

Conditions of Business – from 20.5.15

NB: If you wish to negotiate or vary these conditions, please do so prior to issuing instructions

For the purposes of this document, the term “instructor” means the solicitor providing instructions, except where instructions are issued via an agency. In the case of an agency, the “instructor” for the *Report only* will be the agency – it will be the solicitor for any other work undertaken.

1	<p>The following instruction / documentation is usually required, and will not normally be returned:</p> <ul style="list-style-type: none"> • A clear background to the case, and a definition of what type of expertise is required. • Questions the instructor wants answered, including any particular points of dispute. • Notification of whether the Expert is being instructed by one of the parties or as a Single Joint Expert. • Copies of reports by other experts. • Good quality electronic copies in PDF form of medical notes, including General Practice notes, and where relevant, Hospital (including Psychiatric, Accident and Emergency and Outpatient Records). The records should be password protected / encrypted, and sent by email or disc. The password should be sent separately by email. • Paper notes are acceptable as alternatives. These will not be returned. Use recorded delivery or courier. Paper notes will be destroyed 6 months after the appointment unless other arrangements are made for their storage or return. • Copies of records or summaries of treatment received relating to the claim eg Psychological treatment if arranged by solicitor. <p>Original Notes, Images, etc should NOT be sent – send duplicates. As a Psychiatrist I do not normally require site of radiographic images, scans – do not send these please.</p>
2	<p>Unless otherwise instructed, I will send an appointment directly to the claimant with a copy to the instructor. I expect the instructor to supply the claimant's current address/location plus telephone number, and to inform me if they will be absent for any significant period, and also of any particular mobility or communication needs (including if English is not their first language). The appointment will be offered at a location determined by me and instructors should not assume use of any particular venue as availability can vary, though I will endeavor to arrange a venue convenient for the claimant within the agreed timescale. If instructors / agencies are also informing the claimant of appointment details, they should take care to ensure that the details sent are correct and as per my version. Confirmation of attendance at appointment is not routinely provided. The instructor will be provided with notification within 2 working days if a claimant fails to attend. Non-attendance or cancellation at short notice charges are given in the schedule of fees.</p>
3	<p>I normally offer an appointment which is within 6 weeks of receipt of instructions. I will inform the instructor if no appointment can be scheduled within 8 weeks of receiving instructions. Reports are normally submitted within 3 weeks of appointment (with allowances for annual leave, sickness and bank holidays). This assumes that all supporting material is available at the time of appointment (see above) and that the claimant accepts and attends the first appointment offered. Any anticipated delays will be notified to instructors as soon as possible. If there is a more pressing report deadline I must be notified of this prior to the appointment and preferably at the time of instruction. I will prioritise genuine Court deadlines over administrative deadlines but ask for proper notice of these.</p>
4	<p>Addendum Reports – usually supplied within 3 weeks of receiving the request unless the claimant needs to be seen again.</p>
5	<p>Desk Top Reports - usually supplied within 3 weeks of receiving instructions.</p>
6	<p>Joint Statements - I aim to offer the other Expert a meeting within 2 weeks, and submit a jointly signed memo within a further week. However, it can be difficult to schedule availability of both parties, and solicitors are advised to allow 4 weeks, longer in complex cases.</p>
7	<p>Payment – Unless agreed otherwise in writing, the instructor will pay the expert within 3 Calendar months of submission of the expert's invoice (regardless of whether s/he has been paid) or will be liable to pay interest on deferred payments (see below). Payment preferred by BACS, and details appear on the invoice.</p>
8	<p>Solicitors wishing to speak to me to discuss an initial instruction may do so free of charge - a telephone appointment will be promptly arranged. Telephone calls and letters in response to instructors' inquiries (other than for initial instruction) will be charged at the usual hourly rate. No charge is made for emails in response to instructors' emails, if brief in nature. No charge is made if the instructor wishes to leave a telephone message which does not require a response, eg to pass on information. Administrative enquirers from agencies should be made by email to my secretary rather than telephone.</p>
9	<p>Court Appearances – while trying to retain flexibility to assist the Courts, at least 6 weeks notice is normally required for Court appearances in order to cancel any NHS and other commitments. Not more than 3 working days can normally be block booked. Exceptionally, these arrangements may be negotiable depending on the case. Solicitors are asked to contact me for dates of non-availability before arranging a hearing.</p>
10	<p>The issuing of instructions by the instructor followed by the issuing of an appointment by the expert denotes an understanding and acceptance by both parties of a contractual agreement encompassing the above, and the fee structure shown below EXCEPT where explicit alterations have been agreed in writing prior to instruction on a case by case basis. These terms may not be altered in retrospect, and constitute a legal contract.</p>

Fee Structure for claimants seen from 20.5.15

NB: If you wish to negotiate these fees please do so prior to issuing instructions.

