

Legal Report By: Dr Raj Kumar
Client Name: [REDACTED] [REDACTED]

REPORT OF
DR RAJ KUMAR
BDS LDS RCS MAGDS RCSED MSC ImpDent PGCert Orthodontics
PGCert Facial Aesthetics
DENTAL SURGEON

EXPERT FIELD RESTORATIVE and IMPLANT DENTISTRY

On Instruction of:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject Matter: Condition and Prognosis

Date of Report: 26/2/2022

On Behalf of: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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SECTION ONE

SUMMARY

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Client Name: [REDACTED] [REDACTED]

SUMMARY

- 1.01 [REDACTED] started orthodontic treatment on 02/02/15.
- 1.02 It was started on a non-extraction basis, but the UR6 was discovered late to have extensive decay.
- 1.03 The extractions of UR6 and UL6 extended the fixed appliance therapy but also did not correct the posterior crossbite.
- 1.04 LD has an overjet of 4mm with a retrognathic profile.
- 1.05 She may or may not opt for reconstructive surgery to achieve a skeletal 1 profile.
- 1.06 The LR1 and LL1 have suffered labial gingival recession.
- 1.07 LR has extensive gingival recession with bone loss and its prognosis is guarded.

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SECTION TWO

INSTRUCTIONS

INSTRUCTIONS

- 2.01 I am Dr Raj Kumar. My expertise is in General Dentistry having over 30 years' experience in both NHS and Private dentistry. I have over 20 years' experience in placing implants and over 16 years' experience in Invisalign orthodontics. I hold dental degrees BDS and LDSRCS, Masters in Dental Implantology MSc ImpDent , Masters in Advanced General Dental Surgery MAGDS RCSEd, Postgraduate certificate in facial aesthetics and a Postgraduate certificate in orthodontics.
- I am an expert in the Invisalign orthodontic system with a special interest in dental implantology restorative dentistry.
- To the best of my knowledge, I have no conflicts of interest relating to this case. I confirm that I will observe confidentiality and will not disclose any of the details involved in this case.
- 2.02 I have been instructed by [REDACTED] solicitors to prepare a medico-legal report dealing with the condition and prognosis of [REDACTED] orthodontic condition to the current date.
- 2.03 The effect that the previous orthodontic treatment has had on [REDACTED].
- 2.04 The personal and social outcomes from the prolonged orthodontic treatment.

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SECTION THREE

LIST OF MATERIALS

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Client Name: [REDACTED] [REDACTED]

LIST OF MATERIALS

The Dental Records were assessed from:

3.01 Dental examination by Dr R Kumar

Dated 23.2.2022

65 London wall

London

EC2M 5TU

3.02 Radiographic record from Coventry and Warwickshire Trust

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SECTION FOUR

PARTIES INVOLVED

Legal Report By: Dr Raj Kumar

Client Name:

[REDACTED]

PARTIES INVOLVED

4.01

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4.02 Driving licence was reviewed to confirm identity.

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SECTION FIVE

EXAMINATION OF CURRENT CONDITION

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Dental examination carried out Dr R Kumar

