

## Heather Beckett

Call: 2013

Contact Heather Directly: 020 7353 6802 or



Heather had a successful career as an NHS hospital Consultant before being called to the Bar. A highly sought-after expert witness in Restorative Dentistry in clinical negligence and regulatory Fitness to Practice proceedings, she also has experience of general dental and specialist private practice.

Her legal practice is focused on civil work, with a specialist emphasis on medical and particularly dental negligence and personal injury. Heather remains registered by the GDC as a Specialist in Restorative Dentistry and her in-depth knowledge and practical experience in addition to her ability to assess and test expert witness evidence proves particularly valuable at the assessment and pre-action stages of litigation for Claimants and Defendants alike. For more information, see [www.dentalbarrister.co.uk](http://www.dentalbarrister.co.uk)

Heather has also undertaken specific mediation training with the London School of Mediation and is experienced as a mediation advocate and negotiator in contractual matters as well as dental and professional negligence disputes.

Heather is a Fellow of the Faculty of Dentistry of the Royal College of Surgeons of England, a former Clinical Panel member for the Dental Complaints Service and a trained volunteer Gateway Assessor for the Citizens Advice Bureau.

Heather is able to accept instructions on a direct access basis.

Heather is ranked in the Legal 500 2021 edition, Professional Disciplinary & Regulatory Law (Tier 1 – *Rising Star*).

## Recent Cases

**GDC Restoration Hearing – GDC v Mr Arfan Zia Dad (June 2019)** – Mr Dad applied to be restored to the Dental Register having been erased in 2010 as a result of a conviction for fraud and admitting dishonestly misleading the Regulator in 2007, so this was always going to be a difficult restoration case in which to succeed. Heather Beckett was instructed by Mr Dad under the Direct Public Access rules in mid 2018, advised him in relation to the preparation of his case and represented him at his two-day hearing in June 2019, securing his restoration.

The GDC robustly opposed his restoration, particularly on the grounds of the “overarching objective” protection of the public test, as articulated in *GMC v Chandra* [2018] EWCA Civ 1898, and especially with respect to promoting

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and maintaining confidence in the profession and promoting and maintaining proper professional standards and conduct of the members of the profession.

Heather successfully argued that not only was Mr Dad now to be regarded as being of “good character” for the purpose of restoration to the Register but that then standing back and considering the overarching objective which the Committee is required to do pursuant to Chandra and with the imposition of relevant proportionate, workable and measurable conditions on his practice, the requirements of fitness to practice and the overarching objective were also met. Key to the success was effective representation of Mr Dad’s insight into his own behaviour and how he had dealt with it to turn his life around.

**B v Dr G (2018)** – Heather Beckett acted for the Claimant in this dental negligence claim where the Defendant had failed to diagnose, treat adequately, monitor adequately and maintain adequately the Claimant’s periodontal condition. The result was that the Claimant would lose all her upper teeth and would require complex remedial treatment involving bone grafting and implants. She also suffered psychological injury. A complicating aspect was that the Claimant had recently changed solicitors, protracted pre-action negotiations having stalled, and shortly after doing so the expert who had been instructed withdrew on the grounds that he was conflicted. The new solicitors then instructed Heather, who advised regarding an appropriate new expert and timely progression of the case. Shortly after serving the Particulars of Claim and Schedule of Loss, and without entering a Defence, the Defendant agreed to settle the claim for £80,000.

## Publications

- ‘What not to do as an Expert Witness from a Barrister’s point of view’ Expert Witness Journal Autumn 2019, Volume 1 Issue 29.
- An investigation into the current practice of tooth whitening in a Southern English city in the context of associated legal issues. Primary Dental Care 2010; 17 (3): 127 – 135
- Open wide. New Law Journal. 10 October 2012
- Of snails and burning wood. Make sure the science stacks up. Journal of Personal Injury Law 2015, 4, 228-231
- ‘Montgomery consent’: Decision of the UK Supreme Court. The Practising Midwife 2016: 19 (6), 27-29 – commissioned article
- Ten top tips for expert witnesses in Clinical Negligence claims. Expert Witness Journal Winter 2016/7, Volume 1 Issue 18

## Memberships

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Association of Personal Injury Lawyer

## Awards

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Advocacy Scholarship, Kaplan Law School 2012-2013

Pepperdine Moot Inner Temple 2012 – Winner

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