Tribunal Circular

24 October 2019

To: MPTS Associates
CC: Tribunal Clerks
Medical Defence Organisations

Guidance on restoration

New Guidance for medical practitioners tribunals on restoration following disciplinary erasure will come into effect on 31 October 2019. The Guidance will apply to all hearings convening on or after this date.

The Guidance addresses the learning points from the case of General Medical Council v Chandra [2018] EWCA Civ 1898 and clarifies the approach to take when determining whether to grant restoration. The Guidance also clarifies the importance of taking all three elements of the overarching objective into account when reaching a decision.

Guidance for doctors

The GMC Guidance for doctors on restoration following disciplinary erasure has also been revised in light of the new guidance for Tribunals. The changes clarify the approach that Tribunals will take during a restoration hearing.

If you have any questions please contact us.

Kind regards
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