Safeguarding the Healers: Addressing Violence Against Healthcare Workers in India

ORIGINAL ARTICLE

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Abstract

Violence against healthcare professionals has become a serious issue, affecting their safety and mental well-being and the overall efficiency of the healthcare system. Healthcare professionals often encounter verbal and physical abuse from patients, family members, or the public. Some fatal incidents that happened in India during the last few years in hospitals indicate the lack of safety at the workplace. Despite the introduction of various legal protections for healthcare workers, gaps exist in its enforcement and awareness. This article explores the various causes, the solutions to curb workplace violence in hospitals, and the legal frameworks enacted to address the issue.

Key Words

Violence, Healthcare Workers, Safety, Legal Frameworks.

Introduction

Healthcare workers form the backbone of India's growing healthcare system, by providing efficient medical aid across various hospitals. However, their significant role is disturbed by growing incidents of violence in India's healthcare setting. Healthcare workers face various kinds of violence and threats like verbal abuse, physical assaults, and even life-threatening incidents at hospitals. This violent act can be from colleagues, patients, their relatives, or the public. The pandemic has further exacerbated their vulnerability, with incidents of nurses being assaulted over lack of facilities to treat COVID-19 patients, delays in treatments, etc. There are numerous reasons behind attacks against healthcare workers. Lack of medical facilities, staff shortage, long waiting hours, medical errors, and overcrowded hospitals usually lead to violence against healthcare workers. Healthcare employees work for long hours even in stressful situations without proper rest and protection and thereby they dedicate their lives to patient care. However, attacks against healthcare workers have become a serious concern in India. Approximately 75% of healthcare workers have reported some form of workplace violence in their career and among them, up to 80% experienced nonphysical violence, and up to 40% experienced physical violence in India (Liu et al.,2019). The situation is more common in hospital's critical care units and in emergency departments, where emotional distress is high and sometimes patient's families resort to agitation. The World Healthcare Organisation has stated that 62% of the healthcare workforce has experienced workplace violence. The case of verbal abuse (58%) is the most

March to May 2025   www.amoghvarta.com
A Double-blind, Peer-reviewed & Referred, Quarterly, Multidiciplinary and Bilingual Research Journal

Impact Factor
SJIF (2024): 6.879

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common form of non-physical violence, followed by threats (33%) and sexual harassment (12%) (World Health Organization, n.d.).

Workplace violence in the healthcare setting implies any kind of action that involves physical, verbal, or emotional abuse, actions causing threats, or assaults towards hospital employees during duty, causing risk to the life and safety of healthcare workers. Verbal violence mainly includes shouting at hospital workers, disrespectful remarks, and obscene language towards hospital workers. Emotional violence includes activities that hurt the mental, and psychological well-being of the workers. Physical violence means physically attacking the workers by assaulting or beating the healthcare workers. Violence against doctors and other health workers is common, and its frequency in India appears to be increasing (Ghosh,2018).A lot of incidents happened in India, among them only a few incidents got national attention. A 31-year-old female postgraduate trainee doctor was brutally raped and murdered at R. G. Kar Medical College and Hospital in Kolkata. In 2024, on the night of August 8th, the victim girl had dinner with her colleagues and was taking a rest in a seminar hall after her shift. The next morning her semi-naked body was found in the seminar hall with bleeding in private parts, eyes and mouth. Even though a lot of issues happened in the following days as the college officials informed her family members that she had committed suicide but later the police arrested the culprit Sanjay Roy after a thorough investigation (Bharti, 2024). Another incident in Kerala's Kottarakara took the life of a 22-year-old young doctor named Vandana Das. She was working at Taluk Hospital as a part of her intern program. The culprit named Sandeep was brought by the police for his medical examination for causing a ruckus in his neighbourhood under the influence of alcohol. At the hospital, he started attacking everyone and Dr. Vandana was unable to run from that dressing room. The culprit named Sandeep stabbed her multiple times with a scissor from the hospital's dressing room. Vandana succumbed to death immediately after taking her to the hospital (Philip,2023). In Chennai, a Government doctor was attacked with a knife and got seriously injured in 2024.The culprit named M Vignesh stabbed the doctor multiple times in his consultation room because he was dissatisfied with the cancer treatment being provided to his mother by the doctor (Selvaraj ,2024).

During the pandemic, many incidents have been reported. In 2020 a mob attacked a healthcare team including a doctor who was treating COVID-19 patients in Indore. During covid-19 healthcare workers were exposed to high stress and burnout. In addition to this workplace violence too increased rapidly. The hospital workers were attacked even in their residential areas. Such an incident happened in Hyderabad, where a female junior doctor, who treats COVID-19 patients, was denied entry to the apartment by a group of committee members of the same flat and they used obscene language towards her (Shanker,2020). Another incident was reported at Hyderabad where a deceased corona patient's relatives attacked a few junior doctors. The doctors claimed that the patient's relatives attacked the medics with an iron rod and a plastic chair. Nearly 20% of healthcare workers worldwide faced violence during the pandemic (World Health Organization, 2021). These unpleasant incidents not only affect the health worker's safety but also demotivate the existing ones and the young professionals from joining the healthcare field.

