



B A S S
British Association of Spine Surgeons



Standards Expected of an Expert Spinal Surgeon Witness in Cases of Clinical Negligence

Essential – the expert must:

- hold a current License to Practice from the GMC.
- be involved in a regular appraisal process in line with current GMC guidance.
- be actively engaged in Continuing Professional Development (CPD) appropriate to their discipline and expertise.
- have appropriate levels of professional indemnity insurance.
- be registered with the Information Commissioners Office (ICO) and be compliant with GDPR regulations where applicable to their work as an expert witness.
- be familiar with and undertake to work within the Civil Procedure Rules (CPR part 35) governing their duty to the Court.
- ensure that their regular and/or usual specialist clinical practice is directly relevant to the issue(s) upon which the Court has identified that an opinion is required and that the relevant experience is set out within their report or an attached CV.
- not only have sufficient personal professional experience of the issues relevant to the case but must also be familiar with the breadth of current clinical practice and opinion surrounding those issues.
- ensure that all evidence relevant to the issues of the case have been thoroughly reviewed and considered.
- ensure that whenever the Court is directed to published evidence, the range of the published evidence relating to the issues of the case is reflected in their opinion.

Desirable – the expert should:

- have held a Consultant appointment for a minimum of 5 years before acting as an expert to the Court.
- not have retired from regular clinical practice relevant to the issues of the case for more than 5 years, although in some cases experience of clinical practice at the time of the events in question will require the involvement of clinicians who have been retired longer.
- be an active member of one or more professional bodies (BASS, SBNS, BSS).