

M. A. Foy BM, FRCS*Orthopaedic Surgeon,
Great Western Hospital Swindon, UK**Medico-legal editor**e-mail: michael.foy@virgin.net*

Welcome to the medico-legal section

Bone & Joint³⁶⁰ launched in February 2012 with the aim of keeping busy orthopaedic researchers and clinicians up to date by summarising key messages from the worldwide orthopaedic literature. Many orthopaedic surgeons are involved in giving opinions as expert witnesses in medico-legal cases following both personal injury and, increasingly, in the field of medical negligence. Therefore, it was felt that a section within 360 on medico-legal issues would be relevant to the national and international readership.

In the UK there continue to be major discussions and controversies around the subject of whiplash injury. The Government and insurance industry are concerned about the increasing rate and costs of claims. AXA published their whiplash report in July of 2013, questioning the differences in the level of whiplash claims in the ten countries surveyed. They asked why 78% of all personal injury claims in the UK are due to whiplash injuries compared with 3% in France. They made various suggestions as to how to address the problem. Organisations representing personal injury solicitors have attacked their ideas as expensive and unnecessary.

Recommendations are awaited from the Ministry of Justice on measures to deal with the increased number of claims, including the possibility of setting up panels to assess potential claimants. We will hope to keep abreast of developments in this area with some up-to-date perspectives on whiplash in the next few issues.

We will also look at evidence and statistics from the NHS Litigation Authority (NHSLA) and the Defence Unions to look at trends in malpractice litigation to see if anything can be learned from them. In this edition we have looked at hip resurfacing and total hip replacement from a medico-legal and best practice perspective. In the next issue we will consider the biomechanics of disc prolapse, frequently an area of disagreement between experts in medico-legal cases. We will endeavour to keep an eye out for high quality studies or meta-analyses from the literature that might be helpful in looking at outcomes after musculoskeletal injuries.

If there are any areas that the readership feel would benefit from coverage we would be pleased to receive comments/suggestions so that this section of 360 can evolve and develop in the desired direction.