

# Gynaecologists in Focus

## (No obstetrics)

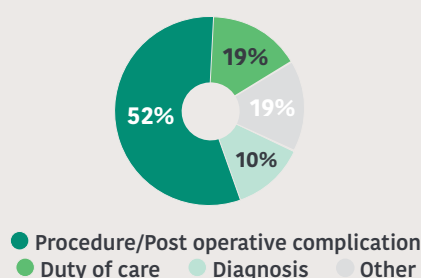
Incidents & Claims Insights | 1 Jan 2023 - 31 Dec 2024



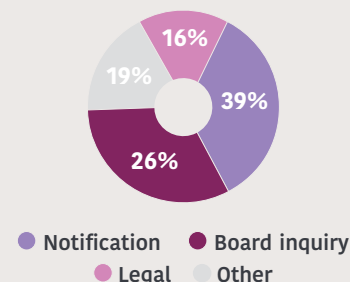
## 1 in 4

Gynaecology (no obstetrics)  
 Members notified MDA National  
 of a medico-legal case in 2024,  
 an increase from 1 in 5 in 2023.

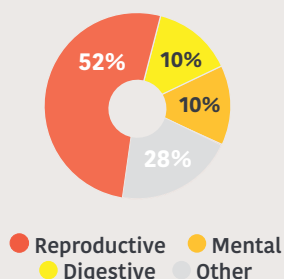
**Top 3 Incident Areas**



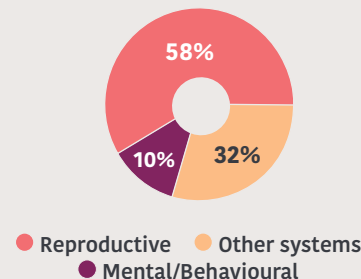
**Top 3 Claim Types**



**Top 3 Injury Types**



**Top 3 Case Types**



## Key Themes from MDA National Case Data



### Procedural complications

Complications arising from procedures, often involving laparoscopic surgeries, are the most common. Unsurprisingly, 50% of all procedural/post operative complications related to the reproductive system. Gaining consent remains an important part of the process.

However, other systems including digestive, urinary, nervous, and immunological systems, accounted for 44% of complications, revealing the broader risks associated with surgical procedures and the complications that can occur due to the anatomical proximity to reproductive organs.



### Duty of care/Communication

Incidents in this area relate to the behaviour of the doctor towards the patient. Allegations of lack of consent, poor communication, inappropriate comments, lack of care and being dismissive of patient concerns are most prevalent. Effective and clear communication remains an essential tool for all Members.



### Medico-legal risk

While the majority of cases (84%) were low in medico-legal risk, the nature of the injury was still significant, highlighting the potential long term impact on both patients and medical practitioners.

## Case Scenario\*

A Member met with a mother and her 13-year-old daughter. Surgery was later performed on the hymen of the daughter. A complaint was raised by the patient with the HCCC many years later, alleging that Member did not ask for the patient's consent for the surgery or throughout the examination of her vagina. An allegation that the Member only spoke to the mother was also raised.

Following a review by the HCCC it was found that verbal consent from the patient and mother were obtained prior to the examination and the procedure. Written consent for the procedure was obtained by the mother. It was also found that care and treatment were clinically appropriate and in line with standard medical practices.

Feedback from the HCCC indicated that some of the terminology used may have been confusing. It is essential to ensure that all parties—such as the mother and daughter—are fully engaged in discussions regarding the condition, treatment options, and the procedure performed. Miscommunication at any of these stages can lead to confusion or misunderstanding about the nature of the procedure. Clear documentation of consent is also critical and should be communicated to all parties, regardless of who is signing as the legal guardian.

The case was closed with no further action taken.

## Looking for more info?

MDA National provides a variety of resources to support you in areas such as consent, medical documentation and complaints. Explore the links below for direct access.

### Case Studies & Articles

- [Consent for treatment](#)
- [Consent to Medical Treatment for the Mature Minor](#)
- [Managing patient complaints](#)
- [Avoiding Complaints](#)
- [Crossing the line with patient boundaries](#)
- [Honesty is always the best policy](#)
- [Maintaining Physical Contact Boundaries](#)
- [Physical examinations how to avoid misunderstandings](#)

### Learning Activities

- [Informed consent challenges](#)
- [Noteworthy: The how what where and why of medical documentation](#)
- Check [MDA National LMS catalogue](#) for online and face to face workshops on 'Noteworthy - medical documentation' and 'Patient boundaries'

It is essential that MDA National is notified of any potential incidents or claims. Early notification ensures that tailored advice and support are available when needed and helps us prepare effectively should the matter progress.

For more information, please contact [advice@mdanational.com.au](mailto:advice@mdanational.com.au) or call us on **1800 011 255**. Members can access our **Member Online Services, Support in Practice** or our **LMS** for information and education content.

Members have access to individualised advice and support and Member benefits. Non-members have limited access to our library of resources and education content.



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