

Part 2: Representation and support

Key points

- ▶ You can be represented by a representative at the medical practitioners tribunal hearing, or you may represent yourself.
- ▶ There are different types of representation and sources of support available.

Representation and obtaining advice

As soon as you receive notice that the GMC has referred your case to a medical practitioners tribunal hearing, it is essential to take urgent action to decide how you will be represented at that hearing.

Being represented means that your representative will speak for you at the hearing and (where applicable) will ask questions of witnesses for you. You can be represented at medical practitioners tribunal hearings in any of the ways explored below.

Legal representation

If you're a member of a medical defence organisation and are being assisted by them, or if you have already organised your own legal representation, you should inform them urgently about your medical practitioners tribunal hearing. They will be able to give you information and advice about your hearing.

If you're a member of a medical defence organisation and have not already contacted the organisation, you should do so urgently. [View contact details for the three main medical defence organisations.](#)

You can also organise your own legal representation by instructing a solicitor, barrister or legal executive to act on your behalf. You will be responsible for paying the fees of your appointed legal representatives.

- ▶ Solicitors: You can search for a law firm or solicitor according to geographical and practice area on the [Law Society's website](#).
- ▶ Legal executive: You can search for a chartered legal executive on the [Chartered Institute of Legal Executives' \(CILEx\) website](#).
- ▶ Barrister (or advocate if working in Scotland): You can find more information about instructing a barrister on the [Bar Council website](#).

If you cannot afford to pay for legal advice and representation, then you may be able to obtain assistance at a reduced fee or for free:

- ▶ [Advocate](#) is a charity which assists in finding free legal help from volunteer barristers.
- ▶ Organisations such as [Citizens Advice](#) and [Law Works](#) can also provide free legal advice.

Other representation

You may be represented by someone from any professional organisation of which you are a member. The list of professional organisations we recognise is set out in our [guidance for decision makers on representation](#).

You may decide that you would like a family member or other lay person to represent you. At the beginning of the hearing the medical practitioners tribunal will decide if they are a suitable person to do this. To help reach this decision, the medical practitioners tribunal will consider any available information, including the person's criminal record (if any) and history. Our [guidance for decision makers on representation](#) provides further information.

Self-representation

We strongly advise you to seek advice and be legally represented. However, if you decide to represent yourself at your hearing, you should take time to familiarise yourself with the hearing process. Representing yourself will mean that you will prepare your own case, speak on your own behalf at the medical practitioners tribunal hearing and (where applicable) ask questions of witnesses.

Please let the MPTS know as soon as possible if you have decided to represent yourself. You should also take time to read these resources, along with other

documents provided to you by the GMC and the MPTS before the hearing takes place.

Further information is provided in Part 4 about what to do if you do not appoint a representative and do not wish to attend the medical practitioners tribunal hearing, but wish to provide written submissions for the medical practitioners tribunal to consider.

Other sources of support

There are also sources of non-legal support available for you to use during the hearing process.

Doctor support service

The GMC has commissioned the BMA's Doctors Support Service 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 medical practitioners tribunal hearing.

[Find more information about the BMA's doctor support service](#)

Hearing information line

The hearing information line is run by volunteer students from BPP University School of Law, Manchester. The volunteers cannot comment on your case or give legal advice, but they can explain more about the hearing process and what to expect at the hearing centre.

[Find more information about the hearing information line](#)

MPTS doctor contact service

During the hearing a member of MPTS staff unconnected to your hearing is available to help lessen any isolation and stress, signpost useful support materials and services and provide information about the hearing process.

[MPTS doctor contact service.](#)

Bringing a McKenzie friend

A McKenzie friend is someone who assists you in preparing your case by helping with paper work and statements and also going with you to the hearing. They cannot represent you at the hearing, but they can take notes and suggest questions for you to ask.

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.

Anyone can act as a McKenzie friend, apart from someone who is to be a witness in the hearing. You will be responsible for paying any expenses that they may have. If you intend to bring a McKenzie friend to your hearing, please inform us as soon as possible and [complete the McKenzie friend form](#). Your McKenzie friend will be expected to agree to the code of conduct attached to the form.

Bringing a note taker

You can bring a note taker to attend your hearing with you if you wish. The note taker can keep a record for you of what is said during the hearing – you may find this useful when you are speaking to the medical practitioners tribunal or giving evidence.

The note taker does not need to be legally qualified and you can ask a friend or family member to take notes for you if you wish. Please note that MPTS staff will not be able to take notes for you.

If you'd like to provide feedback on *Resource for doctors: medical practitioners tribunals* please go to: www.smartsurvey.co.uk/s/ResourceforDoctors_MPT_Part2/