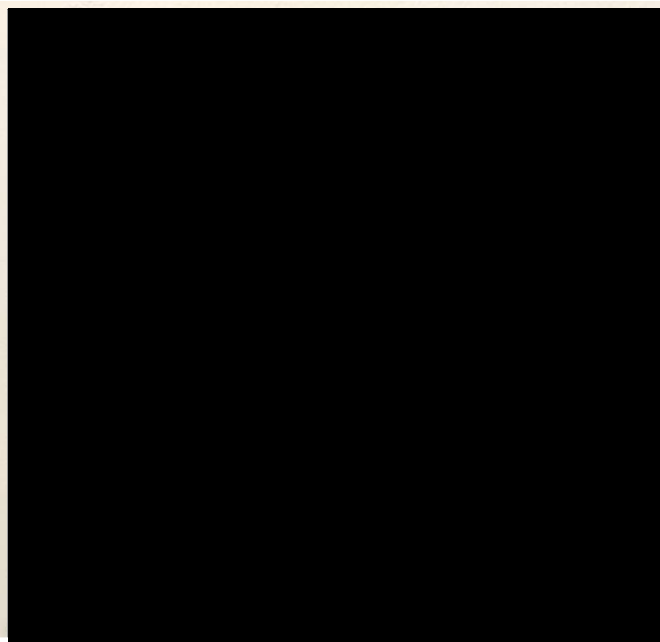
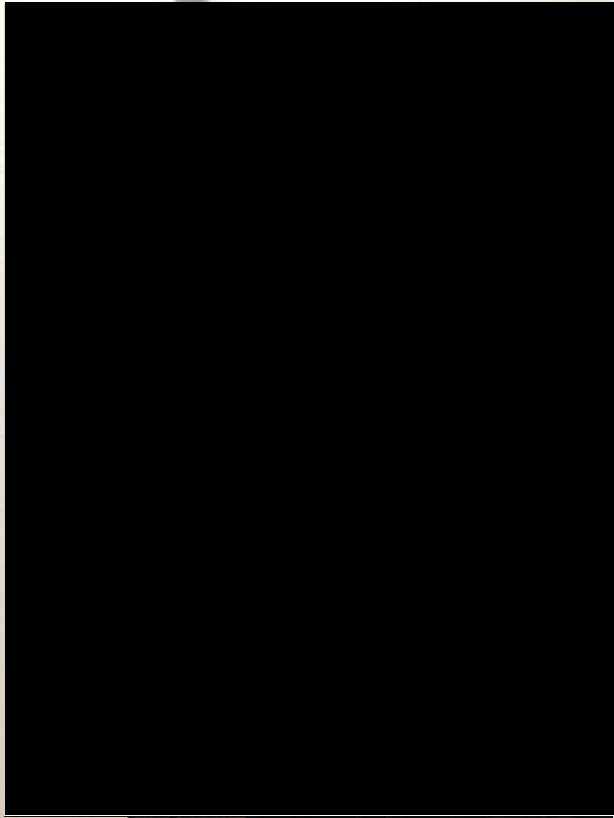
Patient	[REDACTED]	[REDACTED]
Patient concerns		Overjet and fixed braces
History of orthodontic treatment		5-6 years of fixed braces
Lymph nodes		Nad
TMJ		Nad
Skeletal base		Class 2 with prominent premaxilla
Profile		Retrognathic
Mid face height	MFH	52
Lower face height	LFH	70
Frankfort mandibular angle	FMA	Increased
Nasolabial angle	NLA	Increased
Labiomental angle	LMA	Reduced
Lip competency		Strained with active mentalis
Incisor show on smiling		Yes
Cant		No
Soft tissues		Gingival biotype thin
Incisor classification		Class 3
Overjet		5mm
Overbite		Reduced
Upper crowding		Mild
Lower crowding		Mild
Spacing		No
R molar classification		N/a
UR6		
R canine classification		½ 2
UR3		
L molar classification		N/a
UL6		
L canine classification		1
UL3		
Crossbite		UR754 crossbite
Upper centre line shift		No
Lower centre line shift		RHS
Right hand excursion		Canine guidance
Left hand excursion		Canine guidance
Anterior guidance		Canine Guidance
Basic perio examination BPE		000/020
Perio Diagnosis		Gingivitis
Oral hygiene status		good
Tooth wear		N/a
Recession		LR1 5mm buccal LL1 3mm buccal LR2 2mm lingual
8754321		123457
7654321		123467

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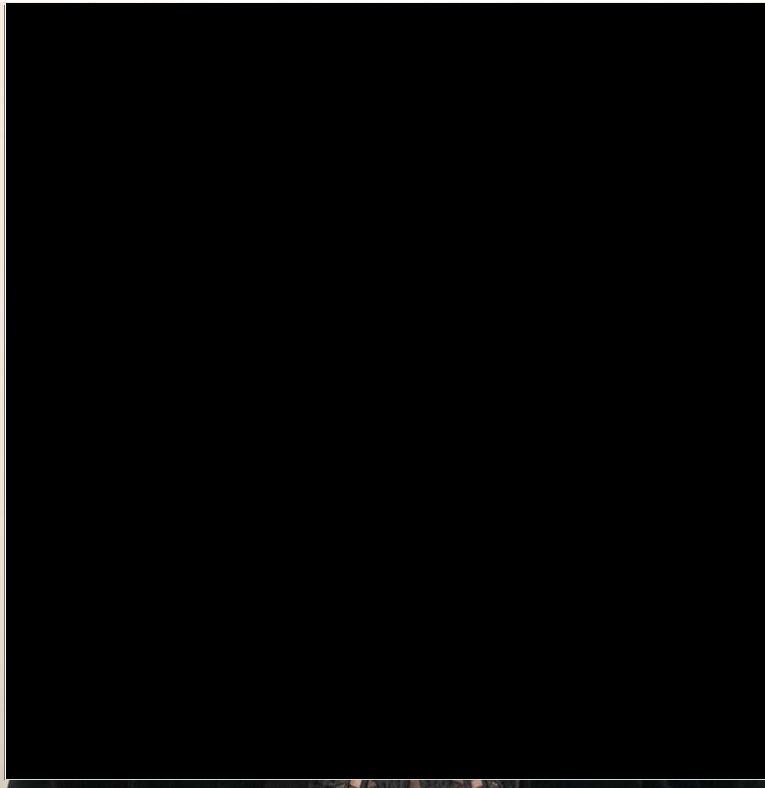
Legal Report By: Dr Raj Kumar
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SECTION SIX

