

**Bond
Solon**



The Bond Solon Expert Witness Survey 2025

In association with The Law Society Gazette

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Introduction

Bond Solon is delighted to publish this year's expert witness survey in collaboration with the Law Society Gazette. It was conducted online from 1 September 2025 to 22 September 2025, and 525 experts contributed.

The Law Society Gazette is a weekly legal magazine for solicitors in England and Wales, published by the Law Society of England and Wales. The Gazette publishes live online news, a daily news update and a weekly digital magazine, all of which are free to read for both members and other stakeholders. ABC-audited lawgazette.co.uk has 418,000 unique monthly browsers.

The survey looks at the role of an expert witness, including their relationship with solicitors, the use of AI technology by expert witness and legal professionals, mandatory training and regulation, controversial cases, and finally, fees. Some of the responses are set out as a percentage and others include some commentary, as well as the responses received.

The survey was published the day of the Bond Solon Expert Witness Conference on Friday 7 November 2025.

I do hope you find the results of interest and do feel free to email me if you have any further thoughts.

Mark Solon



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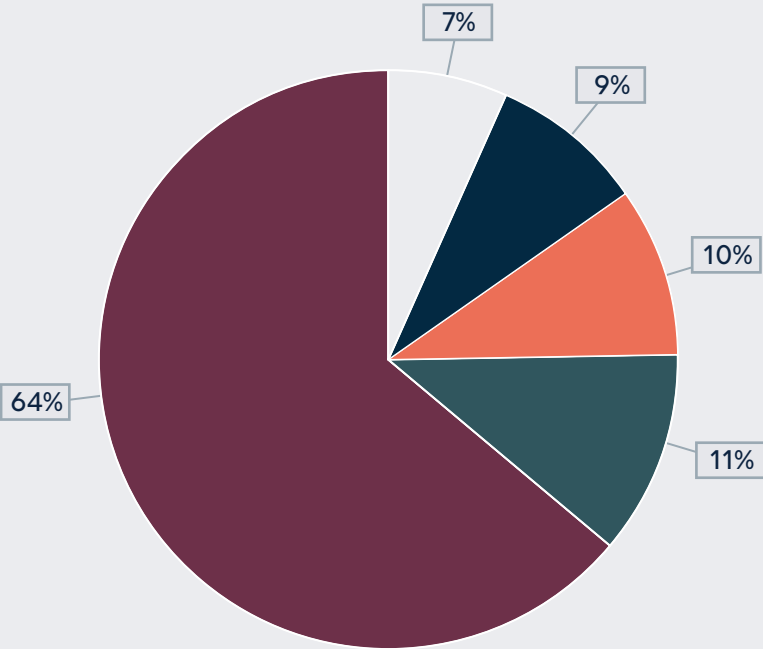


Expert Witness Survey 2025 Results

Question 01

How many years have you practised as an expert witness?

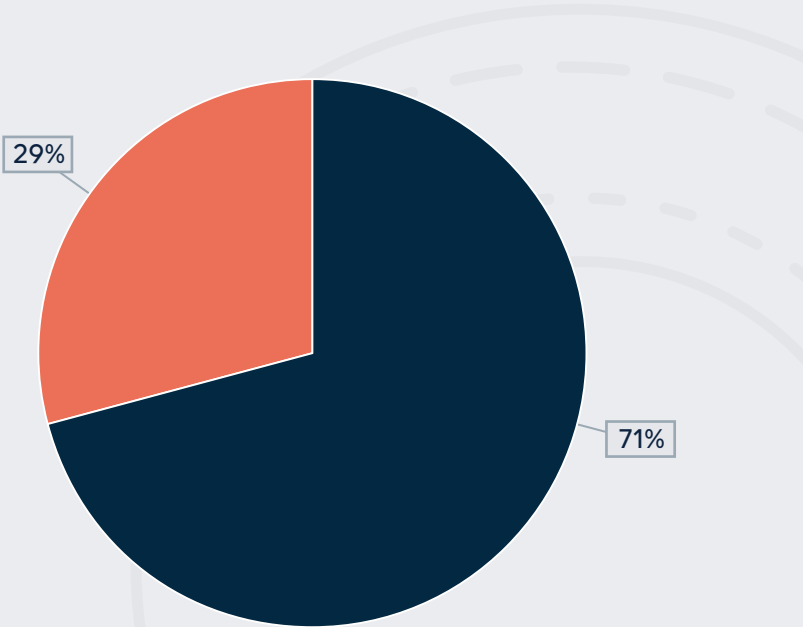
Less than a year	35
1-3 years	46
3-6 years	50
6-10 years	59
10+ years	335



Question 02

Do you work in the medical/healthcare field?

Yes	371
No	154



Question 03

From the list below, please select the option that best describes your area of specialism (medical experts only).

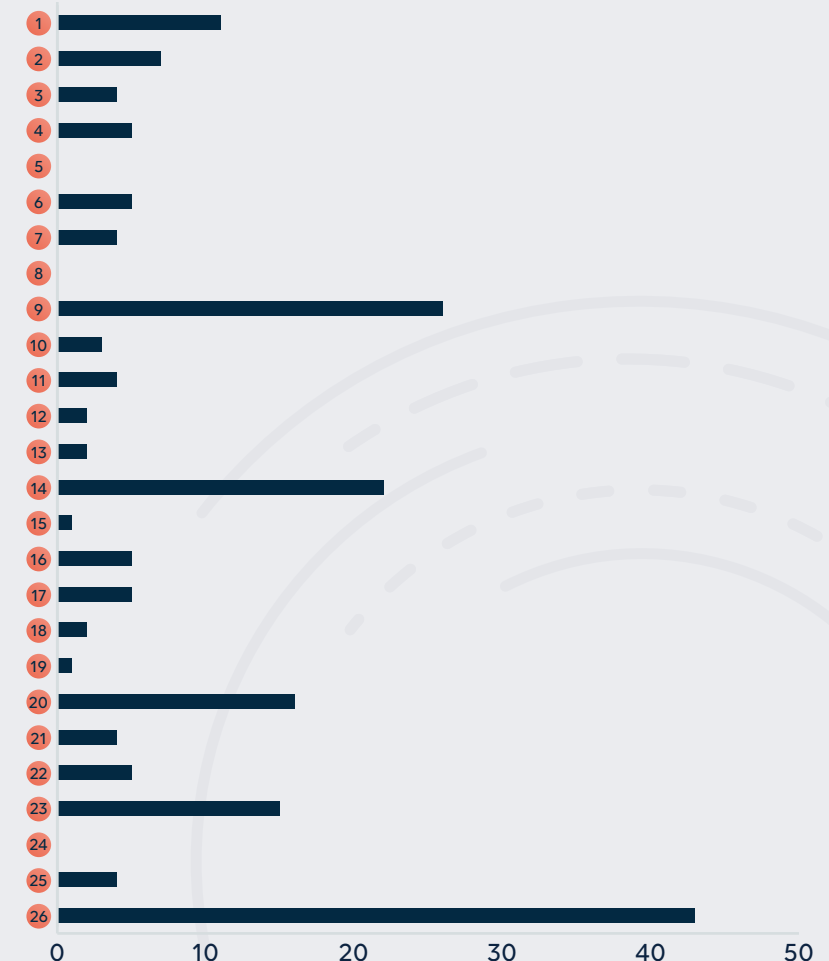
Label	Specialism	Poll	Label	Specialism	Poll
1	Assistive technology	2	14	Nursing / midwifery	32
2	Chiropody and podiatry	3	15	Obstetrics, gynaecology and fertility	7
3	Cosmetic dermatology, hair	5	16	Occupational health	2
4	Ear, nose, throat	5	17	Occupational therapy	23
5	Emergency medicine and anaesthesia	12	18	Oncology and treatment	6
6	Eyes	6	19	Oral / dental	15
7	Forensic medicine	4	20	Orthopaedics / trauma	39
8	Gastrointestinal and urinary	7	21	Paediatrics	17
9	General medicine / surgery	20	22	Pathology and scanning	2
10	GP	13	23	Psychiatry	23
11	Heart and lungs (cardiothoracic)	6	24	Psychology	58
12	Immunology, diabetes, hormones	3	25	Speech and language therapy	4
13	Neurology	15	26	Other	42



Question 04

From the list below, please select the option that best describes your area of specialism (non medical experts only).

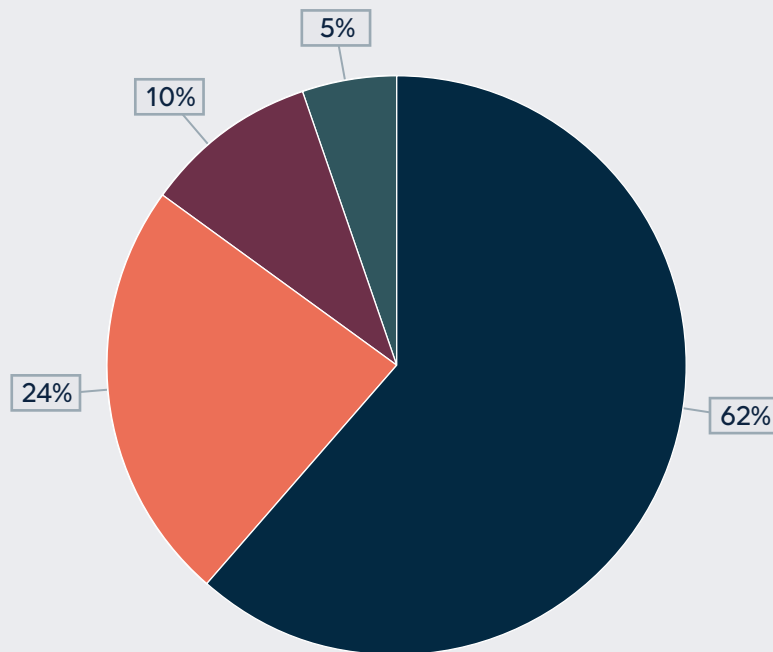
Label	Specialism	Poll	Label	Specialism	Poll
1	Accident / incident investigation	11	14	Health / safety / occupational	22
2	Accountancy	7	15	International law	1
3	Agricultural	4	16	Insurance	5
4	Animals	5	17	Marine	5
5	Anthropology / cultural / religion	0	18	Noise / vibration	2
6	Architectural	5	19	Planning	1
7	Computing / technology	4	20	Science / forensics	16
8	Economist	0	21	Social care	4
9	Engineering	26	22	Sport	5
10	Environmental	3	23	Surveying / building	15
11	Financial	4	24	Translation / interpretation	0
12	Fire	2	25	Use of force	4
13	Fraud / theft	2	26	Other	43



Question 05

What legal forum(s) do you operate in?

Civil	454
Criminal	174
Family	73
Other	37



Question 06

If you answered 'other' to the previous question, please specify.

Other areas that respondents to the survey reported working in included music and creative arts therapies, SEND tribunals, and terrorism, extremism and police practice.

Question 07

Please give an estimate of your hourly rate for report writing

Average hourly rate is £238.81, which is a 25% increase on the average hourly rate figure published in our 2015 survey*.

Average for those who work in the civil courts is £253.73, which is a 25% increase on the average hourly rate figure published in our 2015 survey*.

Average for those who work in the criminal courts is £227.41, which is a 55% increase on the average hourly rate figure published in our 2015 survey*.

Average for those who work in the family courts is £209.60, which is a 48% increase on the average hourly rate figure published in our 2015 survey*.

17 respondents either could not give a definitive answer or did not want to divulge their hourly rate.

*Please note that these calculations are not based on a like-for-like comparison of data subjects and volume of data.

