

Male doctors are more likely to have legal action taken against them

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Credit: Petr Kratochvil/public domain

Male doctors have nearly two and half times increased odds of having medico-legal action taken against them than their female counterparts, according to research published in the open access journal *BMC Medicine*. A better understanding of why this is the case will lead to improved support for doctors and make patient safety better.

Recent times have seen an increase in the number of medico-legal actions taken against doctors. In the US, between the years 2008 and 2012 there has been a 17 per cent increase in the number of medical licenses that have been revoked, denied or suspended. In the UK, the medical regulator, the General Medical Council, has seen a 64 per cent increase in complaints between 2010 and 2013.

Some previous studies have looked at the sex differences and medico legal action in specific countries but none have examined this globally. To investigate these differences on an international level and whether there have been changes over time researchers from University College London conducted a systematic review and meta-analysis. They identified and analyzed the results of 32 studies. This represented a population of 4,054,551, which included 40,246 cases of medico-legal action.

The results of the [systematic review](#) and meta-analysis found that [male doctors](#) were more likely to have medico-legal action taken against them compared to female doctors, with nearly two and half times the odds. This effect was found to be consistent across a number of years, different study types and across the countries included in the investigation.

The researchers divided medico legal action into six categories. These categories were disciplinary action taken against a doctor by a medical regulatory board, malpractice claims/cases, complaints received by non-regulatory bodies that investigate healthcare complaints, criminal cases and, finally, medico-legal matter with a medical defense organization. This last category relates to any studies that grouped together several medico-legal action types.

It has been previously believed by some that male doctors are more likely to experience medico-legal action as more male doctors were

practicing medicine. Had this been the case the differences between sexes would have reduced over time due to the growing number of female doctors. This analysis has shown that the difference between the sexes has remained consistent for the last 15 years.

Other studies have shown that male doctors work more hours than female doctors, male doctors also have more interactions with patients. This may have an influence on the differences in the likelihood of medico-legal actions taken against male and female doctors. Further research is needed to confirm if there are any associations with these two factors.

Lead researcher, Emily Unwin, says: "Investigating complaints about doctors' fitness to practice not only places an enormous level of stress on the doctor being investigated, but also places a resource strain on regulators, and may lead to patient concerns about the quality of care they receive.

"More research is needed to understand the reasons for why male doctors are more likely to experience a medico-legal action. The causes are likely to be complex and multi-factorial. The medical profession, along with medical regulators, and medical educationalists, now need to work together to identify and understand the underlying causal factors resulting in a sex difference in the experience of medico-legal action, with the aim of better supporting doctors in achieving the standards expected of them, and improving patient care."

More information: Sex differences in medico-legal action against doctors: a systematic review and meta-analysis, Emily Unwin, Katherine Woolf, Clare Wadlow, Henry WW Potts and Jane Dacre, *BMC Medicine*, [DOI: 10.1186/s12916-015-0413-5](https://doi.org/10.1186/s12916-015-0413-5)

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