

**Informed consent to remove three baby teeth
(14HDC00736, 31 March 2015)**

*Orthodontist ~ Child ~ Extraction ~ Baby teeth ~ Informed consent ~ Documentation
~ Manner ~ Rights 4(2), 6(1)(b), 7(1)*

An 11-year-old girl had an appointment at an orthodontic clinic with an orthodontist and dental assistant. The girl attended the appointment with her mother, a friend of her mother, and her younger sister. The appointment was for a consultation to observe the girl's dental development and determine whether orthodontic work was required.

During the appointment, the orthodontist removed three of the girl's baby teeth without first informing the girl and her mother, and without obtaining consent to the teeth being removed.

It was held that, for failing to inform the girl and her mother of the need to remove three baby teeth, or the options available for doing so, the orthodontist breached Right 6(1)(b). Without this information, neither the girl or her mother were in a position to make an informed choice and provide informed consent for the removal of the three baby teeth. It follows that the orthodontist breached Right 7(1). In addition, the orthodontist did not document the girl's appointment appropriately, and breached Right 4(2).

The practice was found not to be liable for the orthodontist's decision to remove three of the girl's baby teeth without consent, or his failure to document the removal.