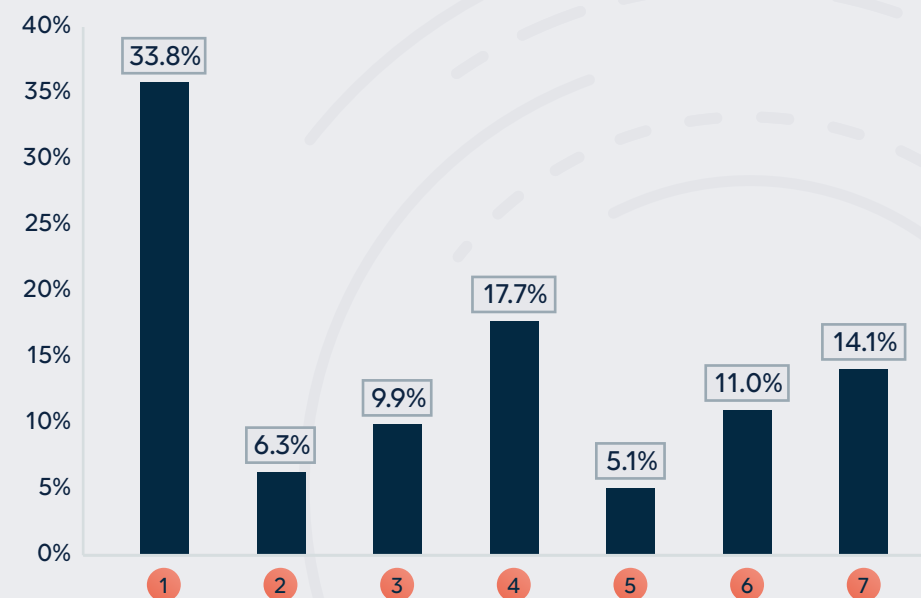
Question 08

In 2015's expert witness survey, experts reported their most common complaints about instructing solicitors.

A high number of respondents reported late payment and not being kept up to date with the progress of the case as their most common complaint. 49% of experts reported that they refused to work with certain solicitors for the reasons provided.

Please select what is currently your most common complaint about instructing solicitors.

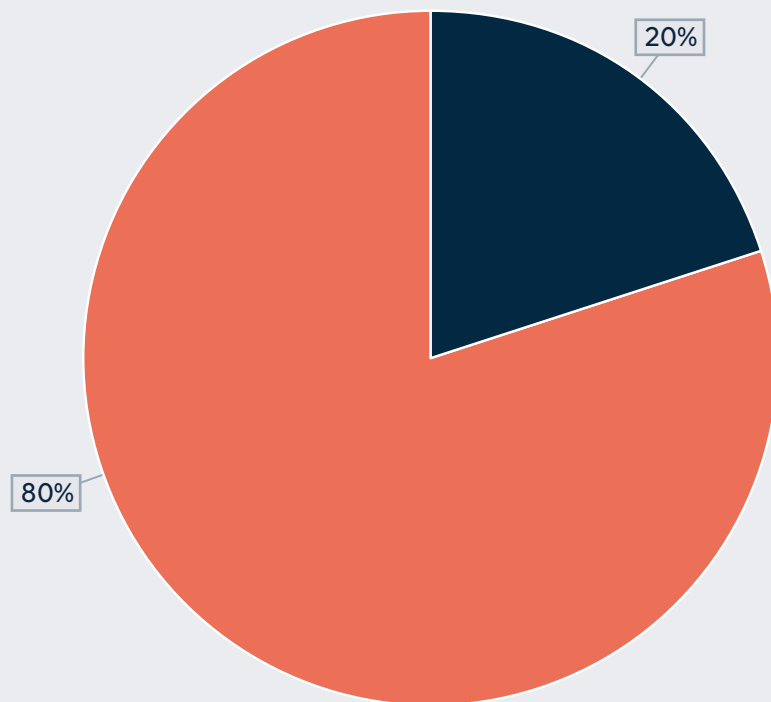
Label	Specialism	Poll
1	Late payment	188
2	Late instruction	33
3	Poor instructions	52
4	Not provided with all relevant documents	93
5	Pressure to change report	27
6	Unrealistic deadlines	58
7	Other	74



Question 09

Have you used artificial intelligence in your role as an expert witness?

Yes	106
No	419



While the vast majority of expert witnesses are yet to use AI in their role, 20% said that they had. That is a significant increase on last year's survey when just 9.31% of survey respondents said that they were using AI in their work as an expert witness.

Although an increasing number of experts report using AI this year, 20% is considerably lower than the national average. According to KPMG's UK attitudes to AI study this year, 65% of workers in the UK intentionally use AI for work.

The reticence among expert witnesses to use AI likely reflects the fact they are not yet confident about how and when it may be appropriate to do so. On 6 June, the President of the King's Bench Division of the High Court, Dame Victoria Sharp said, "There are serious implications for the administration of justice and public confidence in the justice system if artificial intelligence is misused."

If an expert chooses to use AI technology in the construction of their report, it is vital that they double check the material produced by AI to determine the accuracy of the information. Incorrect information will open the expert up to criticism and potentially impact the outcome of a case.

Question 10

If you answered 'yes' to Question 9, please provide details in the comments box below of the AI technology you have used, what aspects of your expert work you used it for, why you decided to use AI and to what extent it assisted you achieve this.

Those that had used AI within their roles as experts had generally done so to assist with research. This may be using Google, which is AI assisted, or using large language models like ChatGPT to find and summarise information.

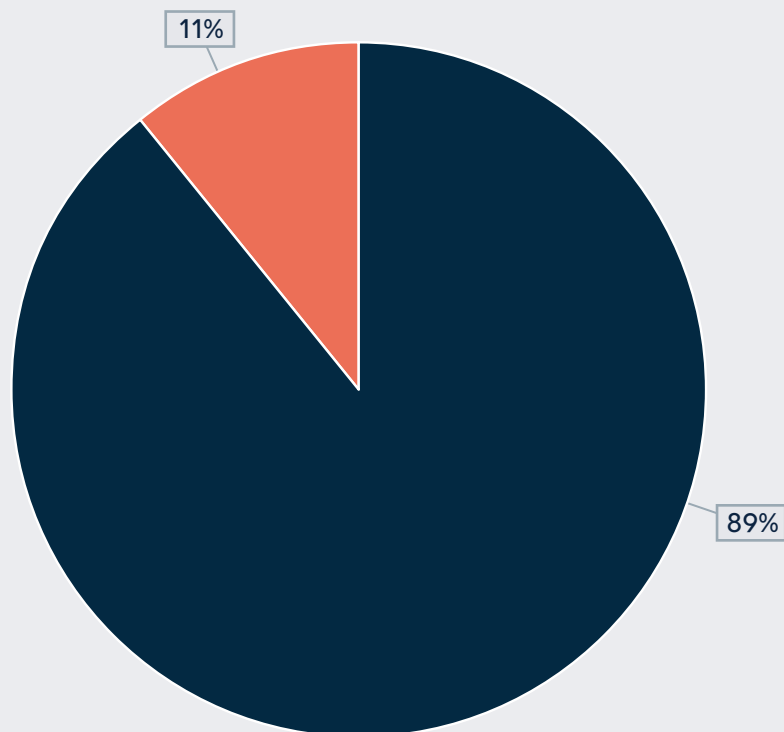
Others said that they used AI to rephrase writing, and check grammar and spelling, or to calculate results from data.

Interestingly, one respondent said they used ChatGPT to challenge their judgement. "I have used ChatGPT Plus as a debating board – a tool for challenging my own opinions, and for germinating ideas. I have not used it for content creation," they explained.

Question 11

Do you agree that specific guidance is required for the use of AI by expert witnesses in the UK?

Yes	469
No	56



With just 11% of experts feeling there was no need for more clarity on what was required for the use of AI by expert witnesses, it is clear that the relatively low uptake of the technology is likely down to fear of inviting unintended criticism.

Dame Victoria Sharp's criticism in June referred to two cases in which fake cases were cited in evidence before the court due to careless use of AI. There are also cases from other jurisdictions, such as the American case, *Kohls v Elison* No 24-cv-3754 (D Minn 10 January 2025), in which an expert witness used generative artificial intelligence to draft his report and accidentally submitted misinformation. Ironically, he had been instructed as an expert on AI-generated deepfakes!

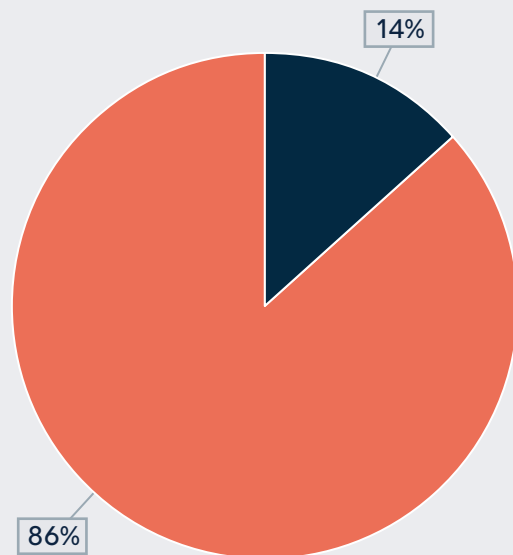
Perhaps this is the time for strong guidance from the judiciary in terms of court rules, protocols and case law dealing with AI.

Question 12

One of our expert witness clients was asked by a solicitor to accept an instruction where the solicitor insisted on providing the expert witness with a draft expert report for the case, that was generated by AI.

Would you accept such an instruction?

Yes	71
No	454



Question 13

Please provide an explanation for your answer to Question 12.

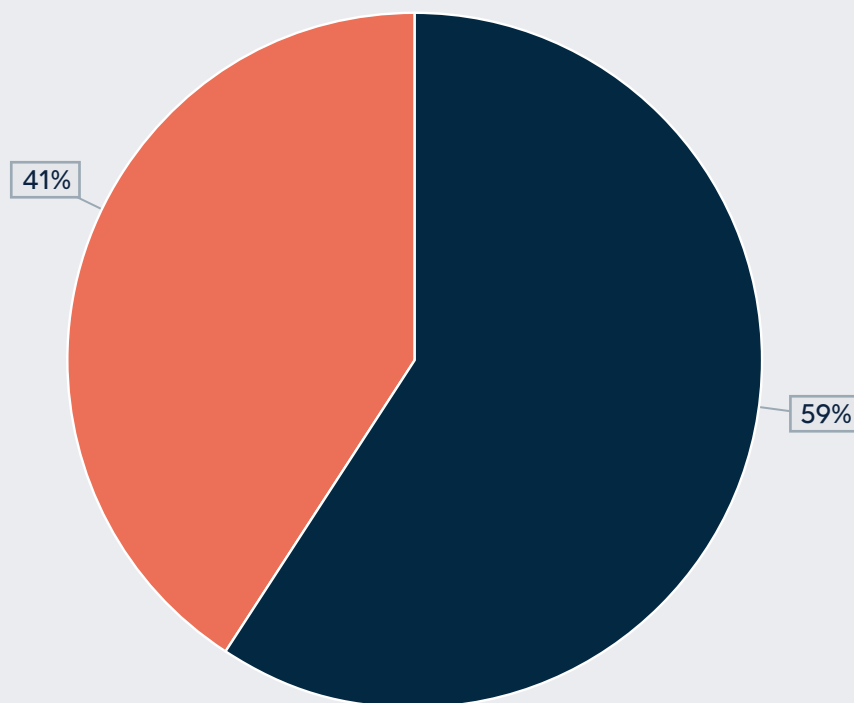
With just 14% of experts saying they would be willing to accept an instruction where the solicitor had provided a draft expert report for the case that was generated by AI, it is clear there is still a deep distrust of AI among experts.

There were some strong opinions amongst respondents against the use of AI in the drafting of expert reports, with some questioning the accuracy of AI and others stating that it would be in direct conflict with an expert's duty to be independent.

Question 14

Do you believe that formal regulation of all experts would improve the standard of experts instructed to assist the courts?

Yes	312
No	213



Over half (59%) of experts believe that formal regulation of all experts would improve standards. The topic of regulation is not a new one within the expert witness community but was brought into greater focus in March this year when the Family Procedure Rule Committee consulted on plans to require any expert instructed in family law children proceedings to be regulated.

This is relatively straightforward in professions such as medicine, or psychology where some categories of psychologists are regulated, but becomes more impractical in professions with no regulatory body.

This, of course, would be in addition to the regulation already provided by court rules.

| Question 15

If you answered 'yes' to Question 14, provide details of what form you think this regulation should take.

