



THE MEDICAL AND DENTAL DEFENCE UNION OF SCOTLAND

Dr William B Mathewson
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Deputy Chief Executive



Please quote our reference on all correspondence

Our Ref: 007 WBM.ah
Your Ref: HS/MDDUS-EWTD_indemnity

30 July 2004

By fax and post

Mr Simon Eccles
Chairman
BMA Junior Doctors Committee
British Medical Association
BMA House
Tavistock Square
London WC1H 9JP

Dear Mr Eccles

Cover for doctors working outside the European Working Time Directive (EWTD) restrictions

Thank you for your letter of 23 July which I was interested to read. I have discussed this with our legal advisers and our Chief Executive, Professor Gordon Dickson. The circumstances you describe could only arise where doctors are covered by the Crown and we cannot see that it would be open to the Trusts to decline to provide such further indemnity as would be required by those who are obliged, professionally and ethically, to continue to work beyond the EWTD guidelines where that was necessary in a particular clinical situation.

As you know, the Crown provides indemnity for all NHS-employed doctors and those doctors who have membership of the traditional medical defence organisations have access to our services for GMC matters, complaints, medico-legal advisory situations, Coroner's Inquests etc., and this situation will remain, regardless of EWTD restrictions.


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I hope this clarifies the position of the MDDUS.

Yours sincerely


Dr William B Mathewson

c: Professor G Dickson, Chief Executive and Secretary, MDDUS