

Benefits of Society Membership

Members approach MPS with a wide range of professional queries and problems and have access, immediately, to advice from fellow professionals with specialist medicolegal knowledge. Members say how valuable it is to be sure of receiving independent confidential advice. Just talking through a problem may be enough to reassure you or confirm that your proposed course of action is correct. It might also prevent you doing something that has potentially disastrous consequences.

Our *Memorandum and Articles of Association* sets out in formal terms the broad areas in which we can provide assistance to members. Our remit is to help you with medico-legal problems **that arise from your clinical and professional practice**. For example:

1. Complete indemnity

If you face a negligence claim, we can help by providing a complete indemnity against legal costs and damages awarded against you. Currently, except in certain countries in the West Indies, there is no upper limit on the financial assistance available and there is no excess to be borne by you. These benefits are personal to you, but may, depending on the circumstances, be extended to an employee.

2. Occurrence-based indemnity

Legal action for clinical negligence is rarely taken soon after the event. Typically, a claim will be made two or three years following the adverse incident or mishap. In some cases the claim may even be made decades after the mishap.

Because we believe that it is in the best interests of both the practitioner and the patient, MPS benefits are available on an occurrence basis. This means that you and your estate have access to protection against claims arising from incidents that occurred while you were a member, no matter when they were reported – even if it is years after you leave MPS or cease to practise for any reason.

This ensures that funds are available to compensate patients no matter what your circumstances at the time of the claim. It also protects your heirs from the burden of paying adverse awards for damages that may be made after your death.

3. “Good samaritan acts”

In the unlikely event that you are sued as a result of a “good samaritan act”, you can apply for assistance from MPS, no matter where in the world the action is brought.

4. Legal representation

MPS provides legal advice and representation to members in a wide range of circumstances – clinical negligence claims, disciplinary hearings, medical council investigations and proceedings, boards of inquiry, inquests, defamation actions, courts martial and criminal prosecutions. Whatever the circumstances MPS members are supported by first-class legal representation and advice from specialists in the field of medical litigation.

5. Media relations

If you are unfortunate enough to be involved in a civil case or disciplinary proceedings that attract adverse publicity and/or unwanted media attention, we will help you prepare statements to the press if necessary and shield you from press intrusions, as far as is possible, by acting as your spokesperson.

On a more general level, we play a role in defending the public profile of the medical profession by providing the media with facts and commentary on relevant medicolegal issues.

6. Law and ethics

We can help you to resolve specific ethical and medico-legal dilemmas as they arise in your everyday practice. For example, you can ask for our help in dealing with the legal and ethical aspects of consent and confidentiality, writing medicolegal reports, appearing in court, etc.

7. MPS publications and risk management

We take an active role in promoting good medical practice and minimising the risk of clinical mishaps. Our publications are designed to provide members with a good working understanding of the legal and ethical principles governing the practice of medicine – for example, consent to treatment, confidentiality, the Mental Health Act.

Our booklets also offer guidance on, for example, making and keeping medical records, dealing with NHS complaints procedures and writing medicolegal reports. Drawing on our extensive experience in the medico-legal field, we also identify the common (and not-so-common) pitfalls of practice and publish advice on their avoidance.

In addition to our list of publications, MPS promotes risk management through workshops, lectures and a series of multimedia training modules.

8. Lobbying

We monitor the development of professional and national policy with medicolegal implications, for example in the realms of training, accreditation or the setting of medical council guidelines. The workings of the legal system also warrant critical appraisal and we are engaged in seeking ways of improving the law's operation in the area of medical litigation. To this end, we are active on review bodies, in lobbying for change and making representations to decision-making bodies.