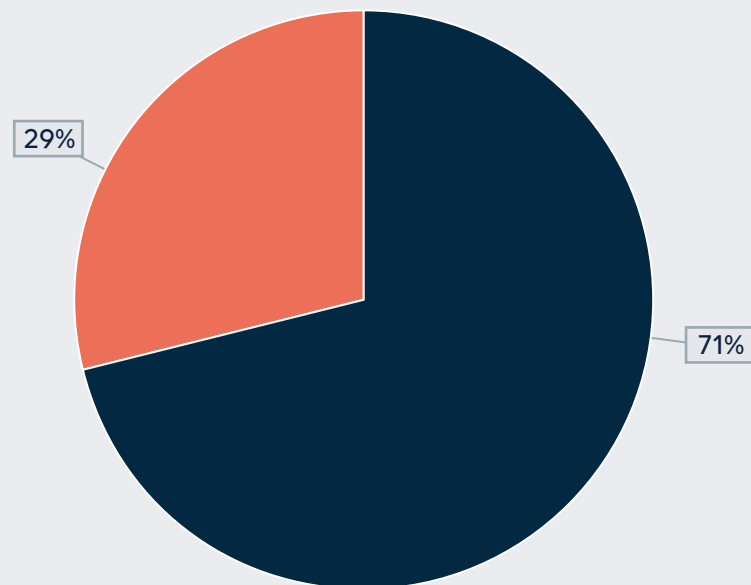
Many experts felt that having a regulatory and training body for experts would be helpful or suggested a government register of accredited experts. Several suggested a mandatory exam on part 35, while others merely recommended a minimum level of CPD to be undertaken each year.

As always, the sticking point will be cost. Instructing solicitors already use due diligence in the selection and instruction of experts and courts have considerable influence as to what expert evidence can be used.

Question 16

If formal regulation of all experts is to be brought in, do you think mandatory training and assessment of experts is required in order that experts can demonstrate they understand their duties and possess the requisite competencies to fulfil the role of an expert?

Yes	374
No	151

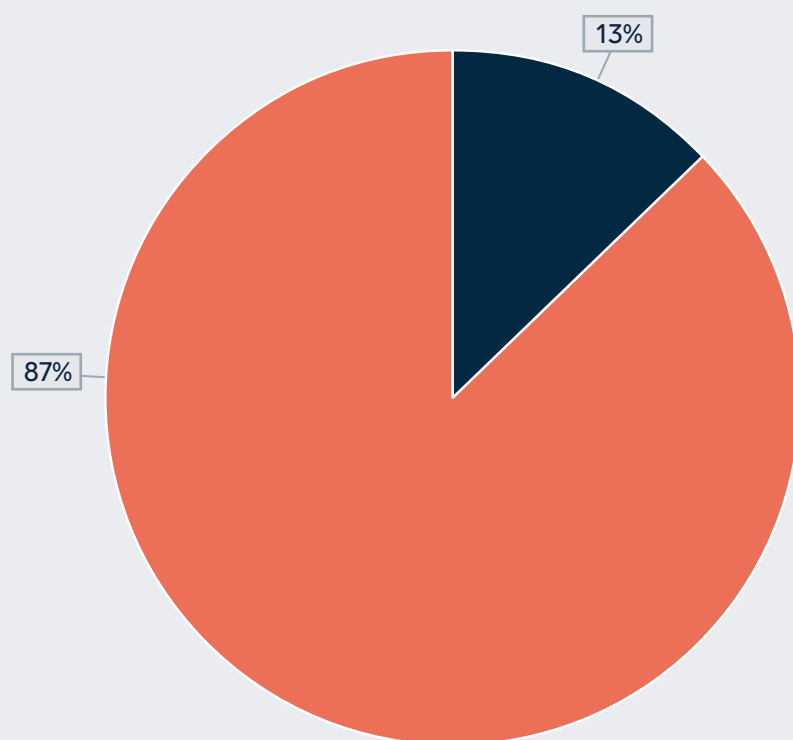


A significant 71% of respondents to this year's survey supported the idea of mandatory training and assessment of experts as part of a regulatory process.

Question 17

Have you ever been in a position where you had to refuse an expert instruction because you were concerned about a potential backlash?

Yes	68
No	457



Only 13% of experts reported having refused an instruction out of concern there may be a potential backlash. It is fortunate that this number is not higher but shows that there are concerns among experts that the role may carry a personal, professional or reputational risk.

Question 18

If you answered yes to Question 17, please provide details.

Those who chose to refuse instructions cited a wide range of reasons from conflicts of interest to difficult solicitors.

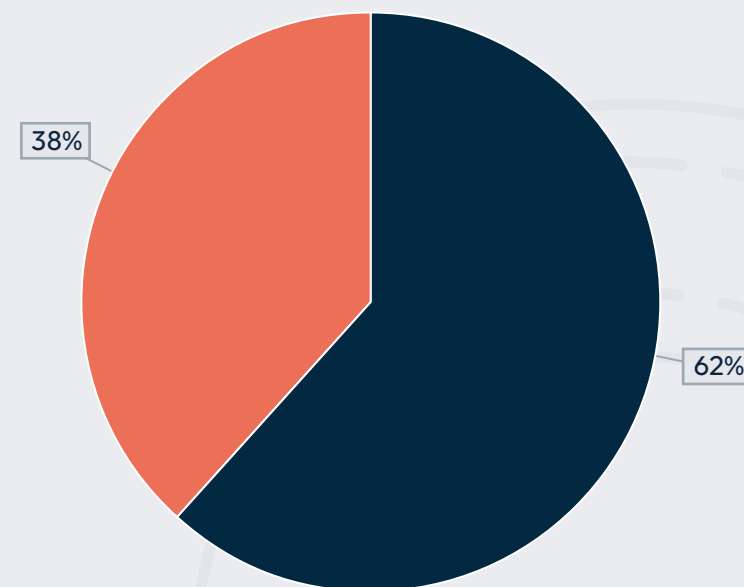
More than one respondent reported having turned down high-profile murder cases for fear that the media attention could interfere with their family life. One respondent said they had refused “some criminal work for defence where there seems a strong likelihood of guilt.”

Others cited having received judicial criticism in the past, which had left them more cautious in what they take on going forward.

Question 19

Have you considered or would you consider an instruction for a potentially controversial and/or high-profile case?

Yes	324
No	201



Controversial and high-profile cases do not appeal to 38% of the respondents to this year's survey, while 62% said they either have, or would, take on such cases.

Question 20

If you answered yes to Question 19, what measures would you expect to be in place to protect experts?

Many of those who said they would take on high-profile or controversial cases were in favour of receiving anonymity from the press in such cases. Others suggested that insurance or separate legal support would be helpful.

However, among the respondents who said they expected no special measures for taking on high-profile work, one said “Our role is to provide opinion on a specific subject matter based on the information available. If you overreach you deserve to be criticised. The protection should come with doing the job properly and providing opinions that can be understood based on the information available.”

Question 21

What do you most enjoy about expert witness work?

Many respondents said that they most value the intellectual challenge of expert witness work and the variety of work that it entails.

Others cited the satisfaction they derived from contributing to the judicial system and society. “I enjoy assisting the court with my expertise and knowledge, and as I have become more confident in my report writing, receiving positive feedback from clients about the content of my report is rewarding,” said one respondent.

Experts have often said that doing expert witness work informs the way they do their own day job as a professional. They learn from seeing what other experts did right or wrong. “It makes me think in critical ways different to those in medicine, and I enjoy the intellectual discussions and deliberations,” said one expert. “In addition, I think our work may be particularly helpful in letting claimants move on from adverse injury or negligence and achieve the best possible outcomes (whether providing reports instructed by either side).”

Many were open to admitting that financial reward was among the top things they enjoy most about the job.

Question 22

What advice would you give to someone who is considering becoming an expert witness?

Respondents to this year's survey had extensive advice for those considering entering the profession themselves. Many emphasised training, but experience was also critical, with one saying, "As with most professional activity you learn by doing, there is no substitute for experience."

Another said, "Ask lots of questions of friends/colleagues who undertake expert work. Make sure that you have a good compliance structure surrounding the business. Ensure that you have sufficient cash flow (particularly in the early days)."

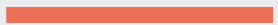
Much of the advice centred on being confident in both your chosen field of expertise but also in the type of expert witness you want to be and in knowing what you are letting yourself in for. Some warned that it will be a very different type of work from whatever profession you are originally trained in.

Many said, simply, "do it!" but urged that prospective experts seek professional training by a business like Bond Solon. "Do one of the 5 day courses. It's a good investment and will go a long way towards making sure that a quality product results," said one, continuing: "It will help prevent compromising yourself. Work through a broker who provides proofreading, assessment and suggestions for editing, or team up with others who can provide a similar service. Be confident about clarifying instructions with an instructing solicitor. They usually like to hear from you."

Several suggested finding a good mentor, "who works in your chosen field of expertise and be willing and open to learn from them."



Appendices



Appendix 1

Question 10:

If you answered 'yes' to Question 9, please provide details in the comments box below of the AI technology you have used, what aspects of your expert work you used it for, why you decided to use AI and to what extent it assisted you achieve this.

- AI is an important tool and is not new. Psychologists have used AI for years, though would most probably not have described it as such. I have a declaration in my reports which reads: We use AI for specific purposes. This includes for research (e.g., Google Scholar), in written documents (e.g., talk-to-text software), to process and generate statistical data (e.g., Pearson's Q-Global platform), for live interview transcription (e.g., Microsoft Teams Professional), and to complete administrative tasks, such as raw data organisation (e.g., Heidi Health AI). All AI generated content is verified manually and limited in its inclusion. It has not been used to write any opinion included in this report. All AI use is in line with our AI Policy and relevant legislation. In my view, this legitimate and proportionate use of AI is very different from using ChatGPT to explain (non-existent) case law. I'm of the view that the user, not AI, is responsible in such cases.
- AI is now automatic for computer programs, from spell checking to calendars in the background. Medical search engines also use it. The problem comes with using it to cite cases or "facts" where it can be a source of error.
- As part of Google searches to find original sources
- asking general questions on topics to ensure i have not missed any key issues - never specific issues
- Assist in finding additional sources of information
- Assistance in the generation of early framework code to process large volumes of data
- Attempted under time pressure from lawyers to review late submission of substantial additional documentation. Once bitten twice shy. In the end not convinced that AI was an appropriate tool for experts to use.

Appendix 1 - Question 10 continued:

- Chat GPT and other AI platforms. 1. Researching sources of information. 2. Rephrasing of paragraphs for greater clarity. OF NOTE: I am fully aware of the fallability of AI and always check against primary sources of information (apart from the excellent use of English language rephrasing which helps my thinking process). I never accept AI information at face value. AI can be quite stupid at times!
- ChatGPT - used solely to convert lengthy PDF formatted tables and chapters into MS Word tables. The result must be read and checked in detail as AI tries to summarise things when it feels it is best.
- ChatGPT for a review of specific aspects of the literature. I always check the references, not found a mistake but several failure to appreciate subtle differences. It is a starting point for me not a definitive view
- Chatgpt I simply use it to improve the quality of my writing. It does not change my view or opinion.
- ChatGPT to answer some questions I may be considering, so mainly to gather information for my consideration.
- ChatGPT. To sense check grammar and punctuation. For help in writing concisely and phrasing things in a way that is accessible to the court.
- Checking academic references
- Checking mathematical problems and spreadsheet analyses
- checking the report using AI, making sure it reads right
- Converting recorded consultation into a report- unsuccessful
- Copilot in M365 (business). For summarising documents and research. Perhaps saves some time but helps improve quality.
- Creation of basic reports from transcript, in order to save a bit of time (although it doesn't save that much) and to ensure info included is comprehensive
- Dabbled with it to rewrite (often not used) , to give simple calculations, cross check definitions and facts
- Document chronology and summary
- For administrative work; to search documents, for literature searches, to paraphrase parts of reports to remove technical language
- for anon proofreading only. to improve clarity of science heavy sentences to aid comprehension
- For grammar checks

Appendix 1 - Question 10 continued:

- For information that is contingent, adds something, but not an area where I am an expert. Included as an appendix, with the text question, name and date of search.
- For making a glossary of terms in appropriate language I have found AI helpful.
- for summarising long statements
- Gemini for grammar checking correction
- google AI as a tool to help with initial research
- Google Gemini Pro to summarise key information and research purposes, although I check all sources. Also use AI voice recognition for report writing.
- grammar and quality of text in a report
- Help with my wording, proof reading, formatting
- I have not used it, but I am sure I will.
- I have occasionally used ChatGPT to search for references and to draft paragraphs of my report. I use it in the same way as I would use Google or other search engines - and all references it comes up with are checked thoroughly.
- I have used AI only as an enhanced search engine to help me identify and locate public documents
- I have used Chat GPT Plus as a debating board - a tool for challenging my own opinions, and for germinating ideas. I have not used it for content creation.
- I have used Chat GPT to proof read my reports to ensure that terminology is consistent. Expert reports are drafted over the course of months and can become voluminous, thus it is more efficient to utilise AI to proof.
- I have used Chat GPT to quickly look up national guidelines.
- I have used it to search for literature in areas that I am not overly familiar with
- I suffer from dyslexia and it helps me submit a more detailed report
- I type bullet points when taking information from parents. I use AI to construct these into sentences. I do not use AI for any analysis
- I use AI-supported dictation software to write down my notes and construct the framework of the report. Although all final writing is edited by myself, no private information is ever important to AI.
- I use Grammarly to assist me in writing reports. I have used various online AI systems to input data to obtain calculated results

Appendix 1 - Question 10 continued:

- I use it as a tool for supporting me in performing tasks to save me time, but I still check it. I sometimes use it to gain insights into its thinking on certain topics that I need to consider. However, I am still guarded on its reliability.
 - I use it to gather references (Lit search) and to check spelling/grammar before submission
 - I use it to narrow down areas which require hands on literature searchin and for preliminary screening of large data sets before designing my own statistical evaluations. I do nit use it to create primary evidential text for court. Approach with extremum prejudice and caution.
 - I will write a section of my report and ask AI to check that the paragraphs are clear or ask it to provide me with other variations to that of my own conclusions. I may decide to use these but mostly stick with my own words. I will also ask it to provide me with other research relating to a particular topics and then ask for the direct links. Those links are then checked and added into the report. I also set out a small paragraph within my report that sets out how AI is positively used in the hope that this provides the client with more transparency and openness.
- Improving wording when explaining complex ideas, AI sees what might be confusing to the reader and is eloquent, it makes lots of mistakes and must be used safely.
 - initial research
 - Interview Transcription
 - It is inevitable. I suggest all Experts are using AI whether they know it or not. All search engines use AI.
 - I've used co:pilot to rephrase paragraphs that I felt didn't read as well as i would have liked.
 - Mainly for administration purposes, moving forward with the times, can be time saving.
 - Microsoft Word has a paragraph rewriting tool which improves grammar - this is essentially AI. I also use standardised symptom questionnaire programs which score and generate interpretative reports - again this is AI
 - Mostly for summarising long documents
 - never use generative AI. only to check my phrasing to see if i could write something more clearly.
 - Note taking, report templates
 - Occasionally use AI to review the document for what I am looking for when I cannot see it manually

Appendix 1 - Question 10 continued:

- Only as a search engine for relevant reference literature in addition to Google. Still struggling !
- Only for editing and peer review articles
- Only to upgrade what I have already written
- only used to provide more professional terminology in a sentence
- Otter voice recording for the patient assessment and interview. I can then refer back to the text when I write my report to make sure I have covered everything. I would like to to automatically fill in some basic sections on my report but not done that yet.
- Passive transcription. Case note screening.
- plaud to note meetings with counsel and record interviews with claimants
- proof reading, searches about the law
- Records review and writing the report
- Rephrasing sentences to make them clearer
- Research / Stylistic changes to reports / Synthesis or large volumes of record
- research costs of equipment and holidays
- Researching evidence on long term outcomes
- Reviewing evidence as an advanced search engine. Always double check the source of results myself though!
- Reviewing scientific publications available on a technical subject e.g., polymer-chemical interactions.
- rewrite in more professional and clear format
- Scoping reviews of Medical literature
- Searching for data
- searching for evidence / clinical guidelines
- Searching for information, literature etc. Creating a model report. Improving my writing.
- Setting out report
- some rewriting by LLM
- Sort information from interview into sections for draft report
- Summarising information. Looking up references.
- summarising of expert reports
- Summerising large content

Appendix 1 - Question 10 continued:

- To assist in the analysis of data, particularly spotting anomalies in data sets. Any such observations are then validated.
- To check laws
- To check reference list only
- to collate evidence-based research; to summarise my report to reduce pages
- To double-check literature searches and as Google replacement
- To find references
- To polish up my grammar/communication.
- to proof read anonymised reports. write exec summaries
- To proofread grammar and spelling, make technical terms simpler to explain and to adapt text to the target audience. Content is 100% my own.
- To proofread parts of my reports
- To provide an initial summary of long and complex documents. This saves considerable time. Around 75% of documents provided are probably not directly relevant yet I still have to read them.
- To research technical aspects around the periphery of my area of expertise to provide context but not to include in my report.
- to summarise long documents
- To summarise the details of the LOI or the Letter of Claim and to undertake literature searches (Open Evidence and ConsensusAI)
- To support with grammar and spelling checks, only use none person identifiable sections
- Use Chat GPT 5 to summarise and order information. I never use it to cite sources as it is often wrong. everything has to be manually checked.
- Use of Heidi to summarise interview along rough lines of my final report. Thought it would be helpful and initially impressed but this soon wore off and realised it was adding nothing to my workflow

Appendix 1 - Question 10 continued:

- Use of Microsoft Copilot to gain an insight into research needed for report. I always accuracy check the results and detail the source reference in reports or whether Ai has been used. I may type in chunks of sentences without confidential details or names etc and ask Ai to re write more concisely. I may use Ai to help me calculate time frames and hours between dates when completing care costs. I use Ai as a tool to compliment my reports and not to be used without caution or ethically. I may use it to sum up key points as a starting point however always add my own human opinion in. I see it as a time saving tool and for specific purposes. I do not see it as replacing experts function. I guest lectured on its use with some professional groups.e VRA
- used for summarising of documents, research of topics and help in writing the report but the final check and output is mine after thoroughly checking the contents
- Used to summarise information obtained in interviews, and as an aid to writing reports
- Using copilot I have experimented with redrafting paragraphs. I'm not sure it always works because you can lose emphasis and other subtleties.

Appendix 2

Question 13:

One of our expert witness clients was asked by a solicitor to accept an instruction where the solicitor insisted on providing the expert witness with a draft expert report for the case, that was generated by AI. Would you accept such an instruction?

- | | |
|--|---|
| <ul style="list-style-type: none"> • I would NOT accept a draft report from any source • 1. Case report whereby judge tore evidence from lawyer to shreds as citations wrong. 2. Checked and again found discrepancies. • a solicitor has no justification in giving draft reports to an expert of any kind. Accepting a solicitor-drafted or AI-generated draft report undermines independence- the court must be satisfied the opinions are our own. Being presented with a draft, particularly AI-generated, risks you unconsciously adopting phrasing, reasoning, or conclusions that are not your own. AI is not designed to be used for these purposes. AI drafts are notorious for “hallucinations” and incorrect references. Accepting one compromises factual accuracy. SO MANY REASONS • A) draft report from third party outwith CPR. B) AI outwith “product of independent thought”. | <ul style="list-style-type: none"> • AI cannot be expert • Absolutely not way would I accept this as I only prepare reports having read all records myself. • AI - and it's interpretation - is a very wide subject, and still at a very early stage in its development and interpretation. The acceptance therefore of a prescriptive statement is outside the bounds of an expert's opinion. Unless of course the expert agrees and can support his/her opinion with well-founded argument. • AI can be used as a tool to write an instruction. If the instruction is concise and makes clear what is required and is signed and dated • AI can be useful for report writing, such as creating an outline or helping to make an executive summary, but reports must be written by the expert |
|--|---|

Appendix 2 - Question 13 continued:

- AI can hallucinate and without it being checked thoroughly I would feel I could not rely on this report
- AI can hallucinate!
- AI can hallucinate. Losing expertise from instructing party relying on AI means hands off approach by sol
- AI can lead to some unclear answers or resources, this is not safe or credible as an expert.
- AI can make mistakes.
- AI can pick out, summarise and reference issues which may be useful. My extensive use of AI shows that even the best AIs (most powerful) lack one important thing contextual experience. Their thought processes tend to be linear. Often times AI gets focused on particular points and drills very deep - which means that "draft expert reports" could easily take one down a rabbit hole, missing the big picture. AIs fail miserably at fusion and synthesis in abstract matters.
- AI cannot be mandated against now however, guidance on its use can be provided, accepted, and adhered to
- AI cannot provide emotional intelligence or see nuances, read inference as humans do or empathy for the situations often faced by expert witness - we do stick to facts but we also take other aspects of real life into account
- AI does can create premises and arguments that do not reflect the thought process of the Expert, which if he stand in the box, he would not able to justify as it is not the thought process. AI can misinterpret and give a bias opinion depending on the database use and the instructions given. Hence a high chance of bias, hallucinations and innaccuracy.
- AI does not know right from wrong.
- AI does not understand nuances, which is essential in interpreting data, and focusing on what individuals are saying or not saying.
- AI hallucinates, ie makes stuff up- too risky, in time may develop into a very useful (secure) summary tool.
- AI has no part in providing an individual's opinion or recollection.
- AI if used well enhances the quality of work.
- AI is a black box without accountability. It needs to be an adjunct rather than a definitive output
- AI is a useful tool, not an end in itself

Appendix 2 - Question 13 continued:

- AI is already being used in the NHS to draft documents, emails, summarise meetings. In education also. Using AI correctly is not an issue, but guidance, training and support is urgently needed. One expert has an instruction saying the expert must not use AI in their work. Everyone clearly needs support in this area. I think it can and will be used, like Google for research or dictation when drafting a report- it's training and guidance that is urgently needed.
- AI is everywhere, there needs to be clarity.
- AI is fallible. I've tried asking it simpler questions in my area of specialism - that I already know the answer to - and it gives a confident but wrong answer.
- AI is not a real person with weigh up of evidence and taking into account clinical experience. Whilst it may be able to draw on data and information from the internet, it is not a person who can see and assess.
- AI is not an expert in my field.
- AI is not an expert opinion
- AI is not good enough yet for that, plus I would not trust the independence of the information given to it.
- AI is not specific enough in my field as yet
- AI is often misunderstood and misused. Relevant information can be missed and written incorrectly. There were also concerns around data protection and use and the use of AI.
- AI is often not robust with data source- for example not getting the correct original references and therefore not good enough for making statements
- AI is only as good as the information repository that it has access to, it is not able to decipher in my opinion nuances to cases. In addition, there are errors in its reporting and understanding which is very theoretical in nature. I certainly would not accept a report generated by AI as it minimises my expertise as a professional. Equally, I do think there are areas where it can be helpful. For example, ensuring that the report flows and makes sense.
- AI is only as good as the question asked and the info given. I would want to make the decisions on that aspect.
- AI is still developing and in my experience is not accurate enough yet and also does not get some of the nuances of cases
- AI is still relatively new and will not be able to create case specific reports

Appendix 2 - Question 13 continued:

- AI is such a rapidly expanding field that most individuals are not fully conversant in as yet. Clarity over the world of AI is critical - AI as a tool to help is one thing but not for a full report where nuances are required. AI makes everything very black and white with no room to expand which I feel is detrimental to the justice system. I would walk away from the job if the solicitor was insistent we used AI for anything other than assistance.
- AI isn't always accurate and up to date. It negates the expert opinion and expertise or experience gained from their years of clinical practice
- AI not always accurate and independent
- AI not proven or trusted yet. My opinion in any report is written by me - not AI.
- AI only tells you what it wants to tell you. You have no idea if it is right. An expert opinion should be written in their own way and with their own style and not somebody else's.
- AI reports cannot be relied upon when standalone
- AI simply assembles patterns of information from past cases and info available to it. Unless the case was very simplistic, I have grave doubts that it would be able to provide coherent discussions and 'expert' opinions. An expert is just that from their experience of practice, something AI does not possess.
- AI sometimes uses false references. I don't think it can be trusted yet.
- AI while a useful tool can be biased and therefore is not wholly reliable
- Always provided that the Expert declared the opinion was their own work
- An AI generated draft would not represent my expert opinion and I could not support opinions that I have not drawn from my analysis.
- an expert is required to opine, AI does not
- Any report I produce must be my own work. And mine entirely.
- Any writing of reports by solicitors is completely unacceptable.
- Arboriculture is a poorly understood discipline and I do not consider AI to be sufficiently developed as yet to fully understand the issues that I am asked to address.