OPINION ON CONDITION OF THE TEETH AND PROGNOSIS

OPINION ON CONDITION OF THE TEETH AND PROGNOSIS

- 6.01 [REDACTED] (LD) has been wearing fixed metal braces for over 7 years and still has no sight of the end of treatment.
- 6.02 Current orthodontic treatment consists of correcting dental crowding in anticipation of dentoalveolar surgery to realign the dental bases into a class 1 skeletal form.
- 6.03 The overjet has been reduced by 1mm since treatment was taken over, but the 6/6 molar extraction spaces have been closed.
- 6.04 LD is not happy with the length of time treatment is taking and she wishes for the braces to be taken off as soon as possible.
- 6.05 LD has difficulty in eating as she has pain in her temporomandibular joints when chewing.
- 6.06 She was asked to position her jaw to the left to try and help align the chin point by way of affecting muscle control; this is also giving her jaw pain and headaches.
- 6.07 The crossbite has not been corrected and LD has accepted that.
- 6.08 Her occlusion has not been finalised and the premature contacts on chewing are making it difficult to eat.
- 6.09 Because of the feel and protrusion of the braces exacerbating her skeletal 2 profile, LD finds it difficult to keep her lips pursed and she knows that she sleeps with her mouth open.
- 6.10 Because of this LD suffers from a dry mouth and persistent throat irritation and infections.
- 6.11 LD found it difficult to eat with the initial treatment braces and she was ridiculed for her attempts at eating in front of her peers at school.

- 6.12 Because of the prolonged treatment LD suffered more bullying and harassment for having to wear braces, and because of her speech and her eating habits.
- 6.13 LD was disappointed that she was promised a perfect smile within 2 years and even accepted 3 years, but after 7 years she has not seen much improvement in her smile.
- 6.14 LD is not keen on surgery and should let her treating orthodontist know.
- 6.15 LD wishes her overjet was reduced as opposed to jaw reconstructive surgery.
- 6.16 She does not wish to delay her university studies any longer.
- 6.17 There is marked recession LR1 with 5mm of root surface visible.
- 6.18 There is also 23mm recession LL1.
- 6.19 The LL1 recession can be successfully managed with periodontal surgery.
- 6.20 The prognosis of periodontal surgery for LR1 is less hopeful due to the extent of bone and gingival loss (Lang and Lindhe).
- 6.21 The LR1 has been orthodontically moved outside the alveolar bone and will have less stable bone support (Proffitt).
- 6.22 The LR1 and LL1 may need free gingival grafts after orthodontic treatment to cover the recession (Lang and Lindhe).
- 6.23 There is a risk that the LR1 could be lost due to the reduced labial bone support.

SECTION SEVEN

PROPOSED CURRENT AND FUTURE TREATMENT COSTS

PROPOSED TREATMENT AND FUTURE TREATMENT COSTS

- 7.01 Any restoration would need to undergo a lifetime cycle of replacements (Holm-Pederson) (ADI).
- 7.02 The average lifetime expectancy of a female in the UK was 82 years (ONS.gov.uk)
- 7.03 LD would need annual radiographic monitoring to review any pathological changes with LR1 £350
- 7.04 LD would need hygiene visits every 6 months to prevent periodontal loss around LR1 £120
- 7.05 LR1 and LL1 would need a free gingival graft £1500
- 7.06 LD would need the help of a TMJ specialist that may prescribe splint therapy £2000
- 7.07 If prescribed the splint may need replacement every 2 years until there are no more symptoms
- 7.08 LR1 has less bone support and may suffer from pathological migration; a fixed retainer is recommended (Land and Lindhe).
- 7.09 The fixed retainer would be provided by the current treatment providers.
- 7.09 If the fixed retainer fails then a replacement one would be required £750
- 7.10 With a gingival graft and a fixed retainer the loss of LR1 is unlikely within 15 years.