Objectives

To analyse the legal frameworks to protect healthcare workers from workplace violence in India

Methodology

This is a descriptive study. The study is purely based on secondary data and for those various articles from journals, websites, reports from newspapers and financial institutions have been used.

Causes of Violence Against Healthcare Workers

1. **Long waiting for Treatment and Overcrowding:** Sometimes overburdened hospitals frustrate patients by making them wait a long time for consultation. The lack of adequate staff to control overcrowded patients even worsens the situation at the hospital. This further causes frustration among patients and that turns into various kinds of abuse on healthcare workers.

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A Double-blind, Peer-reviewed & Referred, Quarterly, Multidiciplinary and Bilingual Research Journal

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2. **During the Patient's Death:** The patient's kin sometimes blame the doctors or nurses if the patient's health conditions worsen or they pass away. In such emotionally aroused situations, agony can be quickly transformed into aggression which further results in violent actions toward healthcare workers

3. **Influence of Alcohol and Drugs:** If the patients or their family members are intoxicated there is a higher chance of violent incidents. Intoxicated people lose self-control and such patients may attack healthcare workers. It usually happens in emergency departments.

4. **Unrealistic Expectations Regarding Treatments:** There are a lot of limitations to certain treatments. Patients and their family members sometimes have false hope due to misinformation on the internet or from unreliable sources. When the results do not meet their expectation about the treatment, the patients or families believe it as medical negligence. Such situations also lead to workplace violence against the healthcare workforce.

5. **Lack of Awareness Regarding Legal Consequences:** Many people are unaware that healthcare workers have specific laws and that any kind of abuse against them is a serious offense. Weak enforcement of legal actions and lack of stringent punishment for the culprit encourage violence in hospitals.

6. **Local Politics:** Sometimes local political groups start violence against hospitals for their political benefits. There are instances where local political groups exploit the patient's complaints for their political agenda. This can also lead to violence against hospital property and their workforce.

7. **High Medical Expense:** For financially weaker patients unexpected hospital bills at a high rate can be a burden. This may cause stress and often leads to aggressive behaviour among the patients or their relatives and they may accuse the hospital for overcharging of fees or unnecessary medical procedures. This may further fuel the tension.

8. **Lack of Communication between Doctor and Patient:** Sometimes due to lack of time or workload doctors may not be able to explain the in-depth details of diagnosis and further treatments to the patients. This may create a feeling among the patients that they are not properly taken care of or are being ignored which may lead to emotional damage and frustration. Such situations may escalate tensions and may result in aggression.

9. **Lack of Security:** Many hospitals fail to provide proper security facilities which makes it easier for violent incidents to happen. If adequate security personnel are provided at hospitals these kinds of negative incidents can be prevented to some extent.

Legal Framework Enabled in India to Protect Healthcare Workers from Violence

1. **The Epidemic Diseases (Amendment) Act, 2020:** As per this law violence against healthcare workers are cognizable and non-bailable offense and the offenders get imprisonment for 3 months to 5 years. And a fine of ₹ 50,000 to ₹ 2 lakh will be imposed. If any serious harm is caused during the violence the punishments differ and it increases to 6 months to 7 years with a fine of ₹ 1 lakh to ₹ 5 lakh. Compensation will be provided to the hospitals and healthcare workers for any damages suffered during violent incidents (The Epidemic Diseases (Amendment) Bill, 2020).

2. **The Indian Medical Council (Professional conduct, etiquette and ethics) regulations, 2002:** To ensure that doctors adhere to the mandatory code of conduct and to protect from unethical legal actions these regulations have been implemented. It clearly defines the role and responsibilities of healthcare workers and it also protects doctors from false allegations and unwanted legal prosecutions. Even if this law stands as a major step towards the protection of healthcare professionals, its efficiency remains a challenge.

3. **The Prevention of Violence Against Doctors, Medical Professionals, and Healthcare Institutions Act (State Laws):** Several Indian states, including Kerala, Maharashtra, Assam, Karnataka,

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West Bengal, Tamil Nadu, and Delhi, have specific laws to protect their healthcare professionals. The Kerala state recently amended its existing law with Kerala Healthcare Service Persons and Healthcare Service Institutions (Prevention of Violence and Damage to Property) Amendment Act, 2023. This expanded the definition of healthcare service persons to include other hospital workers like paramedical students, security personnel, hospital workers, managerial employees, ambulance divers, and other helpers. It also added penalties for verbal abuse against healthcare persons and classified offenses based on intensity and ensured stringent punishment for heinous acts. The amendment also included preventive measures like deployment of sufficient security staff, security camera installation, alarm systems, safety devices in necessary areas, control rooms, and providing necessary information to the stakeholders. Key provisions regarding penalties include a fine upto ₹ 10,000 and imprisonment upto 3 months for verbal abuses. Any act causing physical harm to healthcare persons is punishable with 6 months to 5 years imprisonment and fines between ₹ 50,000 and ₹ 2 lakh. Grievous acts causing physical injury are punishable with imprisonment from one to seven years and fines between ₹ 1 lakh and ₹ 5 lakh (Kerala Healthcare Service Persons and Healthcare Service Institutions Amendment Bill, 2023).