Fixed fee quotes are available on request on sight of all case materials.

A: MEDICO-LEGAL REPORTS, SUPPLEMENTARY REPORTS, CONFERENCES, MEETINGS OF EXPERTS, etc

Standard Hourly rate: £200.00 per hour (£240.00 / hour for appointments in London & Bristol, or outside South Wales). Charges will be made per ¼ hour unit. This includes expenses for room hire, secretarial fees, postage etc.

Guide to Report Fees – The amount of work will be proportionate to the value of the claim if I am made aware of it. Other factors will increase the amount of work involved, including - (1) higher complexity of the Psychiatric issues (which will not necessarily reflect the size of the claim), (2) Personal Injury cases involving a claim for more than one accident; (3) any work involving use of an interpreter; (4) any Medical Negligence work; (5) cases where the claimant has had a Brain Injury; (6) Home visits. (7) the amount of supporting material to be reviewed (do not send extensive records in low value cases) (8) extensive medical or Psychiatric history (9) long duration of time since index incident. I can give a written estimate on sight of case materials, but the following is a guide (examples only):

<i>Case Type (example)</i>	<i>Estimate of time</i>	<i>Fee (Excl VAT) @200/hr SOUTH WALES</i>	<i>Fee (Excl VAT)@240/hr outside S Wales</i>
Non-complex case, low value, symptoms largely recovered. No past Psychiatric history. Without review of medical notes.	3 hours	£600.00	£720.00
Low complexity case. Supporting material 150-200 pages. Minimal or no past Psychiatric history.	3.5-4 hours	£700 - 800	£840.00-960
<i>Note – 85% of my personal injury reports are billed at 3.5-4 hours</i>			
Intermediate level of complexity. Previous Psychiatric history, longer response to injury. Supporting material 250+ pages.	4.5 hours	£900.00	960-1080
More complex case, perhaps involving medically unexplained symptoms, extensive past Psychiatric or medical history, 2 other expert reports, supporting material 300-400 pages	5-6.5 hours	£1000 - £1300	£1200-1560
High value, very complex case involving several other experts, long duration of time since injury, extensive Psychiatric history, causation complex or issues about somatoform disorder, extensive medical records from several sources and employment records, witness statements.	8 hours	£1,600.00	£1,920.00

Telephone calls (except regarding initial instruction) and telephone conferences will incur a charge at the hourly rate, billed per 15 minute unit. There is no charge for leaving a telephone message which does not require a response.

Express 2 week turnaround service (instructions to submission of report) at 50% surcharge with payment due within 28 days, undertaken by arrangement subject to availability.

Non-attendance/cancellation

Appointment cancellation fees for less than 2 full working days notice or non-attendance without notice - £100.00.

Home Visits: By arrangement only. Minimum charge £1600 + travel + Chaperone fee (Nursing Agency nurse)

Travel (not applicable for appointments in Consulting Rooms with claimants for the purpose of assessment): £45.00 / hour Plus expenses (65p per mile OR rail ticket).

B: COURT WORK:

Availability / appearance

- per full day booked: **£1200.00**

- per half day booked **£650.00**

Plus travel +/- accommodation expenses if more than 60 miles from Cardiff. Payable whether called to give evidence or not. Subject to scale of cancellation charges below.

Scale of Cancellation Charges for Court Appearance Work:

Less than 1 full working day (09.00 - 17.00) before 1st date reserved: Full rate

Between 1 and 3 full working days before 1st date reserved: ¾ rate

Between 3 full working days and 7 days before 1st date reserved: Half rate

Payment: VAT is chargeable on all fees. Payment contingent on outcome or subject assessment or taxation by Courts CANNOT be accepted. **DEFERRED PAYMENT** – a separate fee structure applies – please request terms before issuing instructions. **Late Payments:** The instructor is liable for fees and interest for payment not received on time, as per the late payment legislation. The instructor will also be responsible for fees incurred by me in relation to recovery of unpaid debts.

NOTE: I reserve the right to charge reasonable administration fees for additional work and to charge for reasonable expenses incurred, and to require payment in advance in instances of previous late payment or non-attendance.

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