Appendix 2 - Question 13 continued:

- As a healthcare professional, I have a professional obligation to use all tools in an appropriate way. AI is just another tool and I consider its limitations and compensate accordingly.
- As an expert I am required to prepare my own report and not to accept a report written by other persons.
- As an expert I consider I need to full own my report and its recommendations. any external influence could introduce bias from the onset.
- As an expert it is my opinion, not the instructing solicitor, not my employer and not a piece of computer software.
- As an expert witness I need to be objective and non-biased. Being instructed to write in a certain way or to a certain 'line' is not giving 'expert' advice - it is 'towing the line' and that is not what i do.
- As an expert witness my overriding duty is to the court and my report must reflect my own independent opinion based on the evidence I have examined. I cannot accept or adopt a draft report generated by artificial intelligence or provided by solicitors, since to do so would compromise my independence, place my professional credibility at risk, and potentially mislead the court. Every statement in my report must be my own work and judgement, and I must be able to stand by it under examination.
- As I provide a report for the Court, I want to ensure that it is my words and opinions
- As the facts needs to be checked- AI is not infallible and often creates 'facts', that aren't true
- As yet we do not know the exact role that AI will offer.
- AU is not reliable enough
- Because AI cannot assess or interview and it could bias the expert
- Because AI is not an expert, AI takes information from the internet which it assumes to be sound to create a view.
- because AI is not reliable at the moment ,
- Because i need clinical reasoning from an expert when looking at their opinions. Not one that has taken information from the internet.
- Because it would likely bias the outcome of my report. My report needs to be entirely my own and not influenced by AI

Appendix 2 - Question 13 continued:

- Because it would not be impartial, that is the EW may be influenced by the AI report and thus the report would be biased.
- Because of a concern about patient confidentiality when entering medical records into the sphere of AI.
- Because that would be totally inappropriate
- Because the process needs to be THOUGHT through, even if AI guidance informs
- Bias
- But I will be clear that I will change the report to suit my opinion in the matter.
- But would write my own independent report - the use of AI report would be ideal for some pointers and opinions
- By using AI you are changing the evidence submitted by the original document written by the expert. It would be no different than a witness being on the stand giving evidence but this being then regenerated by a robot and the robot's version is the version that has to be used.
- Can always be edited to a point of being ignored
- Can only be expected to describe and defend own opinion, not the outcome of a computer programme.
- Cannot guarantee accuracy of summary
- Challenges integrity of solicitor-witness relationship
- Clear guidance and understanding what is acceptable in terms of AI, as I do feel some experts are asking AI to write full reports and also the risk of patient identifiable information being used.
- Completely inappropriate attempt to influence the expert witness report
- completely morally wrong - coaching a witness
- Cos' it's not always accurate
- Declaration as own opinion but use AI for some aspects of writing such as spell check
- Declined such an approach. Use of AI undermines the reliability and independence of an expert
- Depends on what it is they had sent: was it a template in which case it's reasonable. If it was to determine my view then no I would not
- Despite all the hype, AI at best is a productivity tool and is not 100% reliable therefore, anything generated by it has to be checked manually.
- Do not trust AI
- Do not want to be influenced with incorrect information.

Appendix 2 - Question 13 continued:

- Don't trust the accuracy
- Don't trust it.
- Draft report is outwith scope of instruction and bleeds into neutrality
- duty to the Court, not solicitor; not impartial opinion; not based on expert's assessment; unethical; likely to be biased with showing confirmation or availability bias
- Each case is unique and requires a careful analysis of the impact on the claimant. This is not just factual , but can often involve a range of opinion based on experience.
- Each report should be bespoke and needs to include all the necessary documentation
- either want our expertise or do not
- Expert evidence should, in my opinion, be provided by an expert in that field, who has reviewed the relevant material. AI should not be able to substitute for an experienced expert who is providing an opinion based on the facts of a particular case, rather than an opinion based on the general experience in a population, rather than an individual. At the moment things are too woolly.
- Expert report writing should be entirely independent
- Expert witness report should be my opinion not based on draft from solicitor
- Experts are bound to provide their own honest opinion
- Firstly I would want to know why AI was involved. What service did it perform etc.
- For my field of regulatory affairs I do not yet have sufficient confidence that information is not made up. Using AI has led to reports being based on hypotheticals rather than fact.
- For my field this would require a lot of re-writing, and in my experience this takes much longer than starting afresh
- General lack of knowledge about pros and cons of AI
- Generation of reports by AI is not the same as harnessing it's power for searches etc
- Got to be able to verify and discuss points/issues arising from instructions. Its important to apply your personal experience and expertise and ave that in your report.
- Guidance needed
- Have no way of knowing who wrote the report,what the report was based on and if the report was genuine.
- Having provided hundreds of reports there would be an obvious change in the 'voice' of the report in using AI

Appendix 2 - Question 13 continued:

- High risk of introducing unreliable information
- How can a report generated by AI accurately reflect an expert's experience based on years of experience and specialist training.
- i always research and write my own reports from scratch, apart from 'standard' sections and declarations, and will not allow any templates, or leading report formats from solicitors
- I am an expert in my field where I will draw my own opinions on each case.
- I am an independent expert and have a duty to provide my own evidence.
- I am considering use AI to help with preparing a chronology which is time consuming but would not use it to prepare my opinion.
- I am legally responsible for my report and feel I should generate it in person and without direction based on the detailed instructions and my reading of the evidence
- I am not familiar with ai generated reports
- I am not responsible for the evidence presented to me.
- I am not sure how possible it is for a report like this to have accuracy
- I am not sure what the benefit of providing an AI generated report is. Solicitors instruct for an independent expert opinion, based on years of clinical experience. I do not see how AI can possibly do this as they are all based on LLM.
- I am quite capable of writing my own reports, structured in a way that has stood the test of time, ie 35 years of expert witness work.
- I am the expert
- I am typically instructed on matters that, as of today, are too complex to be addressed in AI-written expert reports
- I am unaware of how accurate AI is in the context of litigation and thus would not want to rely upon it.
- i aware of AI
- I believe AI should not be admissible
- I believe the expert should generate 100% of his/her report after consideration of the information submitted.
- I believe this may be viewed as interference.
- I consider this completely inappropriate and I would never accept such instructions

Appendix 2 - Question 13 continued:

- I deal in scientific facts not fiction
- I decide for that
- I dislike and mistrust machine generated AI
- I do my own research
- I do my own thinking and decision making
- I do not accept anything that others “insist upon” and AI is neither artificial, nor intelligent, but simply an accumulation of frequently searched keywords
- I do not accept instruction if a draft report is provided
- I do not believe AI can provide a more complex assessment of the ‘large chunk’ information available broadly.
- I do not believe AI can replace the nuanced overview of an expert witness
- I do not have sufficient knowledge to agree to this request
- I do not think the example provided is a helpful or constructive use of AI in the medico legal field
- I do not think you can claim to be an independent expert witness if the solicitor is providing you with a draft report
- I do not trust AI and our skills are what is important and interpretation / alternative views which I am not sure I would get from AI
- I do not trust AI to give correct answers for a start
- I do not understand enough about it
- I do not use AI
- I do yet understand the significance of AI
- I don’t think the report should be written by AI
- I don’t accept these instructions
- I don’t believe AI generated works are sufficiently accurate
- I don’t believe that AI can replace an expert, at least not in my field (psychology). Also, even if the report was from a different field, I would wonder about the solicitor’s ethics and I don’t need to take potentially dicey instructions, I am booked up for months ahead, so I would simply turn it down.
- I don’t have enough knowledge about AI and would be concerned something might be missed or misinterpreted
- I don’t mind how they produce their information as long as they let me produce my report in my own way ie diligent note review

Appendix 2 - Question 13 continued:

- I don't really understand how a draft report could be generated by AI - sorry
- I don't trust AI and would never rely on it for information and certainly not to write any report. The solicitor is not an expert witness and does not have the legal right to interfere with the EW's work.
- I don't trust AI yet
- I don't trust AI. I need to know the basis of the information I work from
- I don't understand the question
- I don't use AI
- I don't use AI so would not make a change. I have no plans to use AI
- I feel they are asking for bias and as an expert witness we are aware of how our reports are to be structured. I would ask for relevant questions to give my opinion on.
- I feel this needs to be completely my own work and not open to influence even by AI
- I formulate my opinion from the reading that I do
- I happen to be also a researcher in medical AI and according to my knowledge this is not a task that present AI can do reliably
- I have a robust methodology and I often review other expert reports, I have learned how to gain insight such as range of opinion from these. The AI report is not 'evidence' and the instruction should be included in the summary of material instructions
- I have little experience with AI so not comfortable with AI.
- I have no knowledge how AI gathers information to generate reports
- I have the ability to ignore anything provided to me if I so wish and am bound to consider all possible angles, to refuse to consider aspects because the source is suspect is not a reason to not consider the angle in your own right.
- I have to write my own report.
- I live and work in real world and try to avoid as much as possible virtual world which is unfortunately surrounding us.
- I make up my own reports for the court
- I might accept instruction, e.g. the AI report displayed a template the solicitor wants me to use.
- I must be free to write my reports in the way I see fit

Appendix 2 - Question 13 continued:

- I need the human connection
- I need to review the documentation myself to piece together the chain of events realistically with the standard of care at that point in time . There are nuances that need to be considered and weighing up of the facts to determine was is reasonable .
- I need to understand the data and form my own opinion. This is another form of expert shopping or seeking to impose an opinion or influence the opinion
- I only provide opinions that are my own and that are independent
- I prefer personal contact
- I provide independent advice
- I provide independent opinion and would not want to be led by a pro forma type document
- I provide my opinion on the matters I am instructed to cover, often formed from acting in over 2,000 cases, and private discussions held with Judges / Counsel on aspects of cases that would never enter the public domain. AI does not have access to such conversations and how these relate to specific aspects of a case.
- I regard the signing of such lawyer-prepared reports as serious professional misconduct on the part of both lawyer and doctor
- I should feel free to ignore a draft report provided by a solicitor. I should include the text in my rept as part of the instruction
- I still believe caution should be adopted on its use and reliability.
- I t would allow me to demonstrate the flaws and added value off an expert
- I think experts will get lax in checking an AI generated report and would accept too many instructions thinking they can just use AI.
- I use my own complaint report format.
- I use only the information that I have assessed personally for veracity, and can use with confidence in Court
- I want it to be my work and opinions based upon my assessment and formulation. I would not want to be unduly influenced by whatever the AI report had generated.
- I will always write my own reports.
- I will have to comply with my duty to Court and express opinions that are my own and no one else.

Appendix 2 - Question 13 continued:

- I will just rewrite it. They can waste their time if they want to
 - I wish my expert opinion to be my own following review of all documents combined with assessment of claimant where required. AI can only give an overview of evidence without all information
 - I won't accept any form of direction of what format / result I should find
 - I won't accept any instruction where I've been provided with a template significantly different to my usual report template, or summarised notes in the absence of the full records
 - I work to my own standards and format
 - I work within my professional guidelines.
 - I would accept an instruction where the instructing solicitor insisted on providing any other expert report. My opinion is my opinion and I don't review other "expert" reports. The fact that it is AI generated would make me more sceptical
 - I would accept being asked to consider the utility of such a draft - but not with insistence that it must be followed.
- I would accept it on the proviso that I could change it as I saw fit
 - I would accept such an instruction as a draft report generated by AI does not prevent me from undertaking my role in accordance with Part 19 of the Criminal Procedure Rules and my duties to the court.
 - I would accept the instruction but highlight that the evidence I have been provided with has been AI generated.
 - I would accept the instruction but not use the AI generated report. I would not accept the instructions if the instructing solicitors insisted that this was used.
 - I would be cautious as to the accuracy of such a report, but would also review it with an open mind. The expert would need to be confident that the founding information used for the draft is accurate and appropriate. At the end of the day, all experts are responsible for their own reports.
 - I would be concerned at my independence and control over how my report was prepared and what exactly went into it.

