

PRESS RELEASE

1 October 2015

Domestic Violence Awareness Month: Concerned doctors reminded of their duty of patient confidentiality

Medical Protection has received over 100 calls in the past 12 months from concerned members relating to their professional obligations when providing care for victims of domestic violence. Domestic Violence Awareness Month serves as a timely reminder to doctors of their duties around consent and patient confidentiality.¹

Common situations where doctors seek advice from Medical Protection include requests for medical records by the police or social services, concerns raised by family or friends and being asked to provide a report on injuries.

Dr Pallavi Bradshaw, Senior Medicolegal Adviser at Medical Protection said:

“It is important to remember that domestic violence encompasses physical, psychological, sexual and financial abuse within the home and includes forced marriages, honour crimes and female genital mutilation. A doctor who is aware or suspects that their patient is a victim of domestic violence should address their concerns with the patient first, while providing medical attention and psychological support.

“They should try to obtain the patient’s consent before approaching social services or the police. In circumstances where the patient lacks capacity, is deemed vulnerable or the violence puts the welfare of others at risk, such as children, a lack of consent should not prevent disclosure to suitable authorities. Duties in relation to safeguarding are well established and must always be followed, especially where children may be at risk of abuse. If a doctor suspects female genital mutilation has been performed on a patient under 18, they have a professional duty to report to the police, and this is expected to become mandatory later this month.

“The doctor’s primary concern is always to act in the best interests of the patient. Doctors should use their professional judgement as to whether or not they disclose sensitive patient information, but if they have concerns about their obligations they should contact Medical Protection, or their defence organisation.”

ENDS

For further information please contact Kim Watson, Media Relations Manager at Medical Protection on +44 (0) 207 399 1428 or email kim.watson@medicalprotection.org

Notes to editor

1. Domestic Violence Awareness Month is held annually in October to raise awareness of domestic violence and the impact it has on the community.
2. Medical Protection’s factsheet on ‘Disclosure without consent’ can be found here: <http://www.medicalprotection.org/uk/resources/factsheets/england/england-factsheets/uk-eng-confidentiality-disclosures-without-consent>

About Medical Protection

Medical Protection is a trading name of The Medical Protection Society Limited (“MPS”). MPS is the world’s leading protection organisation for doctors, dentists and healthcare professionals. We protect and support the professional interests of more than 300,000 members around the world. Our benefits include access to indemnity, expert advice and peace of mind. Highly qualified advisers are on hand to talk through a question or concern at any time.

Our in-house experts assist with the wide range of legal and ethical problems that arise from professional practice. This includes clinical negligence claims, complaints, medical and dental council inquiries, legal and ethical dilemmas, disciplinary procedures, inquests and fatal accident inquiries.

Our philosophy is to support safe practice in medicine and dentistry by helping to avert problems in the first place. We do this by promoting risk management through our workshops, E-learning, clinical risk assessments, publications, conferences, lectures and presentations.

MPS is not an insurance company. All the benefits of membership of MPS are discretionary as set out in the Memorandum and Articles of Association.