- 7.11 In the unfortunate situation that the LR1 is lost then an implant crown is suggested. The likelihood of loss could be within or after 15 years post treatment. £4000
- 7.12 Temporary Maryland bridge £750
- 7.13 It is likely that an implant may fail within 15 years of placement due to peri-implantitis (Setzer and Kim).
- 7.14 Cycle 1 replacement of LR1 £5000
- 7.15 Cycle 1 temporary Maryland bridge £750
- 7.16 Cycle 2 replacement of LR1 £5000
- 7.17 Cycle 2 temporary Maryland bridge £750
- 7.18 LD would require private counselling urgently to overcome her fears and dreams of losing her teeth.
- 7.19 These proposed costs are based on worst case scenarios and do not include pain, suffering or loss of amenities.
- 7.20 These proposed costs do not include more extensive implant procedures.
- 7.21 These proposed costs do cover less remedial work or less future teeth replacements.
- 7.21 These proposed costs do not include costs of travel or time taken away from work or family.

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SECTION EIGHT

CONCLUSION

[REDACTED]

- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]
- [REDACTED] [REDACTED]
 - [REDACTED]

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SECTION NINE

STATEMENTS

STATEMENTS

9.01 Statement of compliance

I understand my duty as an expert witness is to the court. I have complied with that duty and will continue to comply with it. This report includes all matters relevant to the issues on which my expert evidence is given. I have given details in this report of any matters which might affect the validity of this report. I have addressed this report to the court. I further understand that my duty to the court overrides any obligation to the party from whom I received instructions.

9.02 Declaration of Awareness

I confirm that I am aware of the requirements of Part 35 and Practice Direction 35, and the Guidance for the Instruction of Experts in Civil Claims 2014.

9.03 Statement of truth

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

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Client Name: [REDACTED] [REDACTED]

Signed

Dr Raj Kumar BDS LDSRCS MAGDS RCSEd MSc ImpDent

PGCert Orthodontics PGCert facial Aesthetics

Dated 26/2/2022

APPENDIX I

GLOSSARY OF TERMS

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APPENDIX 2

REFERENCES

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Comparison of Long-term Survival of Implants and Endodontically Treated Teeth

F.C. Setzer and S. Kim* 2014

**Association of Dental Implantology-implant monitoring and maintenance
(ADIMM) 2012**

Aetiology of peri-implant diseases

What are the longevities of teeth and oral implants?

Poul Holm-Pedersen¹, Niklaus P Lang, Frauke Müller

Clin Oral Implants Res

2007 Jun;18 Suppl 3:15-9.

**Clinical Periodontology and Implant Dentistry
6th Edition 2015**

Lang and Lindhe

Contemporary Orthodontics 6th edition 2019

William Proffit

EXPERTISE

- General dentistry
- Cosmetic dentistry
- Dental implantology
- Orthodontics
- Facial aesthetics
- Patient consent
- Regulatory guidelines

SKILLS

- Listens to the patient
- Can help when things go wrong
- Can assist in deciphering patient records
- Understands the reasonable standards of the profession

EXPERIENCE

FORMA SMILE LTD 2018-

Dental company set up to cater for City of London patients. Covering cosmetic, implant, orthodontic and facial aesthetics dentistry.

FORMA DENTAL 2001-2017

Harley St. London dental practice covering cosmetic, implant, orthodontic and facial aesthetics dentistry.

BIRCHFIELD DENTAL CLINIC 1990-2017

NHS dental practice situated in Birmingham

EDUCATION

BDS (LONDON) 1989

LDSRCS (LONDON) 1990

MSC IMPDENT (MADRID) 2018

PGCERT FACIAL AESTHETICS (NICE) 2018

EXPERT WITNESS (CARDIFF) 2020

PGCERT ORTHODONTICS (2020)

MAGDS RCSED (EDINBURGH)

With over 10 years' experience in writing reports and audits for dental surgeons and lawyers in matters arising from patient and regulatory complaints.

Expertise on breach and causation reports.

Expertise on condition and prognosis reports.

Expertise on dental regulatory guidelines and those of independent dental associations.

Experienced in assessing patient complaints, record card assessment, record keeping and assessing the patient consent process.

Have worked closely with regulators, indemnifiers, lawyers, mentees and patients.

Compliant with Part 35 rules.

