

FACULTY OF FORENSIC & LEGAL MEDICINE

of the Royal College of Physicians of London



Registered Charity No 1119599

MFFLM Examination Sexual Offences Medicine SAQ Sample Question

You are asked to examine Nicole, a 13 yr old girl who has alleged rape. The accompanying police officer indicates that she believes Nicole is making a false allegation, as she has had dealings with Nicole before and finds her unreliable.

a. What is known about the frequency rates of false allegations?

2 marks

Research shows a figure varying between 2 and 8 % of allegations may be false, a similar figure to allegations of other crimes, such as car crime.

b. Give 7 reasons might there be for a 13-year-old girl to make a false allegation.

7 marks

- *To give a reason for being late home for a curfew.*
- *To access emergency contraception following consensual sex.*
- *As a way of disclosing on-going sexual abuse.*
- *Re-living a previous traumatic event.*
- *As part of a psychotic illness.*
- *Malicious intent towards another person.*
- *Attention –seeking behaviour*

c. You assess Nicole as being “Gillick competent”. Explain what is meant by this phrase.

6 marks

The phrase “Gillick competence” derives initially from legal action brought by Victoria Gillick against Wisbech Health Authority in 1982. She was attempting to obtain a prohibition against doctors offering contraceptive advice to her daughters without her consent.

The concept of Gillick competence refers to the competence of someone below the legal age of maturity to consent to medical treatment.

It falls upon the doctor proposing a form of treatment to assess “Gillick competence”.

In order to satisfy him/herself that a patient is Gillick competent, the doctor needs to be sure:

- a) the patient understands what is being proposed*
- b) the patient can understand the benefits and risks of the proposed treatment*
- c) the patient has the ability to weigh these in the balance and make a judgement*

d. Explain what you understand by “Fraser guidelines”.

6 marks

Fraser guidelines apply specifically to the issue of contraceptive advice to a girl under the age of 16. They state that a doctor may provide contraceptive advice and treatment in these circumstances, provided that s/he is satisfied that:

- i. the girl understands the advice*
- ii. she cannot be persuaded to inform her parents, or allow the doctor to inform them*
- iii. she is very likely to continue to have sex with or without contraceptive treatment*
- iv. her physical and/or mental health are likely to suffer if she does not receive contraceptive advice or treatment*
- v. her best interests require that she has contraceptive advice and/or treatment without parental consent.*

e. Nicole tells you that she was raped 3 days ago and that her last period was “about 2 weeks ago”. What forms of emergency contraception are available for Nicole?

3 marks

- i. Levonelle*
- ii. Ella one*
- iii. Fitting of IUCD*

f. How would you help Nicole decide the best methods for her?

3 marks

Efficiency – as the unprotected sex was more than 48hours ago, Levonelle would be less efficient at preventing a pregnancy than `Ella one or an IUCD.

Acceptability- fitting an IUCD would involve a speculum examination and the insertion of the device, which Nicole might not be able to tolerate and might be more uncomfortable for her as she has not delivered a child.

Long term protection – if Nicole could tolerate an IUCD it would give her on-going contraception.

- g. What do you understand by the term “mandatory reporting”? What in your opinion are the advantages and disadvantages of mandatory reporting?

8 marks

The Children Act states that the welfare of the child is paramount. If a doctor (or indeed any person) believes a child to be at risk of harm, that person has a duty to share such information with the safeguarding team.

*In other jurisdictions (eg USA, Australia,) it is mandatory to report allegations of rape
(2 marks)*

Advantages

Increased reporting might lead to increased convictions, and a truer picture of the scale of offences. Offenders might be picked up earlier in their abusing “career” and subsequent offending therefore prevented.

From the ethical standpoint, this might do good, and increase justice.

Disadvantages

The knowledge that all allegations would be reported takes away the choice of a complainant NOT to report or involve the authorities. This might in turn discourage potential complainants from seeking help, and therefore the therapeutic part of the forensic physician’s role might never be performed. This could lead to the complainant not getting help for possible pregnancy. sexually transmitted infections or injuries.

From the ethical standpoint, this might lead to harm, and goes against autonomy.

(6 marks)

- h. Nicole tells you that she was not raped, but had consensual sex with her boyfriend. She does not wish you to inform anyone else. Give some examples of factors which may lead you to sharing this information.

3 marks

Her boyfriend is considerably older than her/ a teacher/in some other authority role/she discloses he has been physically abusive to her.