

# Dentists should feel encouraged and empowered to undertake expert witness work

**M**ore dentists from NHS, private and mixed practice should consider putting themselves forward to provide expert opinion, according to Dental Protection.

The defence organisation says dental expert opinion is crucial in General Dental Council (GDC) investigations and clinical negligence claims and determines the standard to which dentists are held to. But it said a step change is needed to encourage and empower more dentists to take on the role, as courts and regulators report difficulties in finding appropriately qualified and trained individuals.

Dental Protection is calling on the GDC to consider if it could do more to promote expert witness training as part of a dental professional's CPD, to give the role and training prominence and encourage more registrants to take up this work.

Dental Protection also said a more consistent approach to the instruction of experts is needed, where the different working practices in NHS, mixed and private practice are routinely acknowledged when experts are instructed for fitness to practise cases.

It said the development of a single register or list of experts that all parties can use, would also help to increase transparency and consistency.

Dr Raj Rattan, Dental Director at Dental Protection, said: 'Dental expert opinion plays a critical role in civil and regulatory processes. Such opinion can dictate and determine the standards to which dentists are held, sway opinion and as a result have significant implications for a dentist's career.'

'Given the importance of expert work it is concerning that bodies such as the courts and regulators, report difficulties in finding appropriately qualified individuals to undertake it. The pool of dental experts is not as large as it could be, and there is no single centralised register of accredited experts. Instruction therefore often relies on word of mouth.'

'Moreover, the barriers to undertaking expert work - including time constraints and unfamiliarity with legal processes - mean that expert work is often undertaken by dentists in the latter part of their careers when some may have retired from clinical practice and have more time to devote to it.'

'Ongoing involvement in clinical work encourages dental experts to remain abreast of current clinical thinking, better understand the imperfections of the systems under which dental professionals work and the challenges these bring.'

'This is why it is also important that experts who are instructed are knowledgeable and have relevant experience of the NHS, private and mixed practice sectors.'

'We need to see a real step change in this area and while the regulator has a key role to play, dentists can play an important part. Dentists in active practice should feel encouraged and empowered to seek the training to become an expert witness and put themselves forward for what is important work for the profession, patients and wider society.'

Brian Westbury, Academic Dean at the Faculty of Forensic & Legal Medicine, commented: 'The Faculty of Forensic and Legal Medicine has Members and Fellows who are Dentolegal Advisers. They appreciate the need for a way of contacting experts who they know are of a proper standard and who are regularly revalidated. We are pleased to co-operate with both the defence organisations and the College of



General Dentistry to set up such a register and maintain it.

'Our examination of the Diploma in Legal Medicine is taken by many registrants and non-registrants as a sound start to any medico/dento-legal career. It can form part of the pathway with further training for those aspiring to work as experts and who go on to register with the proposed list.'

Abhi Pal, President of the College of General Dentistry, added: 'The College of General Dentistry considers it essential that those who are given the huge responsibility of providing opinion on a colleague's performance in an official capacity have the appropriate training and experience to do so. This not only includes expert witnesses but also other dental professionals who provide performance reports.'

'The College supports improved training and standardisation of dental expert witnesses as part of its mission of supporting careers and setting standards for the ultimate benefit of the profession and public. We intend to develop a register of suitably trained expert witnesses and assessors to support this work and look forward to working with all stakeholders in the dentolegal field to achieve this.'