

Negligent Medico-Legal Opinion? Dr. Ford Says Experts Should Be Sued



Earlier this year I wrote about [the UK Supreme Court decision stripping expert witnesses from immunity](#) from lawsuits when they provide careless opinion evidence.

Some of my comments on this topic were picked up by the [Law Times News](#) where I exchanged my views that Canada should follow the UK's example. These views must have the medical community up in arms, right? Surprisingly the answer appears to be no.

A follow up article published in the Law Times was recently brought to my attention where Dr. Michael Ford weighed in on the debate. Interestingly he agreed that these lawsuits should be allowed arguing that they would bring an important element of accountability to the medico-legal process. Specifically he stated as follows:

I like Britain's approach because everyone, including expert witnesses, should be responsible for their actions.

That may seem simplistic, but if Canada adopted this approach, I would have no problem. It's only fair. For example, if I assault someone on the street, I should pay the price.

By the same token, if I make an error or I provide care that's below standard, I should be held responsible and I am. I don't see why that responsibility should disappear because I'm now acting as an expert on the witness stand in court.

You can [click here to read Dr. Ford's full article](#). As always, I welcome comments from any other doctors and lawyers (*or anyone interested in this topic*). Feel free to weigh in on the debate.