



Press release

FOR IMMEDIATE RELEASE

11th April 2011

Expert witnesses could face new dento-legal risks

The longstanding principle that an expert witness is immune from being sued was overturned in the recent Supreme Court decision of Jones v Kaney. Having lost their immunity, experts are now exposed to the risk of being sued in respect of evidence given in court, says Dental Protection

Kevin Lewis, Dental Director said: "Time will tell if the removal of expert witness immunity will lead to a significant increase in claims against expert witnesses. Members of Dental Protection are protected by an indemnity that extends to expert witness work and we will be closely monitoring the impact of this recent decision."

"As a matter of good practice, expert witnesses should follow the relevant guidelines and rules, including the Civil Procedure Rules and the General Dental Council's guidance. Provided they follow these guidelines and standards, allegations of negligence can be rebutted."

Mr Lewis added: "We would advise members who are involved in expert witness work to keep us fully informed about the type and extent of professional work they are doing, so that they have access to the appropriate indemnity at all times."

Media contact

David Croser
Dental Protection
33 Cavendish Square
London W1G 0PS

T: 020 7399 1339 E: david.croser@mps.org.uk.

Notes for Editors

1. Dental Protection Limited (DPL) is an autonomous but wholly owned subsidiary of the Medical Protection Society (MPS), the world's largest professional indemnity organisation for doctors, dentists and other healthcare professionals. Dental Protection has over 55,000 dental members in 70 countries around the globe and it is the only UK based protection organisation to have this international scope. In the UK, 70% of dentists are members.
2. MPS is not an insurance company. All benefits of membership are discretionary as set out in the Memorandum and Articles of Association.
3. Web address **www.dentalprotection.org**