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UNDER THE LENS: DENTAL EXPERT WITNESSES IN BRAZIL, CROATIA, UK, SAUDI ARABIA, INDONESIA AND ITALY

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Dentists treat and try to heal oral disease thereby improving oral health and masticatory functions. Dental professionals can also be involved in medico legal and forensic activities related to Expert Witness (EW) testimonies translating damage to teeth, jaws and temporo-mandibular joint for malpractice cases, car accidents and work related or non accidental injuries. When called to act as expert witness by the Court, the appointed dentist has to combine biological and technical knowledge with medico-legal and forensic knowledge. Pecuniary and non-pecuniary damages evaluation requires specific training in medico-legal matters, legal procedures and forensic criteria. Nevertheless, there are significant differences in the world regarding dental damage evaluation criteria as well as huge differences in the requirements to become eligible as Expert Witness in Court. A dental Expert Witness, working privately or working for the Court, has precise responsibilities and is subject to civil or criminal proceedings (depending on the judicial system) if found wanting. In forensic and legal dentistry a medico-legal doctor should not work in isolation from a dentist if the case involves dentistry. On the other hand it is not wise for a dentist to work in forensic and legal cases without a specific training in judicial disciplines and law. In this work the authors investigate the common and civil law judicial systems regarding the appointment of expert witnesses in Brazil, Croatia, UK, Saudi Arabia, Indonesia and Italy and expanding to investigate legislation in other European countries, to work towards harmonization and reach the best criteria to become eligible as an Expert Witness in Court. Further steps for quality assurance in legal dentistry and forensic odontology training should be considered to prevent spontaneous involvement of dentists and improve their forensic and law background.

KEYWORDS: Forensic Odontology, Accreditation, Dental expert

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