Unregulated indemnity continues

Thousands of dentists are thought to be working without full insurance cover or using schemes that have loopholes, leaving patients without any compensation when they receive botched treatment.

The Dental Defence Union, the specialist dental division of the Medical Defence Union, claims that many patients mistakenly assume their dentist or doctor is insured in the same way as their car or house, but this is not the case.

Under the current, outdated system of dental indemnity, dentists are still not required to have insurance.

The DDU would like the General Dental Council (GDC) to specify how dentists should be indemnified.

So far it has not insisted that this should only be through insurance, though it has the power to do so.

Botched dental work by the likes of Silverio Di Rocco and Alicia Caffarena, who fled the country after being found out, show that fundamental reform is needed to close loopholes in the insurance policies covering dentists.

The Italian couple fled after botching the treatment of 16 patients. The DDU, which acted for the couple during the 2005 GDC case, said it had not been instructed by their clients and could not represent them over the damages claims as it cannot represent dentists without their permission.

Many dentists are reliant on discretionary indemnity and the DDU is campaigning for the GDC to make it compulsory for every dentist to have a contract of insurance.

Rupert Hoppenbrouwers, head of the DDU, said: "In this current dento-legal and economic climate, we cannot understand why the UK still allows unregulated indemnity. The UK has fallen far behind other EU states on this.

A German patient who was treated in the UK and negligently harmed by a dentist who was reliant on discretionary indemnity might not be compensated if the indemnifier decided not to assist with the claim. Of course, a German patient who was treated and harmed at home by an insured dentist would receive insured compensation."

Dr Christine Tomkins, deputy chairman of the DDU, said: "Patients, and even the dentists and doctors reliant on discretionary indemnity, may not realise that it only gives the right to seek indemnity, but not to receive it. We are aware of cases where some practitioners have not been provided with discretionary indemnity and patients have not been compensated as a result."

She added: "The GDC has the opportunity to bring dentists into line with other healthcare practitioners such as opticians and chiropractors who have to be insured, because their regulators have taken advice and do believe discretionary indemnity gives adequate protection for patients. In most other EU countries insurance is either compulsory or recommended."

For each dental or medical professional to have a contract of insurance and the certainty that successful negligence claims that come within the policy will be paid is indisputably in the interests of patients and of dentists and doctors."

The British Dental Association (BDA) has also welcomed the decision which it claims has been supported by dentists in the region.

The decision by South Central Strategic Health Authority to back fluoridation, is the first under 2005 laws, giving health authorities powers to demand the service from water companies.

John Spottiswoode, chairman of Hampshire Against Fluoridation, called it 'absolutely disgraceful' and said: 'They have re-