

OpenLearn animation

Witness to harm - Recommendations to regulators

Speaker 1, Speaker 2, Speaker 3, Speaker 4, Speaker 5:

SPEAKER 1: We have called this meeting to hear more about your experiences as witnesses in the fitness to practise process and to present our recommendations for how fitness to practise can be improved based on the findings in our research.

SPEAKER 2: For me, I was really scared to talk about it all publicly. I was worried I could lose my licence. But the whole thing was being treated as a box-ticking exercise. They need to show more compassion. These issues really affect people.

SPEAKER 1: Yes, in general, we recommend regulators show much more compassion and integrity when dealing with these complaints. There was a lack of humanity, which really needs addressing.

SPEAKER 3: It was really difficult to work out where to begin. There are all these regulatory bodies I had to sift through, and the website wasn't worded accessibly.

SPEAKER 1: This is a common problem. There needs to be greater clarity about where, when, and how to report concerns.

SPEAKER 4: I thought I'd get regular updates about the case, but I heard nothing. Meanwhile, they were writing reports that were just wrong, totally wrong, and I wasn't privy to any of it.

SPEAKER 1: We recommend greater inclusion for witnesses in the fitness to practise process to avoid this common experience. There needs to be improved access to information about the investigation and preparation before hearings too. We also recommend offering independent advocates who can work with individuals to guide and support them through the process.

SPEAKER 5: The amount of time it took them to deal with the case was really frustrating. They were waiting for the professional that raised the concern about to send them information. It took a year to receive it, and I'd kind of given up by then.

SPEAKER 1: Thank you all for providing your vital insights into your experiences as witnesses in the fitness to practise process. Your comments and our own research has brought to us a number of recommendations. These are just some of them.

Firstly, there needs to be more compassion, integrity, and humanity when dealing with complaints, minimising the number of times people need to retell their distressing story. There needs to be greater clarity around where, when, and how to report concerns. The fitness to practise process needs to be more inclusive with better access to information, preparation, and other sources of support. We recommend offering independent advocates who can work with individuals to guide and support them across the process.

People want others to know about the lasting impact of the harm they have experienced from the professional. People need more realistic preparation for what to expect when cross-examined in a hearing and what they and the panel chair can do to make it less adversarial. People should be offered support after the hearing to understand the outcome and how to get support. Panel members and lawyers should be trained in cross-examination to minimise distress and harm.