

Non-legal support

There are several sources of non-legal assistance available. These include:

- Doctor Support Service – can give you independent, confidential support and advice.
- Hearings procedure telephone information service – can give you information on the hearing process.
- McKenzie friend – someone who helps you prepare your case and attends the hearing to support you.
- Note taker – someone who takes notes for you during the hearing, especially when you are making submissions or giving evidence.

Doctor Support Service

We recognise that being referred to a medical practitioners tribunal can be a stressful experience and some doctors find it particularly difficult. The GMC has commissioned BMA's Doctors for Doctors to provide independent, confidential and emotional support to any doctor involved in a fitness to practise case – you don't have to be a member of the BMA to use it.

The service is free and run on a peer support basis so the people you speak to will be doctors themselves. You can contact them on their dedicated telephone line for support and with sufficient notice, your supporter can accompany you for up to two days of a tribunal.

Find out more about the service

Telephone: **020 7383 6707** (the line is open 9 am–5 pm, Monday to Friday).
Email: doctorsupportservice@bma.org.uk.
Website: www.gmc-uk.org/doctorsupportservice.

Hearings procedure telephone information service

The hearings procedure telephone information service is run by volunteer students from the University of Law, Manchester, and BPP Law School, Manchester. It gives information to doctors whose cases have been referred for a medical practitioners tribunal. You can use the service to find out more about the hearing process and what to expect at the hearing centre.

Volunteers can't comment on the specific circumstances of your case or give legal advice.

Further information

See the leaflet about the service at www.mpts-uk.org/telephoneinfoservice.

McKenzie friend

A McKenzie friend is someone who assists you to prepare your case. They can help with paperwork, including preparing statements before the hearing, and accompany you to the hearing. At the hearing they can take notes and suggest questions for witnesses. They are not allowed to represent you, make submissions or question witnesses.

While McKenzie friends may be knowledgeable about the hearing process, they are generally not legally qualified and there is no requirement for them to be. But you can use a legally qualified person to act for you in this capacity, if you wish.

Who can act as a McKenzie friend?

Anyone can be your McKenzie friend, apart from those who will be witnesses in the proceedings.

Do I need to inform the MPTS that I am bringing a McKenzie friend?

It is helpful to inform us that you will be bringing a McKenzie friend to your hearing. You can tell us by completing the form at the end of this factsheet and giving it to us on the first day of your hearing.

Expenses and availability of your McKenzie friend

You will be responsible for paying any expenses for your McKenzie friend and you may want to talk to them about this before the hearing.

If your hearing is lengthy, it may impact on the availability of your McKenzie friend. You will need to make sure that they understand how long the hearing is likely to last.

Note taker

It might be helpful to bring someone with you to the hearing to act as note taker, particularly when you are making submissions or giving evidence. A note taker does not need to be legally qualified. You can ask a friend or family

member to take on this role, but may prefer to find someone independent to help you. If you have the assistance of a McKenzie friend, they can take notes for you.

MPTS staff can't take notes for you or provide you with notes of the hearing.

Preparation before the hearing

- Discuss how you want the notes taken and how much detail you will need. For example, it may be particularly important to have detailed notes of your own evidence, if you decide to give evidence, as you will be unable to take your own notes.
- Find out the pace at which your note taker can write. For example, can they write shorthand, speed write, or will they write in long-hand?
- Ask your note taker about their availability. Are they able to attend for the entire hearing or only part of it?
- Make sure the note taker has an understanding of what happens during a hearing. You may also wish to give them a copy of the allegation or other hearing documents so that they can follow the hearing more easily.
- You will be responsible for paying expenses for a note taker and you may wish to discuss this with them before the hearing.

During the hearing

- Tell the tribunal who your note taker is.
- Note takers are not allowed to represent you, make submissions or question witnesses.

To see the full range of factsheets – go to www.mpts-uk.org/unrepdoctors or pick up a copy from the MPTS hearing centre.

McKenzie friend form

Doctor's name: _____

Doctor's unique ID: _____ Hearing start date: ____/____/____

Section A – to be completed by the doctor

I am bringing a McKenzie friend with me to the hearing.

My McKenzie friend is (please tick)

a relative (please state relationship) _____

a friend/neighbour/colleague _____

other (please specify) _____

Section B – to be completed by the McKenzie friend

Do you have a legal qualification: Yes No

If yes, please specify: _____

I have read the code of conduct for McKenzie friends (see back of form) and confirm that I understand the extent of my role at the hearing.

Name: _____

Signature: _____

Date: ____/____/____

Please give this form to the tribunal clerk before the hearing begins.

Code of conduct for McKenzie friends

- 1** When a doctor involved in a medical practitioners tribunal hearing asks a person to assist, not as a lawyer or as a witness but as a friend, the person assisting is often called a McKenzie friend.
- 2** This code of conduct summarises what is involved if you are asked to be a McKenzie friend, and what the MPTS will expect of you.
- 3** If you follow this code of conduct then your involvement may be of material help to the doctor you are assisting and to the hearing.
- 4** If you have a personal interest in the outcome of the case then before agreeing to assist you should think about whether someone else who does not have a personal interest might be better placed to assist.
- 5** You may attend the hearing unless the MPTS tribunal says you cannot.
- 6** You may read the papers for the case unless the MPTS tribunal says you cannot.
- 7** On arrival at the hearing centre you should let the staff at the MPTS know that you have been asked to assist.
- 8** You can take notes, help with case papers and give advice to the person you are assisting. However you cannot represent the doctor, make submissions or question witnesses.
- 9** Normally the doctor you are assisting will be the one to speak to the chair of the tribunal. But if they cannot manage, the chair may let you speak instead.
- 10** You must always follow any instructions given by the chair.
- 11** If the chair asks the doctor to do something, please encourage them to do it, and remind them of any deadlines.
- 12** You should be courteous at all times.
- 13** You should try to ensure that the way in which you assist does not cause any disruption or distract others. This is particularly important when someone else is speaking to the chair or the chair is speaking.
- 14** You must behave with honesty and not do anything that might mislead the tribunal or anyone else.
- 15** Please remember at all times that you are there to assist the doctor, and not on your own behalf.

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