

## From Bolam-Bolitho to Modified-Montgomery – A Paradigm Shift in the Legal Standard of Determining Medical Negligence in Singapore

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### Abstract

In a recent landmark litigation, the Singapore Court of Appeal introduced a new legal standard for determining medical negligence with regards to information disclosure – the Modified-Montgomery test. This new test fundamentally shifts the legal position concerning the standard of care expected of a doctor when he dispenses medical advice. Previously, a doctor is expected to disclose what a “reasonable physician” would tell his patient. Now, a doctor must disclose “all material risks” that a “reasonable patient” would want to know under his unique circumstances. Patient-centred communication is no longer an aspirational ideal but has become a legal mandate. Manpower, administrative, logistic and medical educational reforms should start now, so as to support the average physician transit from the era of the Bolam-Bolitho, to that of the Modified-Montgomery.

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**Key words:** Informed consent, Information disclosure, Patient-centric communication

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