

## Position Statement

Subject: **Role of the Specialist in Clinical Forensic Medicine**  
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Clinical Forensic Medicine (CFM) is concerned with provision of forensic medical services primarily to the living, and the collection and interpretation of information for the purposes of criminal and civil law, the judiciary and the police. It is the branch of clinical medicine that deals with both the medical and legal aspects of patient care.

A broad scope of clinical experience, in particular, emergency medicine and primary care, provides the necessary foundation for doctors working in this field, who must be competent to manage acutely ill and injured patients. Forensic physicians also draw their clinical experience from a range of other areas such as paediatrics, gynaecology, psychiatry, addiction medicine and sexual health care.

Forensic physicians work closely with police, lawyers, coroners, forensic pathologists and forensic scientists; the scope of their work involves clinical examination of living persons, the provision of written reports and oral testimony in court and encompasses both forensic and health care roles; the forensic examination of complainants and alleged perpetrators to assist the legal process, and the provision of health care to patients in contact with the legal system. While the clinical forensic physician's responsibility to the courts demands independence and impartiality, his/her contact with vulnerable patient groups also requires health care advocacy and public health roles.

Clinical forensic medicine is both a clinical discipline and an information-based specialty which operates at the interface between medicine and the law in order to provide useful information to assist in the legal process. This process begins at the point of contact between the patient and health professional, and extends into domains such as record keeping, report writing and presentation of evidence in court.

Forensically trained doctors are familiar with the legal system and gain experience in dealing with police and lawyers and appearing in court. They are involved in preparing medical reports and expert opinions daily. They are familiar with relevant laws in sensitive areas such as interpersonal violence, sexual assault, custodial and traffic medicine, with respect to definitions of offences and legal issues surrounding examinations and specimen collection.

Across the full spectrum of interpersonal violence including homicide, physical assault, family violence, sexual assault, child and elder abuse, as well as drug and traffic offences, specific areas of expertise in clinical forensic medicine include:

- Examination of victims and alleged perpetrators in investigations of crimes against the person, evidence collection and the documentation and interpretation of injuries;

- Provision of healthcare in both an acute and ongoing basis to victims of crime and those in police custody and prisons;
- Assessment and medico-legal opinions regarding the clinical effects and toxicology of alcohol and drugs;
- Assessment and medico-legal opinions involving traffic medicine including injury interpretation, drug and alcohol effects, medical causes contributing to crash causation and fitness to drive;
- Preparation of medico-legal reports and presentation of evidence in court;
- Assessment of persons involved in the legal system with respect to fitness for interview, fitness for custody and fitness to plead to charges; and
- Education and research associated with the above areas.

Clinical forensic medicine is not a discipline that seeks to replace any existing hospital specialty or area of practice, nor is it primarily concerned with medical malpractice, misconduct, fraud or compensation-based civil litigation. It is not an alternative to specialist opinions in specific disciplines such as surgery, cardiology, obstetrics and gynaecology. Although there is some interface with psychiatry, it is not concerned with the responsibilities of forensic psychiatrists, namely the determination of criminal responsibility and care of criminal offenders in a psychiatric facility.

Whilst in some jurisdictions forensic physicians assist with aspects of medicolegal death investigation such as provision of opinions in relation to clinical issues prior to death or attendance at death scenes, their work is not primarily concerned with pathology and the examination of deceased persons. Neither is clinical forensic medicine a forensic scientific laboratory discipline, although it deals with the specialised interpretation of results.

Key attributes necessary for the work of a specialist in clinical forensic medicine include:

- Broad general medical experience;
- Sound knowledge of the pathophysiology of disease and trauma, surface and internal anatomy, pharmacology of common drug classes, the natural and forensic sciences, the law and relevant legislation;
- A methodical and analytical approach;
- Competency in clinical reasoning, and the ability to formulate and articulate well-balanced views; and
- Good interpersonal and communication skills (both oral and written).

Clinical forensic medicine is practised in different ways in the various Australasian jurisdictions and not all specialists in clinical forensic medicine work across the full scope of the discipline. Several practice streams exist within the discipline including;

- Sexual offence medicine;
- Paediatric forensic medicine;
- Custodial medicine; and
- Traffic medicine.

These practice streams may not be homogeneous, the nature of the work in each stream varying according to the environment in which the service is provided, whether it be a hospital emergency department, sexual assault service or prison facility. For this reason, credentialing of doctors working in clinical forensic medicine is necessarily task-focused.

Since the establishment of the RCPA's Faculty of Clinical Forensic Medicine in 2014 and development of a competency-based training program in 2016, the pathway to Fellowship requires at least 3 years postgraduate experience, completion of the Master of Forensic Medicine degree (Monash University) or equivalent, participation in the training program and fulfilment of examination requirements.