Appendix 2 - Question 13 continued:

- I would be concerned that my opinion might be subconsciously influenced by an AI generated report and that the Sols might have instructed an AI tool to generate a favourable report. The report could be cited but the nature of the instruction to the AI tool and the inputted docs would need to be disclosed.
- I would be happy to utilise An AI generated template report but the content would need to be my work and my opinion
- I would be interested to see the AI report but would not rely upon it I would write an independent report reflecting my own professional opinion
- I would be writing my own report
- I would consider it - I would always indicate that I need ultimately to be free to express my independent views without constraint
- I would consider this inappropriate and not to be impartial
- I would consider using AI for certain tasks, but would need to verify every word before putting my name to it.
- I would continue to fulfil my duty under Part 35 and provide my opinion in accordance with that duty, irrespective of who the report was written by
- I would happily accept a draft report if provided. However I would include in my own report under the heading "Instructions" that the Solicitor had provided a draft expert report for the case generated by AI. I would also add that, I prepared the report without any reference to the AI generated draft report and only looked at it when I had completed my own independent findings in order to check if any relevant information had been omitted from my report. If anything from the AI generated report was then included, I would make explicit reference to the AI generated report but would make my own independent assessment from the real world data.
- I would happily look at the report and then proceed to write my own in accordance with Part 35 directives
- I would have no problem with a suggested format, I would have to be clear that it would not affect my ability to give an independent opinion. I know from conversation amongst peers that many now use AI to draft talks, even for international meetings.
- I would have thought the reason was obvious. Clearly the work done, report and opinion must be mine and not a third parties.

Appendix 2 - Question 13 continued:

- I would have to review the evidence used in the AI report but see no concerns as a template. I may find alternative medical evidence that may change the report. I would not rely entirely on AI generated medical evidence.
- I would ignore the AI report
- I would like the solicitor's input on the case with his/her relevant questions not a computer
- I would look at the draft by AI and then do my own report- it might be useful for summarising matters- I believe it is useful for that but not for giving opinions or sources
- I would never accept a draft report, I would only write my own one.
- I would not accept a draft expert report and secondly, I would not accept a document which has been AI generated
- I would not accept a draft report (other than a simple template) prepared by AI or anyone else! It's my opinion and I will write it !!
- I would not accept a draft report from a solicitor whether or not it was generated by AI. As an expert I sign the report as my work and therefore would not be pressurised to provide my report on a template or with wording generated by an instructing solicitor or by AI.
- I would not accept an instruction when I was given a draft expert report prepared by the solicitor whether that was by AI or not.
- I would not accept an instruction where I was told, albeit partially, what to write in a report
- I would not accept any draft report. I prepare my own reports
- I would not accept any interference with or coaching about the content of the report.
- I would not accept instructions where the solicitor wanted to direct my report in any way, irrespective of whether it was AI or anything else
- I would not be bound by the draft and would disclose any influence it had on my report
- I would not consider the contents of such a report worthy of review or reliable evidence from which I could apply to the Claimant, or inform my own opinion.
- I would not decline receipt of it, but I certainly would not use it over my own report format and content

Appendix 2 - Question 13 continued:

- I would not feel confident as the report was not prepared by myself
- I would not have other people', or a computer's, words put in my mouth.
- I would not trust it.
- I would not wish to be left
- I would only sign a report written by myself and after reviewing all the documentation available for the case. AI is not yet at the level where it will include all the nuances of a case, it will not have specific knowledge of the environment clinicians work in and will therefore not incorporate an understanding of conditions into the report. Furthermore, AI is known to 'hallucinate' and I would only know it has done so if I have reviewed all the material for a case.
- I would question whether it took into account my specialised knowledge; I would also question the independence of the report's focus
- I would refer to write my own report with my own opinions
- I would review the draft report critically and be ready to produce alternative opinion if indicated
- I would see what was in front of me.
- I would want any report done by me to be generated solely by myself.
- I would want the solicitors words
- I would want to complete my own assessment and come to my own opinions and recommendations
- I would want to make my own report and form my own opinion without being influenced by the AI.
- I would want to write any report
- I would wish to approach the instruction with a clear and open mind, not one tainted by AI or anyone else's opinion.
- I would wish to come to my opinion independently
- I would wish to review any documents or evidence personally and draft the report myself.
- I would wish to undertake chronology and investigate forming my own conclusions.
- I wouldn't accept it
- I wouldn't have to follow the AI produced report
- I wouldn't accept a draft report generated by a solicitor, AI or anyone else. My opinion is for me alone.

Appendix 2 - Question 13 continued:

- I wouldn't accept instructions where the instructing solicitor expect to provide a draft expert report in any case. However, the few AI summaries that I have seen that would cover my (very niche) area of work have been wildly inaccurate, so starting from such a base would seem to me to be completely inappropriate. The use of AI for certain functions - such as statistical analysis may be appropriate, but I can't see it ever being appropriate for my area of work.
- I wouldn't want to be pressured into providing a report generated by or influenced by AI. I have a specific style and if I have to defend my report in court I wouldn't feel comfortable defending something that I hadn't written in its entirety/ wasn't completely my work.
- I write independent reports.
- I write my own report without assistance
- I write my own report.
- I write my own reports and all opinions are required to be my own so that I remain impartial.
- I write my own reports, it my expertise that is required and will be questioned by the courts
- I'd accept the instruction but would make it clear that I would expect to make amendments to the detail of the AI-generated report before issuing it
- If a report is not solely written by the expert - there is potential for bias
- If a solicitor can generate an expert report with AI, why instruct an expert?
- If I am instructed then I expect to give my opinion, in accordance with Part35, not in accordance with copilot!. If the solicitor wants an AI report they do not need to instruct an expert.
- If I am putting my name on a report, I would want to have drafted it, in line with GMC guidance.
- If I have been issued with a draft report then the report is not mine. I would accept an AI generated template, but not a draft report unless it was given as an example only.
- If I'm to be responsible for the work to the court I'd rather it was my work
- If it was generated and checked, I don't see the problem.
- If the draft expert report provided gave a proposed format for my report I would use it - but the content of the report would all be my reasonings.

Appendix 2 - Question 13 continued:

- If the expectation was that my report would mirror that of the AI report and find the same conclusions, absolutely not. If it was being used as an information document ie have you considered the following sources of information, I see no harm in it being provided but it will not influence the content of my report and my conclusions. .
- If the solicitor had checked and was happy with the instruction. Many Instructions (without AI) can be difficult to pin down from the point of view of what the core of the instruction actually is.
- If there is an accepted AI tool then we would know what is reliable
- If they are asking for my opinion in a report, the work will be mine and I will not be directed/ influenced by anyone who is not an expert in my field.
- If they are prepared to pay I'll take the job, though I probably would not use the draft report
- If they provided a draft (from whatever source - AI or Actual Intelligence) the intimation is one must follow it and it potentially compromises my independence
- If we rely on AI, are expert witnesses actually needed?
- illegal
- I'm not sure that I entirely understand the question, but if the implication is that use of an AI generated template is required then I consider that impinges on my professional autonomy and judgement
- I'm not sure what the example means - a draft expert report by another expert in the case or one I am meant to use as a format or a template? If the former, I would consider and weigh an AI generated report very carefully and quite possibly conclude that I have grave doubts about the quality of it and have weighed it accordingly. This wouldn't, in itself, rule the instruction out for me. If the latter, then I would not accept the instruction.
- I'm the witness therefore it's my responsibility to ensure it's all my report
- In my view AI should only be permitted in a very clear circumstances or preferably in my opinion not at all.
- In the above example it sounds like any repercussions would not be my responsibility.
- In this scenario, I feel that the instructing solicitor is already expressing an expected opinion and there is a danger of undue interference in my work. AI generated instructions or asking for comments on an AI generated piece of research would be OK but not a "draft expert report".

Appendix 2 - Question 13 continued:

- in would be disclosable. (prosecution expert)
- Inappropriate influence by solicitor
- Inappropriate. The report should be completely written by the expert
- Independent expertise is compromised and the risk of bias is high, especially when compiled on behalf of a third party, non-expert in the subject matter.
- Independent report should be made blind
- Influencing the content of a report is fundamentally wrong. The report should be the sole opinion of the author.
- Initially no given the lack of detail or content in the question but for me it would depend a number of factors including the actual instruction itself, how comfortable I felt with the report, and what information and evidence had been reviewed or relied upon to provide final conclusions.
- interested in AI outcome
- Interested in potential for AI
- Introduces bias- breach of my duty.
- Isn't this overstepping professional boundaries ?
- It could be bias and direct the expert witness in a certain direction.
- It could be misleading
- It could be seen to jeopardise my independence
- it feels unethical
- it is a draft- it would need careful analysis if it is to be owned by the expert and could be rejected on grounds it does not fulfill evidence of experts opinions
- It is hard to see how a report generated by some computer can genuinely represent an expert's personal opinion or experience. It might provide a useful summary of the literature, saving time, but only as a very small proportion of an expert report.
- It is immoral and unprofessional to accept such an instruction
- It is important that (1) it is made clear that the draft report has been generated by AI - transparency is essential; (2) the purpose of the AI drafted report is clearly understood - if the purpose is to generate ideas that can be used, expanded upon or rejected by the human expert, then AI can be an invaluable assistant.
- It is leading.

Appendix 2 - Question 13 continued:

- It is my experience that AI is unable to provide factual information. Whilst it will provide a report or assessment, it often makes up data or utilises data that is of no relevance. The report is therefore of no practical use.
- It is my findings and my report, not a solicitors' whether AI or not.
- It is my opinion that is required by the court not that of an AI system by editing it and signing it I would compromise my integrity as an expert witness.
- It is my unique opinion that is being sought
- It is not genuine expertise
- It is not independent and not the report of the writer
- It is not the solicitor's job to write a report
- It is outwith the legal requirements and leaves the expert open to criticism
- It may be that a lot of the necessary work has already been done meaning less time I required to write MY report. However I would still spend time reading through it to ensure all relevant information is there and I can support everything written. I would need to be careful that bias in favour of the solicitor does not affect my opinion.
- it must be clarified that any AI generation must be manually checked over by the expert and when the expert has signed the report they take full responsibility for the information in the report. Any AI screening must be anonymous, e.g if AI is to scan a medical document all reference to the person's ID must be removed first.
- It needs to be signed off and owned by the author. They can use AI but have to have the final sign off from a professional
- It needs to have a declaration of such, and be actually reviewed by a human/verified for accuracy/errors of assumption
- It should be the expert's own opinion, provision of an AI draft report is overly directional
- It shows a lack of effort on their part, and is disrespectful to the expert who would use their own knowledge and experience to construct such a report.
- It undermines my independence as an expert
- it will be prejudicial - suggestive
- It would assist me with the structure that the solicitor was anticipating however I would not accept any of the content unless I agreed with it and it was in the sort of language I would use and would use in court if called

Appendix 2 - Question 13 continued:

- It would be accepted with caveats, as it's only a starting point - the discretion of the expert to work to create the best outcome remains. It would be caveated though!
- it would be too easy to be swayed by the assumptions already made in such a report.
- It would bias my own writing
- It would bias my thinking
- It would no longer be my report.
- it would not be an unbiased report, being produced by one side; also, the EW could be severely reprimanded in court for not producing a report that reflected their own opinion and evidence for that opinion
- It would not be 'my' report
- It would not be my report and I would consider it biased in favour of the solicitor's case
- It would not be my work and I may consider it incomplete or incorrect.
- it would not be the experts work and the opinion might differ from the AI generated one
- It would probably be clearer and easier to understand
- It would risk failing to be independent and in breach of duty to the Court.
- It would save hours of work
- It would take more time for me to check and validate anything written by AI than to undertake the investigation myself and write my report.
- It's my report not AIs or the solicitors
- It's my report not the solicitors and ridiculous to preempt the consultation.
- It's my report/opinion
- It's not ethical
- It's a hard yes or no question. But ultimately I would accept the instruction provided I had access to a solicitor with whom I could ask for the questions or exploration should this be needed. I'd be trusting within this that the person who input the prompt into AI was skilled at this and that this had produced the accurate information I needed to begin writing a report.
- It's important that the expert's report is actually prepared by the expert. I wouldn't accept a case where I was asked to use a report prepared by someone else, and an AI-generated report would fall into the same category. I wouldn't be able to claim that the report was my own work, and that undermines the expert in the case.

