

## **Renu BARTON-HANSON: Midwives' fear of litigation: justified or not?**

Existing research has identified links between the fear of litigation and defensive practice (Symons 2006; 1998; Hood et al 2010; Charles et al 1985). Although there have been studies of doctors perceptions of litigation little has been written about the position on midwives (Vincent et al 1994). Specifically there is a lack of research in England on measuring the actual likelihood of litigation set against midwives' perceptions of the threat. This project explores midwives' fear of legal action, and if present, what they fear and their perceived assessment on how this may affect their practice. The project will assess whether fears match the reality as measured by the number and types of clinical negligence claims brought against midwives nationally in a specified period. The research strategy will use: (1) qualitative assessment of midwives' perceptions in a focus group of a sample of midwives working in an NHS Trust (2) quantitative assessment of the extent of the identified fears (3) evaluation of the extent of fears against the actual incidences of litigation. The project challenges the perceptions, myths and misunderstandings midwives may have by reference to the likelihood of legal action and therefore its consequent impact on professional practice. The anticipated benefits of the research include additions to the body of knowledge which informs the training of midwives in respect of their perceptions of the threat of litigation as well as identifying any myths or misunderstandings.