Member of the Medico-Legal Society

Member of the Royal College of Surgeons Edinburgh

Member of the British Society of Restorative Dentistry

Association of Personal Injury Lawyers

RAJ KUMAR

DENTAL EXPERT

ADDRESS FOR CORRESPONDENCE

65 London Wall London EC2M 5TU

CONSULTATION CLINICS

65 London Wall London EC2M 5TU

Consulting Rooms
38 Harborne Rd Birmingham B15 3EB

CAREER HISTORY

Associate Sachdev Dental Practice Whitehorse Rd. Croydon	1990-1991
Associate Heathfield Dental Practice Heathfield Rd. Birmingham	1991-1993
Associate Golar Dental Practice Craven Rd. London	1994-1995
Partner Heathfield Dental Practice Heathfield Rd Birmingham	1993-2010
Partner Tooth Clinic South Molton St. London	1995-2001
Owner Forma Dental Care 86 Harley St. London	2001-2016
Owner Kumar Dental Practice Birchfield Rd. Birmingham	2010-2017
Owner Forma Dental Care 128 Harley St. London	2017-2018
Owner Forma Smile 2-3 Salisbury Court London	2018-2020
Owner Forma Smile Ltd 65 London Wall London	2020-

MAJOR COURSES ATTENDED

Completed Osteoti dental implant course	S Harding	1994
Completed 2-year part time restorative course	Paul Tipton Ashok	1994
Completed 2-year part time implant course	Sethi Ashok Sethi	1995
Completed Maxillary bone manipulation course	Eddie Scher BAAD	1995
Completed 1-week implant course	ADI	2002
British Academy of Aesthetic Dentistry meeting	University of Genk	2002
Association of Dental Implantology meeting	Osteocare	2003
Simplant training	Osteocare	2003
Facial aesthetics course		2004
Botox course		2003

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DENTAL EXPERT

Invisalign UK certification	Align Technology	2004
Facial aesthetics in dentistry	Royal College of Physicians	2004
Certificate of audit and peer review	NHS	2004
ADI members national forum	ADI	2004
Association of Dental Implantology masterclass	David Garber	2003
Completed Implant and Reconstructive dentistry	A Sethi	2004
Completed Implant and Reconstructive dentistry	P Sochor	2004
Facial Aesthetics course	Osteocare	2004
Implant surgery masterclass	Daniel Buser	2004
Invisalign USA	Align	2005
Advanced surgical techniques	Royal College of Surgeons	2006
Invisalign Europe	Align	2006
Invisalign workshop UK	Align	2006
Irmer training	R DeCann	2006
Occlusion continuum 1	Pankey Institute	2006
Invisalign USA	Align	2007
Facial aesthetics by NexGen	Howard Katz	2008
Simplant conference	Simplant	2008
GIDE cert in implants Gide institute USA	S Jovanovich	2009
Introduction to Implantology	Royal college of Surgeons	2009
Implant surgery techniques	Royal college of Surgeons	2009
Immediate implants and loading	Royal college of Surgeons	2009
Bone grafts and GBR	Royal college of Surgeons	2009
Socket preservation	Royal college of Surgeons	2009
Nerve lateralisation	Royal college of Surgeons	2010
Implant impression techniques	Royal college of Surgeons	2010
Sinus grafting and block grafts	University of Goethe	2010
Biomaterials	Royal college of Surgeons	2010
Implant prosthetics	University of Tübingen	2010
Sinus Lift/grafting	Royal college of Surgeons	2010
Distraction osteogenesis	Royal college of Surgeons	2010
Invisalign UK meeting	Align	2010
Invisalign Europe	Align	2011
Incognito ortho certification	3M	2012
Invisalign workshop UK	Align	2012
Invisalign G5 meeting	Align	2014
Strategies for uprighting roots	Fast Braces	2014
NHS return to work	Kings College	2016
Aligners	Clearcorrect	2017
MSc Dental implantology	University of Madrid	2018
PGCertificate on Facial Aesthetics	University of Nice	2018

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DENTAL EXPERT

CUBS expert witness course	University of Cardiff	2018-2020
PGCertificate on Orthodontics	Cephtastics London	2019-2020
Nobel Biocare Implant aesthetics	London	2020
MAGDS RCS Ed	Edinburgh	2020

COURSE PROVIDED BY DR KUMAR

Hands on ortho course for GDPs	London	2013
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PUBLICATIONS WRITTEN

Invisalign	Health care	2004
Secret smile	Grazia	2008
Smile Saver	Brand New You	2008
Invisalign for extreme crowding	Private Practice	2013
Aligning extreme crowding	Orthodontic practice	2013
Correcting overjets	The Dentist	2013
How to treat a dental phobic	Dental Practice	2013
Invisalign versus implant therapy	Dentistry	2013
Can't do without	Private Practice	2014