Appendix 2 - Question 13 continued:

- Its my report- not the solicitors
- Its my report that I need to prepared to answer questions on in Court
- its my report. i'll write it up in my own words so i can explain it in court
- It's not a reputable source and hasn't undergone any expert witness/court training
- Just trying to catch us out. No longer worth it
- Lack of independence
- Lack of validation
- Limits the discussion of options
- Mandatory!!
- may not be given all the relevant evidence easy open to error
- Maybe yes, maybe no - assuming I knew whether it was AI generated it would depend upon whether I thought the instructions were relevant and comprehensible
- More likely to have errors and medicine is not black and white and everything needs to be reviewed with context
- Mr report is my own product prepared in my own format and based on my own review of the evidence provided.
- Must be my analysis and opinion
- My assessments are very unique to each individual. A template format is fine but the report varies in each case. My independence is essential and that shows by the difference in my reports for different people.
- My duty is to the court to produce my own work. I must evidence sources used and it is not good to set before the court the AI drafted report.
- My expert evidence is my view not that of AI or the internet.
- My job is to be impartial and why would I agree to a one sided report written by AI not a medic ?
- My morals would not allow such a partisan approach and I would rather miss out on work than compromise myself.
- My opinion as an expert witness is part of my integrity
- My opinion is mine
- My opinion is my opinion. I do not wish to be constrained by potentially partisan AI
- My professional opinion is based on my own experience and reasearch and cannot be prescribed by another party.

Appendix 2 - Question 13 continued:

- My report is always purely my own work. I will accept corrections of a report if I made a factual error but otherwise I won't change it.
- My report is based on my own clinical observations and opinions. I do not feel comfortable being provided with a pregenerated report that I cannot say is my own work.
- My report is for my professional opinion based on the documents provided. I would not trust AI to understand the documentation provided, and it would not be able to draw conclusions from it
- My report is for the court and has to be my independent opinion
- My report is independent and for the Court, and the report in Q11 would rightly be challenged by the Court, and I would be heavily criticised by the Judge (which I would have to declare in other cases)
- My report is mine to write not anyone else's
- My report is my report!
- My report is my responsibility to prepare, it represents my integrity and professionalism
- My report should be entirely my own work and opinion- this would influence that.
- My report should not be influenced by a report written by someone or something else. AI is not active in clinical practice and is not authorised to provide an opinion
- My reports are based on my findings.
- my reports are based upon my knowledge and opinion and not something that is generated as a result of other peoples reports
- My reports must be free from instructing party influence
- My reports need to be prepared by me alone and that includes structure of the report
- My work is all my own
- need to be impartial
- no clear guidance on its role
- No difference between that and the solicitor writing the report themselves. They supplied the report. They used AI to supply it under their control at their instruction to AI.
- nonsense
- Not

Appendix 2 - Question 13 continued:

- Not at the moment because I do not have much experience in using AI, so other experts would be better placed
- Not confident AI would appreciate all the nuances of a case
- Not confident that AI has the necessary expertise
- Not CPR 35 compliant because would not be giving my independent opinion.
- not guaranteed to be accurate
- not my report from my experience
- not professional and loses integrity of report
- Not applicable
- Not thought through by author
- Nursing reports are not generic
- One the face of the information provided a draft expert report generated by AI does not seem appropriate. More information would be helpful to provided a fuller and more detailed answer though.
- Only on the basis that I would explain to the instructing solicitor that an AI generated report cannot be regarded as an expert report and that I would only use the content of the draft AI report if I regarded it as correct and relevant to the matter on which I was instructed.
- Only the report is generated by AI. The expert witness themselves would still need to input sufficient relevant data for AI to generate that report. The expert would ultimately still be liable for the report under part 35 and not the AI program used.
- other than the structural template for the document any wording it contains is my responsibility and it has been demonstrated that AI is not always accurate. There is the potential that using the AI draft as a basis could introduce bias due to the wording used.
- poor practice, my report is mine not AI's and this kind of instruction is not acceptable to me.
- Potential for too much influence on the outcome of the report. The technical content of any report can easily be sourced by AI from unreliable papers, published anywhere on the net, rather than just peer reviewed articles.
- Potentially compromises independence
- Prefer human instruction

Appendix 2 - Question 13 continued:

- Primary obligation to provide Independent Opinion - not influenced either way by Solicitor / AI Input.
- provided the AI draft was for advisory purposes only I would consider it as part of a broad database of research on the case and evidence. It would not affect my opinion.
- Providing a draft report is undue influence. I must reach my own conclusions from the evidence.
- Report is my responsibility and expertise is mine.
- Report will lack objectivity from witness
- Reports have to be independent or of no value
- Reports must be independent and provided solely by the expert
- Ridiculous
- seems a biased approach
- Simple provision of a AI report does not mean you are not obliged to read or refer to it and I would tell the solicitor that. It has not been produced by an independent party and has the same status as 'Chonologies' also currently provided by instructing solicitors.
- Solicitors should not be involved in the preparation of reports, other than to provide comments on the facts and the approach to the case once a report has been drafted. If the solicitor wants to use AI, why would they need an expert!
- Such a report would not be my opinion and too much hassle to double check AI report for errors
- Such an arrangement would be totally unethical: tantamount to the solicitor providing an expert with a preferred opinion.
- That is as much about being a hired gun, as it is about being led.
- That is the solicitor trying to generate a report that presumably suits their agenda rather than you providing an independent report based on your assessment of the case, that is compliant with duty to the Court
- That removes expert's independence and is contrary to CPR 35
- that way I would be influenced. Not averse to see once I have submitted
- that would account as under influence from the solicitor ie not 'independent expert opinion'
- That would imply a biased report

Appendix 2 - Question 13 continued:

- That would not be my report - it would not reflect my experience in the field and it would, in my opinion, damage my professional integrity.
- The actual answer is more nuanced. I receive summaries of a case and they may be generated by AI but my job is to review the evidence and not be swayed by anything i receive
- The AI report is only a draft and the final report is done by the expert (independent and with duty to the court)
- the document would form part of the instructions so are reasonable.
- The expert is responsible for the accuracy of the report and cannot sign off a report which he has not authored
- The expert needs to consider the aspects of the case, and it would not be clear what input questions were used in generating the report
- The expert report is your opinion not one generated by AI, where information gathered may not be 100% accurate.
- The expert report must always be their independent view and opinions based on fact and experience/knowledge within their chosen field of expertise.
- The expert report would be drafted as requested and charged accordingly. It makes no difference who or what drafted the instruction. An instruction is an instruction and as an expert witness I will provide my impartial opinion accordingly
- The expert should be the author of the report, not the solicitor or AI
- The expert's report must be their own opinion. The question implies that the solicitor is exerting an undue influence that undermines the expert's independence.
- The format and content is a matter for the expert alone
- The genie is out of the box and undoubtedly some experts will use it and others like myself refuse to do so. There just needs to be a clear playing field that both medical and legal colleagues understand and adhere to.
- The legal profession is getting out of hand with its treatment of professionals. The recent guidance on expert report lengths devalues other professions process and professionalism. It is impossible to formulate an acceptable report for a complex case in 13 pages. Massive overreach and hugely damaging for vulnerable clients.

Appendix 2 - Question 13 continued:

- The main problem I am coming across is solicitors using AI to generate a response to my report which brings up many issues that are not understood but the person themselves providing the response, are generally nonsense or not important but require many hours to provide a reasoned answer as to why as the 'Expert AI' response is not sufficiently informed to generate something appropriate.
- The medico legal report is the Experts opinion, not anchored in anybody else's opinion (AI)
- the opinion should be independent and based on the information in the medical records
- the opinions expressed should be my own
- The opinions in the report must be mine and mine alone AI is known to be wrong
- The point of an Expert is to have an Expert opinion. Similarly, all instructions should be on a basis of full understanding of the case.
- The reliability of the source information would be a major concern for myself. Where is this obtained? How can it be ratified? Is the context of the question to the AI search function appropriate? etc.
- The report of an expert witness must be based on the observations made by him or her interpreted within the accepted body of knowledge relating to that area of work. That did not happen in the "Horizon Post Office" prosecutions nor in the trial of Lucy Letby. Every client deserves to have examinations and report made specifically for that client's situation.
- The report would be redrafted to my own standards
- the report would lack empathy
- The report is my opinion not a computer generated one that could be spurious in fact and incorrect
- The solicitor does not need my report if he is confident in his AI generated report
- The solicitor is interfering in the independence of the witness.
- The solicitor is not the expert.
- The Solicitor should not be drafting a report - that is the role of the expert
- The use of AI is unprofessional. AI makes mistakes.
- there is no liability for such reports
- There is no provenance in AI

Appendix 2 - Question 13 continued:

- There might be nuance to an argument or evidence provided that AI might miss. Part 35 rules are clear whatever version AI might generate
 - There needs to be rules around use of AI
 - This cannot possibly comply with the CPR35 rules - it has to be the views of the expert not the AI. The solicitor has been unprofessional.
 - this could provide a helpful framework for a report and save time for EW but the devil is in the detail of course - i.e does AI produce a faithful account of the evidence and information
 - This fatally jeopardises the expert's independence and duty to the court, specifically excluded in the Declaration
 - This is a difficult question. It depends on how AI has been used, if it is factually incorrect then the expert's report can be incorrect and this will reflect on the expert, opposed to the instructing solicitor. If AI has been used to ensure the instructions are clear and appropriate to the case, then the instruction can be used
 - This is coercive on the part of the lawyer
 - this is completely unethical
- this is not acceptable - it could influence my opinion
 - This is not acceptable, experts are required to comply with the CPR part 35. Which states experts must provide a statement of truth which binds them to providing their own opinion.
 - This is not my common practice
 - This is wrong - AI is not competent, it is drawing from often incorrect data.
 - This produces bias and is not an original piece of work by an expert
 - This rather goes against the principles of the Civil Rules. The expert is independent and should not be influenced by the instructing party.
 - This seems leading - trying to get you to write it in a certain way without first establishing your own opinion
 - This technology is sometimes well off the mark. It will produce a report but that may be incorrect in several aspects
 - This threatens the notion of an independent witness
 - This would not be the experts own genuine opinion nor experience, reliance upon a computer would not meet CPR.

Appendix 2 - Question 13 continued:

- This would not indicate due process in regard to clinical reasoning
- To be able to defend my report in court I would only feel confident if it had been entirely my own work.
- To ensure correct use of AI, accuracy of interpretation, and legitimacy of conclusions drawn
- TOO DANGEROUS EXPERTS MUST BE INDEPENDENT
- Too generic - each case deserves bespoke report
- Too many errors are likely
- Too vague. A template format yes, so long as it did not have content.
- totally inappropriate. I would never accept a draft expert report from a human let alone AI in this situation
- Two reasons (1) Presently I am not confident enough about the quality of reports generated by AI. (2) Manually generating a report enables me to consider the case more carefully.
- Ultimately it should be expert witness own understanding and advice
- Unable to establish if all details were accurate and appropriate
- Unacceptable
- uncertainty about confidence in AI
- Under no circumstances would I accept any part of a report from a solicitor - AI generated or otherwise - that is entirely the domain of an expert and not to be influenced / shaped in this way by anyone else
- Unethical
- Unless I'm fully trained in AI, I'm not comfortable relying on it
- unprofessional
- Unproven technology with a case history of failure in the legal system.
- Until guidelines are in place for AI, this does not seem to be a reasonable request by a solicitor.
- Until there are clear guidelines regarding the use of AI generated expert evidence this would seem to be inappropriate.
- Use of AI needs some guidance as to who would take ownership if any conflict arises
- Using an AI template increases the risk of a biased report

Appendix 2 - Question 13 continued:

- We are independent and work on behalf of the Court in Family Court arena. The solicitor can not insist on providing a draft report.
- We cannot be told what to write in a report. It must be our own work
- We don't feel we can trust AI
- We don't use AI in our practice
- We must remain independent and unbiased when we act as expert witnesses. The solicitor acting in this way would breach this.
- We need guidance as to the use of AI
- We refuse anything/everything that might exert an undue influence on the expert's conclusions. The expert must draw their own conclusions
- We remain objective and independent.
- Whatever AI drafts, it cannot include 'personal experience' which is the factor that makes experts witnesses 'experts'. I appreciate that it can collate written evidence but that alone does not make the report.
- When judges and solicitors are replaced by AI expert witnesses can follow suit!
- where AI is providing a draft of our work, the expert becomes pointless, it should be expert providing work assisted by AI not the other way round
- While AI has its place for key instructions this should come from a human who has checked everything is correct
- Whilst considering the evidence and writing my report I do not wish to be influenced by the opinions of others but to remain impartial and unaffected by any biases.
- Whilst I would not feel under pressure to simply accept the AI report, I would be very uncomfortable that the solicitor feels it appropriate to seek to influence the content of my report to that extent.
- Why instruct an expert witness if the report has already been generated by AI?
- Why would I? That would be an act of utter insanity as well as professionally suicidal. Any Solicitor asking that be avoided like the plague.

