educated, trained, and practice. In October 2022, (Hudgins, 2023) the American Academy of Pediatrics, American Medical Association, and Children's Hospital Association forwarded a letter to the attorney general wherein was requested for investigations into people who threaten healthcare workers as there is growth in the threats and violence upon healthcare providers mainly resulted from disinformation.

The Nurse's Bill of Rights (NBoR) created by the American Nurses Association (ANA) has developed Nurses' bill of rights as a non-binding guide disclosing 7 key rights for nurses, ensuring they can practice ethically and safely, advocate for patients without fear, receive fair pay, and work in supportive environments with safe staffing, fostering professional standards and protecting against abuse, exploitation, and unsafe assignments, guiding better healthcare for all. (Labor and Administration, 2014) stated federal agencies like OSHA and the CDC specifies guidelines for healthcare workplace safety although there are state laws that have also enacted comprehensive workplace violence prevention laws that are for healthcare settings which mandates institution to develop plans, assessment and establish policies for addressing incident of violence.

New York Governor has brought an act (New York Enacts Mandatory Workplace Violence Prevention Programs for Healthcare Facilities - Ogletree, 2025b) that would specifically require hospital in the state to establish workplace violence prevention programs focusing to protect the healthcare workers from visitors, patient and residents. Areas which was covered in the act was basically implementing security plans, security personnel for emergency rooms, assessment of security plans etc.

United Kingdom (U.K.)

(Butler et al., 2024) National Health Scheme associated with healthcare system in United Kingdom. Violence is in form of harassment and abuse is experienced by the NHS Staff as being frequent in nature although same are not reported as the staff perception of the inevitability of violence, mental health of patient, no further action, bad reflection upon judgmental or skill. Further as noted (Cowper, 2015) in the

UK, a Health Service Journal and UNISON research found that 181 NHS Trusts in England reported 56,435 physical assaults on staff in 2016–2017 moreover upon comparing the data from the 181 trusts covered by the survey, result showed the total number of attacks in specific organizations raise by 9.7 per cent on 2015-16. The workers who blow the whistle are protected by Employment Rights Act 1996 (*Lawyers, 2024*) whereby this act protect and encouraged safety, transparency and accountability to healthcare professionals within healthcare sector moreover the present act is imperative for all healthcare professionals to develop awareness of the legal framework and their rights.

The (*The NHS Constitution for England, 2023*) National Health Service exclusively specifies the legal rights to NHS staff as general employment and discrimination law, moreover such rights ensure the respective staff flexible working environment, fair pay, healthy and safe environment free from harassment or violence, access to employment tribunal, protection from violence etc.

The (*British Medical Association, 2024*) General practitioners (Doctors) in UK have a right to remove abusive, aggressive and violent patients from their appropriate list moreover such patient is recorded and said information is made visible to other healthcare professionals further such patients are given primary care in a secure environment through SAS (Special Allocation Scheme) which helps to minimize the risk while complying to The National Health Service (General Medical Services Contracts) Regulations 2015.

Indian Judicial Approach.

In (*Hetu, 2025*) observed in the matter of Vishaka v. State of Rajasthan, court critically examined the primarily issue for addressing sexual harassment at the workplace, that the said matter interpreted the issues which specifically was related to the health and safety of women, including their access to healthcare services further Hon'ble Apex Court duly documented the significance of creating a safe atmosphere for women in workplaces, which include hospitals and healthcare settings.

In the matter of Delhi Medical Association and other Versus Union of India, Hon'ble Supreme Court of India held that: "Nor are we inclined for all encompassing prayers made as private hospitals will have to make their own security arrangement and we cannot expect the State Government or the Central Government to provide security covers for private hospitals which are really business enterprises. Insofar as Government hospitals are concerned, security is arranged by the concerned hospitals".

In the matter of Kerala Private Hospitals Association vs Adv. Sabu P. Joseph Kerala High Court Held has given two significant directions to government which are mentioned as follows: "13. In the afore perspective, we hereby order that every Station House Officer concerned, to whom, or

to whose Station, a complaint of atrocity or attack or harm on any Healthcare Professional – be that Doctors, Nurses, staffs, security or such other, or against the property of a Hospital- shall be recorded as a first information and a case registered within a period of one hour from the time on which such information is obtained or gathered". "15. As far as the Government of Kerala is concerned, we request them to ensure that the citizens are told, by appropriate methods, the gravity of the offence of an attack on a hospital or a Healthcare Personnel; and the manner in which this Court proposes to deal with it in future".

In the matter of Alleged rape and murder incident of a trainee doctor in R.G. Kar Medical College and Hospital, Kolkata and related issues versus Hon'ble Supreme Court of India had two major observations initially Apex court framed guidelines to protect healthcare professionals and framed National Task Force thereafter it was observed that National Task Force would provide proper recommendation for the issues like safety, working conditions, and well-being of medical professionals. That court further addressed issues like CCTV Surveillance, Substandard Rest, Safety of women and Sanitation facilities and expressed ongoing issues in healthcare sector which discourages individuals from pursuing careers in the respective profession. (*Adarsh, 2025*) Stated that Supreme Court of India specifically provided direction so as to create an appropriate working environment which upholds the rights of the healthcare workers and recognize their valuable role in the society.