4. **Consumer Protection Act, 2019:** Even though it is concentrated on patient rights it also includes various provisions regarding harassment or unfair treatment of medical professionals. It allows hospitals to take legal action against unruly patients or relatives who threaten healthcare staff.

5. **The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 (POSH Act):** This is focused on preventing, prohibiting, and redressing sexual harassment of women in their workplaces which include Government, private, and other informal sectors. Here women employees also include interns and domestic helpers. This law defines sexual harassment in a broader way which covers unwanted physical contact, sexual remarks, requests for favours, and inappropriate conduct. It states that workplaces having ten or more employees must have an Internal Complaints Committee (ICC), whereas smaller workplaces should report to a Local Complaints Committee (LCC) at the district level. Victims must file a written complaint within 3 months, and inquiries must be resolved within 90 days. It also states that employers must conduct awareness programs, display policies, and ensure a safe work environment. Non-compliance can result in fines up to ₹ 50,000 or business license cancellation for repeated violations. So, effective implementation and awareness are the keys to ensuring workplace safety and dignity for women (Satish,2024). Apart from the above-mentioned, there are other various legal provisions in Bharatiya Nyaya Sanhita.

Measures for a Safe Work Environment

The following are the various measures that can be implemented to create a safe work environment for healthcare workers:

1. **Deploy Security Personnel:** Appoint trained security personnel in necessary and high-risk areas where there are chances of violent incidents to occur, like an emergency room.

2. Provide regular training to healthcare workers and make them efficient with proper skills to handle violent patients or anyone. Training regarding conflict resolution aids employees in diluting tense situations before they become severe. And also offer self-defence training to protect themselves from violent incidents.

3. Provide safe and secure duty rooms for healthcare workers near patients' wards or emergency rooms. Also, provide nearby bathroom facilities to avoid the danger of walking a long way at night.

4. Install surveillance cameras and alarms in necessary areas and monitor them closely.

5. Risk assessment by screening patients and visitors helps to identify persons with a background of an aggressive nature. It also prevents people from bringing dangerous weapons or similar items inside.

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A Double-blind, Peer-reviewed & Referred, Quarterly, Multidiciplinary and Bilingual Research Journal

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Identifying high-risk persons at the beginning allows for taking necessary actions like deploying additional security and close monitoring.

6. Overcrowding at hospitals leads to frustration among patients which is also a cause for violence. So, hospitals must ensure that sufficient staffing is provided in various departments. Understaffing leads to higher stress and burnout, making hospital employees more prone to aggression. Ensuring adequate staffing reduces patient waiting hours and reduces potential emotional outbreaks.

7. Hospitals should implement policies on workplace violence that clearly define acceptable behaviour and outline consequences for violations. Also, encourage employees to immediately report any kind of violent acts without any hesitation and make them feel safe. Hospitals should have a zero-tolerance policy towards all reported incidents and address them seriously.

8. The Government should also ensure that hospitals follow necessary safety standards and proper enforcement of legal actions should be done.

9. Create awareness among the general public regarding the nature of the work that healthcare workers are being performed and the various challenges that they encounter each day. Also, educate them regarding the importance of respecting the work being done by the healthcare persons.

Conclusion

Violence against healthcare professionals affects both their safety and the entire healthcare system. Various factors like overcrowding, understaffing, lack of security, patient's emotional outbreak, etc. lead to attacks towards medical professionals. Sometimes medical professionals are reluctant to treat high-risk cases due to the fear of aggression. A multi-faceted approach with the involvement of private hospital management and the Government is essential to address this issue. To facilitate a secure work environment, hospitals must prioritize the effective implementation of safety measures and enforce policies that are aimed at the protection of hospital personnel. Violent incidents become even more challenging for many victims as they face barriers like humiliation, uncertainty regarding how to report violent incidents, and due to fear of retaliation. Even though mechanisms exist, they are not transparent and this discourages health workers from coming forward. So, hospitals should encourage employees to report violent incidents by ensuring their safety. The Government should ensure that safety protocols are being properly followed by the hospitals and effectively enforce the law by putting the perpetrators behind bars.

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SJIF (2024): 6.879

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