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FJ Trevor Burke

Attitude

'It's your attitude, not your aptitude, that determines your altitude'
 James Caan¹

From time to time, I carry out medicolegal patient examinations for what might be termed 'trips and slips'. In these, the patient has had an accident and the injuries involve damage to a tooth or teeth. It is my task to assess the damage, the cost of its repair and how many times the repair may have to be replaced during the patient's expected lifetime. Some knowledge of restoration longevity and, indeed, the patient's potential longevity, is therefore needed. I have, however, recently become surprised by what seems to be an increasing number of people who need a medicolegal examination (and are therefore suing someone) for a relatively minor injury.

In this regard, a patient who I saw recently had been staying at a hotel for what had been planned as a restful weekend with her partner. At dinner on the first evening, she described how she was eating the vegetables which had been served with the meal but felt a 'crunch' on her 'front teeth', realizing that there was something hard, like a stone, in the vegetables. The patient showed this to a waitress who displayed little empathy and the restaurant guest discovered when she got to a mirror that her two central incisor teeth had been chipped. She was too upset to continue her meal, and asked to speak with the duty manager and make an entry in the hotel incident book, but these requests were declined. The patient and her partner cut short their weekend and contacted a 'no win no fee' lawyer at the earliest opportunity. I estimated the cost of the minimal restorations needed to repair the damage at less than £300, with these potentially requiring replacement once during the patient's projected lifetime. It is my contention that, had the hotel manager displayed some sympathy and offered some sort of settlement, and perhaps a large bouquet of flowers, that the patient would never have consulted a lawyer. However, once the legal wheels start rolling, there is little to stop them and the bills keep mounting; in this case, the cost of the medicolegal examination, the charge by the lawyers for photocopying (unnecessarily) the patient's medical records, secretarial time and so forth, all of which is likely to amount to ten, or even twenty, times the amount that the patient will receive. While it is likely and correct that the patient will receive compensation, a substantial amount of costs would have been saved had the attitude of the hotel staff been different.

There are two points here. First, the conditional fee arrangement (no win, no fee) lawyers will find the going much more difficult when the LASPO (Legal Aid, Sentencing and Punishment of Offenders) Act comes into effect in April 2013. This effectively outlaws the practice whereby the claimant receives little and the lawyers a lot. Secondly, above I have described why a patient decided to sue the hotel and its restaurant. Increasingly, however, I read in reports relating to dentists whose patients have resorted to legal action (something which is, alas, increasing relentlessly year on year) that – if the dentist's *attitude* had been different, if (s)he had sorted out my problem, if (s)he had replaced the prematurely failed restoration at no cost, I would not have gone to my solicitor. The word arrogance is also increasingly mentioned – not something that tends to endear dentists to patients.

On another topic, as usual, there is the super mix of clinically relevant material in this issue of *Dental Update*, but there is one paper which differs slightly from 'normal' *Dental Update* fare, namely that by McAndrew and Salem-Rahemi. In that regard, I thought long and hard when this paper was received in the *Dental Update* offices before I decided to send it for peer review. I decided that we should consider it because I recall, on many occasions in my own practice, being asked by young patients – 'What do I need to do to get into dental school?', 'What sort of job is it?', 'How do I go about it?'. I suspect that readers often may be asked such questions: accordingly, this paper will be something that they can use in helping those who might wish to join our profession. Also, it is also worth pointing out that the November 2012 issue contains the review of a book which is aimed at those wannabe dental students/dentists, *CU@DENTALS KL – A Guide to UK Dental Schools and Dentistry as a Career*. It is also probably worth pointing out to that group that their attitude will count! James Caan's excellent quote, above, sums it up!

Reference

1. Caan J. *Get The Job You Really Want*. London: Portfolio Penguin, 2011.

All articles published in Dental Update are subject to review by specialist referees in the appropriate dental disciplines.