That (*Sain et al., 2024*) aforesaid horrifying incident at R.G. Kar Medical College and Hospital in Kolkata has sent shockwaves across the medical community which raised dark shadows upon states' healthcare system resulting into massive rallies, demonstrations and strike. However (*VC, 2020*), in past as a constitutional court in India has significantly opposing the strike also specified that strikes are illegal considering the medical fraternity moreover in an essential services like healthcare whereupon the utmost priority is critical life care the ethical and moral difficulties fall short to justify the strike by healthcare professionals. "Right to practice profession is subject to right to life and proper healthcare of patients" *Özden et al. (2024)*.

Contemporary Measures to Protect the Rights of The Healthcare Professionals

- Deploying of Security Personal within the Hospital and Medical Establishment. Compulsory C.C.T.V. Installation and surveillance within the Hospital and Medical Premises.
- Proper and separate rest and duty room for male and female healthcare professionals.
- Professional's Psychological training or conducting workshops for the healthcare professionals handling grief and crises.
- Employing trained personal or in-house counsellors who

can deal with patient or relatives.

- Supervision to compliance over the proportion of patient to Doctor and Nurses. Audit and Compliance to the Internal Complaints Committee in terms of the Sexual Harassment of Women at Workplace
- Compulsory installation of Baggage and Person screening mechanism at the entrance of every hospital or medical establishment.
- Provisions for Transport facilities for healthcare professionals between 9 pm to 6 am.
- Admissions or entry to critical and sensitive areas only through use of bio-metric and facial recognition. Security personal to give entry to patient and their relatives only after conducting breath test through Breathalyzer or breathalyser, except emergency patients.
- Mock drills at regular interval among Healthcare Professionals within the medical establishment to handle violence.
- F.I.R to be filed by appropriate concern police station within 1 hours of reporting of healthcare violence and reasoning reportage of non-filing of FIR to Superintendent of Police.
- Aggressive awareness campaigning and advertisement by government and medical associations against violence towards healthcare professionals.
- Firm implementation and enforcement of central or state laws specifically based on deterrent, preventive and restorative theory of punishment.
- Provision for compulsory audit in Public Hospitals, Clinics, Nursing Homes, Veterinary Hospitals by central government bodies consisting of predetermined teams.
- Compulsory employment of male and/or female Ex-Army or such similar as security head who would be chief in-charge of the Medical Establishment, Hospital etc.

Findings and Discussion

U.K. legal system has statutes to protect NHS Staff and related healthcare professionals from violence there are various provisions of criminal penalties, employees' duties, preventative measures to protect healthcare workers from assault. Protection to healthcare professionals primarily comes from Federal and state statutes in USA wherein specifically dedicated statues in the form of OSHA regulations, workplace precedents, Dr. Lorna Breen Health Care Provider Protection Act 202 and The Whistleblower Protection Act of 1989 are enforced to protect the healthcare professionals from violence. Primarily any form of violence against healthcare workers are addressed and concluded though the liability of employer, negligence and labor laws including decisions which give emphasizes upon the duty of care in high-risk settings.

Legal framework of Indian healthcare sector is a mix of central and state laws which ensure enforcement, safety, resource allocation and standardization additionally

same is designed to govern every aspect of healthcare services, medical standards and patient rights. National Medical Commission a statutory body which regulates the Indian medical education specified that doctors cannot refuse medical treatment in the times of emergency henceforth right to refuse is not absolute. Article 19(1) (g) of the Constitution of India provides right to practice any profession which also includes medicine wherein healthcare professionals have fundamental right to choose and practice their respective medical profession. Article 21 of the Constitution of India guarantees right to life and personal safety which duly incorporates right to practice the profession in safe environment henceforth healthcare professionals have the right to be protected from physical and mental violence, threats and abuse while they are on duty. Bharatiya Nyaya Sanhita (BNS), State Medicare protection Acts and Epidemic Diseases (Amendment) Act 2020 enforced in India protects the healthcare professionals from violence in emergency and further penalize any act or form of violence against healthcare professionals whereby the healthcare professionals are legally protected from violence.

Conclusion

Violence against healthcare professionals is a serious problem as it directly impacts the happiness and security of the society. As due to violence physicians have difficulty in fulfilling their duties, are exhausted, migrate abroad or move to private sector. All the stakeholders and organs of the society such as government, hospitals, patients and their relative, fellow colleagues etc. have obligations and duty towards healthcare professionals. Law to be enforced it the optimal effective manner must coordinated with hospitals, enforcement bodies and judiciary. Medical association, nursing association, pharma association and other similar health care association should cooperatively make speech-making to hospital industries so to make them more aware about how due process in term of protection of respective legal rights could be achieved. By taking a holistic viewpoint, responsibility is upon all stakeholders to ensure to perform their duties so that healthcare professionals are able to exercise all the civil rights which as stipulate and recognized in treaties, acts, policies, compliances and judicial precedents.

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