

INFORMATION FOR PATIENTS/CLAIMANT

During medical treatment, the injured person is known as the *patient*. The legal process falls outside of routine care and the injured person is known as the *claimant*. If you find yourself in this position, it is usually because something has gone wrong to cause the injury or during your medical treatment. As in all aspects of life, errors can be due to unavoidable accidents/mistakes or down to someone doing something inappropriately or making a poor decision, for which they are accountable. Ultimately, the Judge and the Court will make the distinction between unfortunate errors and accountable mistakes.

The role of the medical expert is to examine all the medical facts and produce an expert medical report to help the Judge and the Court come to their decision. Reports will summarise the events in understandable language and offer an opinion about the nature of the injury, its causes and the likely future prognosis. The reports are entirely to help the Judge and the Court come to their decision.

If you come to see me as a claimant, it is important to remember that I am acting in a different role than I would be if I were your treating surgeon in a hospital. If I were your surgeon, I would do everything in my ability to improve your condition. When I report on your legal claim, my responsibility is to give the Judge and the Court the most accurate account of the events with my honest and unbiased opinion. It makes no difference to me if my instructions come from your legal team or that of the defendant. I will always be completely independent.

When you come to see me for a medicolegal examination, please set aside an hour of your time for me to take a full history and perform a physical examination. My Practice Management team will confirm your appointment and provide you with all the relevant appointment details. I will ask you to complete a questionnaire beforehand, which will encourage you to think about the events again before we meet and help you to answer my questions accurately and succinctly. I will usually have had access to your medical records prior to our meeting. You are very welcome to bring a family member, friend or other advocate if you think they will help you during the interview. Please wear clothes that permit a thorough examination; for women, a vest top is ideal.

I find my medico-legal work interesting and stimulating but it is time consuming and is performed entirely outside of my NHS workload. As such, I have a clear and transparent fee structure, which is available to your solicitor on request. Please be aware that time is precious and late cancellations may incur a fee.