

Reports on Recent Medico-Legal Seminars



“AVOIDING LITIGATION: WHAT LESSONS CAN BE LEARNT FROM AN ANALYSIS OF 1,000 NEGLIGENCE CLAIMS AGAINST FAMILY PHYSICIANS IN THE UK”

The seminar, organised by the Medical Protection Society (MPS) was held on 31 October 2001, at 5 pm in the Novotel Apollo Hotel. The speaker was Dr Tim Hegan, International Operations Manager of the MPS.

Claims of medical negligence in recent times are steadily increasing. The Medical Protection Society (MPS) statistics show that in the UK, claims against family physicians have doubled since 1994 and are currently at around 500 per year. The MPS therefore anticipates that 36 out of every 1,000

family physicians in the UK will be sued as a result of medical work they have done in the last 12 months.

Whilst the situation is not as bad in Singapore, there are signs that the situation is worsening and by analysing what went wrong in 1,000 negligence claims in the UK, hopefully lessons can be learnt in order to avoid going down that route in Singapore.

It is clear from this analysis that there are particular clinical areas that are vulnerable to a claim and consideration should be given to perhaps setting up clear guidance on how to manage patients who present with symptoms suggestive of, for example, malignancy. Failure to refer for a specialist opinion or to a hospital could give rise to defensive attitudes of managing illness, but again

the establishment of guidelines for referral and vulnerable clinical situations could be helpful.

Failing to examine and inadequate medical records are areas that can clearly be rectified.

Prescribing is also an area that can be addressed, especially in the situation of warning about side effects, and so on.

One underlying principle that is not recorded in the analysis is the effect of poor communication with patients. Time and again it is a failure to communicate adequately with the patient that leads them to make a claim. Especially in conditions that are emotive and have a lot of media attention, such as cancer and meningitis. Extra care must therefore be taken when discussing these matters with patients. ■

“RISK MANAGEMENT SEMINAR FOR OBSTETRICIANS”

On 26 October 2001, the United Medical Protection (UMP) organised a risk management seminar for UMP obstetricians in the KK Women's and Children's Hospital at 6 pm. The seminar was conducted by Dr Ken Atkinson and Mr Lek Siang Pheng. Dr Atkinson is a senior gynaecological oncologist in Sydney and also the Vice Chairman of the Board of Directors of UMP Australia.

Mr Lek is a lawyer and partner in Helen Yeo and Partners. He is also one of SMA's Honorary Legal Advisors. The seminar was attended by 36 gynaecologists, mainly from the private sector.

Dr Atkinson presented the claims experience of gynaecologists in Sydney where the litigation rate is highest in Australia and the obstetricians pay a premium 10 times that of Singapore obstetricians. Areas of O&G practice that attract high risks or an increasing trend

of frequent claims were highlighted and views exchanged.

Mr Lek presented the incidents reported by Singapore gynaecologists during UMP's two years of operation in Singapore. Some of these cases are in the early stages of civil claims. The frequency and the nature of the incidents reported surprised many in the audience. Certainly, this will serve as a timely reminder to re-look the way O&G is practised in Singapore. ■

“GETTING TO KNOW THE VARIOUS LEGAL AND DISCIPLINARY PROCEEDINGS”

The medical profession, like any other profession, is susceptible to legal tussles and it is common knowledge that the amounts being claimed against doctors has been rising over the past few years. In collaboration with United Medical Protection (Dr Lim Teck Beng), Changi General Hospital (CGH) has organised a series of six lectures (see pg. 15 for the schedule of lectures in 2002) to provide

the doctors with the relevant information on various medico-legal issues, which the doctors may face in the course of work.

The first of these lectures was held on 16 October 2001 in CGH, Auditorium, Training Centre, Level 1. It was attended by CGH doctors and general practitioners. The lecture was presented by Mr Christopher Chong (Helen Yeo and Partners). The lecture gave an overview of the Singapore legal system and the Singapore Medical Council's

disciplinary proceedings which medical practitioners may come into contact with should they find themselves faced with a complaint or a lawsuit. The talk also highlighted the possible consequences of these proceedings and gave specific examples of the local malpractice lawsuits and their outcomes. This was followed by an enthusiastic questions and answers session where doctors, in particular the general practitioners, fielded their concerns and issues to our speakers. ■