Appendix 2 - Question 13 continued:

- With respect, it is not the business of a solicitor to influence an expert in the same way as I would not provide a solicitor with an AI generated report on the legal matters of a case. It's a disrespectful and unacceptable means of practice, in my opinion, and I would not only refuse the instruction but also refuse to work with the solicitor's firm in the future. AI is only as good as the information that is put in to it and the user's actual knowledge to determine accuracy. Further, AI would not be MY opinion and at best is plagiarism and at worse is contempt.
 - Would be very interesting to see how good AI is
 - Would not want AI instruction
 - Wouldn't trust
 - Writing a report has to be my work not AI. I also have to stand by my opinion when questioned and cannot do this if I have written the report and come to the opinion.
- Yes happy to use the AI format but the content would be all of my own choice
 - Yes, on the basis that it was only for layout (some headings) and formatting. The text and opinions would have to be the experts.
 - You do not detail how much of the report was Ai and what sections and whether the expert had some input into writing it as well. If a report were 100% generated by Ai, I would question this and have some doubts about it. I feel an expert report should be at least 50-0% human written with their experienced opinion rather than relying just on generated data. I would say my reports are 80% me and 20% Ai.
 - You only put your name to work you have done.
 - Would rather construct my own opinion
 - Currently AI is not sufficiently accurate to understand nuances of the medicolegal field

Appendix 3

Question 15:

If you answered 'yes' to Question 14, provide details of what form you think this regulation should take.

- a body where an expert can register, or college regulated experts.
- A central body to check expertise at the onset and re-examine referrals made to them of unsatisfactory performance.
- A competent person should be able to provide information that explains what should have happened and explain why the incident indeed occurred
- A form of assessment like CUBS
- A form of monitoring by Institutes in the field of specialty.
- A form of registration achieved by the minimum of attendance at CPD events relevant to the subject. Assessment as well as attendance would be ideal.
- A formal organisation where all experts must register and provide their qualifications. In addition, the organisation needs an advice and help line for the experts which would be confidential.
- A formal registry with an expert panel overseeing areas such as CPD, outcome review, pricing variation.
- A qualification like the one with bond solon.
- a qualification of a professional body
- A qualification or evidence of attendance on reputable courses and CPD
- A regulatory body similar to those for professional, with standards and fitness to practice processes.
- a register and proof of training
- a register to ensure suitably qualified and experienced
- A regulatory body that is supportive of an expert witness with teaching sessions and support

Appendix 3 - Question 15 continued:

- a separate body
 - A separate body to vet experts. their experience and training, in order to give them “approved” status.
 - A separate professional institution that sets minimum standard as they do for surveyors, architects and engineers.
 - A separate regulatory body responsible to the judiciary for maintaining a register requiring admission training and ongoing revalidation based upon CPD. They would have the power to either sanction experts, require them to further train or remove them from the register so that they could not practice. Experts could be reported by judges or solicitors to the body who could investigate sanction but also uphold appeals by the expert and advocate for them
 - A similar process to the NMC revalidation process. The EWI Certification process is similar, and for this reason I have applied for this. A career in nursing highlights the importance of CPD, reflection, improving skills and knowledge in both the experts field and the remits of law ie civil, family, criminal. This is, after all an extension of the role and remaining up to date is essential.
- A specific list of areas of quantum to be included within the report by both the Claimant’s and Defendant’s opposing reports..
 - A standard code of practice.
 - A standardised government register similar to the HCPC
 - A statutory requirement for Experts to prove their competence through accredited course completion (e.g. BPS Directory of Expert Witnesses).
 - Accreditation like Bond Solon
 - Accreditation with EWI or Bond Solon or similar
 - Accredited Expert Witness training and accreditation
 - Accredited through professional society
 - Adequate training and membership of professional bodies.
 - Agreed standard of experts have to work within.
 - All expert should have some sort of qualification. I see many reports written by people who are dabbling in this work and they have no idea about the structure of the report or what the duties are.

Appendix 3 - Question 15 continued:

- All 'experts' no matter what their field should have some form of regulation and be listed as being competent to provide evidence. However that regulation needs to be sensible, practical and not overburden experts with pointless bureaucracy.
- All experts should go through an approved training.
- All experts should have to undergo standardised training and regular CPD to demonstrate competence and skills in required field
- All experts should have to be registered with a professional body.
- All should receive formal training like CUBS
- an annual review of the experts work and QA process to identify standards that must be applied to all reports
- an entrance exam on P35 instructions
- An expert needs independent validation of appropriate professional training and experience to give a valid and reliable opinion to the Court
- An Expert should be registered with his regulatory body which has a responsibility to maintain standards
- An expert should have a relevant professional qualification and evidence of expert witness training.
- anonymous ID number and employer
- Annual appraisal and compliance with Medical Royal College requirements
- Annual peer appraisal with oversight and approval by the regulator GMC
- Appear on a register accredited by the Professional Standards Authority
- appraisal and CME
- Appropriate mandatory training
- As a chartered accountant, I am already regulated by the ICAEW. In my experience, when the opposing expert is not regulated (e.g. an economist), they are more likely to say just about anything to benefit their client. Perhaps the sanction for not being independent is less serious for them than it would be for a regulated expert.
- as a consultant clinical scientist I have to be on the HCPC register (this means complying with clinical practice standards and having to complete 50 hours CPD to remain on the register / per annum. I believe this is satisfactory but other experts should have similar professional standards

Appendix 3 - Question 15 continued:

- As an expert I believe formal regulation would ensure the responsibilities and production of reports are monitored to a given standard
- Assessment of training and peer review of a sample of submitted reports to ensure the author understands their role.
- Association with a recognised body to ensure that all up to date training has been undertaken and that the expert is fully compliant with his/her duties to the Court
- Association with a recognised professional body for the experts skills and membership of a professional body for the practice of being an expert witness
- At least an understanding of their duties to the court and the reasoning behind the Rian reefer case
- Audit of quality of work, certificate of understanding Part 35 as applied to expert
- Basic exam and vetting
- be recognised by professional bodies like HCPC, GMC, etc.
- Being registered with a professional body
- Belong to an approved regulated UK statutory body and appear on a register of the body
- BOND certification good example
- Bond Solon Training and then CPD to maintain currency
- By a panel of experienced, respected and proven expert witnesses, judges and lawyers. It should be an independent body with NO government oversight so that it is not open to manipulation as we have seen in other regulatory bodies such as the GMC.
- by professional bodies/registration
- By professional body
- Certification / accreditation / CPD by a reputable Expert Witness organisation
- Certification and currency
- Certification of appropriate training/testing of expertise. Current certifications eg Stirling, Cardiff uni seem a fair balance of time/costs taken to complete this training. That said I suspect for a while such certification may reduce the availability of experts to undertake work.
- certification, professional membership of expert based institution
- Checking of CV and perhaps an interview
- Checking qualifications would be a good start
- Clear registration and CPD requirements,

Appendix 3 - Question 15 continued:

- Clear set of qualifications and expertise
- collaborative approach between Bond Solon, EWI, Academy of Experts to create certification which leads to formal regulation.
- Completing an accredited course in medicolegal work in their relevant field, demonstrating a clear understanding of the CPR.
- Completing specific training with regard to expert witness work
- Completion of an expert witness training programme and peer review of early expert witness reports.
- Compulsory training, illustratively the BonD Salon training, to verify your competence.
- Course attendance and certification as with CUBS set-up
- Courses and certification
- Courses attended and certification
- Credibility in speciality. The bond Solon courses
- Details on a register with a list of professional qualifications. And some form of mandatory or annual training to ensure that the expert witness was up to date
- Don't know
- Education of solicitors to seek qualified/certified experts would do more to improve standards, in my opinion.
- enhanced regulations re qualifications and experience
- Ensure competency before appointment
- Ensuring all understand the remit and responsibilities.
- Ensuring meet criteria for an expert ie on specialist register
- Ensuring that expert witnesses have the required training, knowledge and competence to do the work assigned to them. This will include engaging in CPD, ensuring that the expert witness uses a strong evidence-based approach, and possibly supervision.
- Ensuring that the expert has the correct expertise for the case and they are current
- Entrance onto a register, supported by references and regular cpd
- Establish clear and unambiguous parameters for use by both experts and instructing lawyers
- Even regulated experts can be cowboys/ poor

Appendix 3 - Question 15 continued:

- evidence of a minimum standard of training in working as an expert witness, registration with a relevant professional body and regulatory body
- Evidence of CPD
- evidence of EW qualifications, evidence of CPD, and a mechanism to ban EW in cases of unprofessionalism, proven bias, and lack of expertise in their stated field
- Evidence of expert witness training to demonstrate awareness of Part 35 CPR, PD etc
- Evidence of formal training, ongoing CPD, random report assessment
- Evidence of ongoing professional development, and minimum length of practice time - MedCo accreditation not sufficient in and of itself.
- Evidence of recent clinical practice along with employee references/ professional endorsement and undertaking of a level of expert witness training.
- Evidence of training as an expert witness
- Evidence of training in report writing and in the requirements to be an expert, and assesment of one's CV by a peer in one's specialty to ensure that one meets the requirements to be an expert in that field.
- Exams/CPD/review of 'casework' - not by accreditation body but by another expert
- Existing regulatory bodies to whom the professional relates
- Expert regulation would prove the quality of the experts and reports
- Expert should pass minimal agreed standards
- Expert witness training
- Experts giving evidence should consist of a group of experts with expertise in the subject. If their evidence differed from the majority of rational opinion that should be identified in their listing. A similar system exists in the US where rogue experts and experts completely unqualified to give an opinion in particular case are less frequent. (I have no first hand knowledge of expert regulation in the States other than what I have read or been told)
- Experts should be regulated by being on a professional register.
- Experts should hold a recognised qualification

Appendix 3 - Question 15 continued:

- Formal accredited and specialised training every 2 years
- Formal accreditation
- Formal courses with examination
- Formal instruction.
- Formal register of experts who have undergone CUBS training or similar
- Formal regulation with quality assurance / governance checks that experts could demonstrate their competence eg, with Bond Solon CUBS or EWI Certified Experts
- Formal regulation would improve the overall standard of expert evidence by ensuring greater consistency, accountability and transparency. A regulatory framework could require experts to demonstrate appropriate qualifications, experience and ongoing professional development, supported by a process of accreditation or registration with an independent body. Such a body should be empowered to set minimum standards, issue guidance on best practice and investigate complaints where concerns arise of the quality or impartiality of expert evidence. Regulation should also emphasise the primacy of the expert's duty to the court rather than

to the instructing party and should include mandatory adherence to a published code of conduct. In my view, this would strengthen both the reliability of expert testimony and confidence in the administration of justice.

- formal training and qualifications
- Formal training, not in the area of their expertise, but their responsibilities as an expert.
- From appropriate governing body
- General Medical Council Should develop an annual appraisal process specifically focussed on quality assurance in Medicolegal work and such appraisal should be a mandatory part of the GMC five yearly revalidation process for any clinician who wishes to act as an Expert Witness
- General standards of conduct.
- Guidance, standards and protection to expert witnesses.
- Having forked out for CUBS I would expect a similar standard amongst my peers. This is not the case! Some have a day's training!
- HCPC already regulates my profession (clinical psychologist). In family law only HCPC accredited psychologists whether that is clinical, educational, or forensic should be instructed to act as an expert

Appendix 3 - Question 15 continued:

- High profile cases have shown issues with “experts” so just as we have regulation on our professional status I think now is the time to introduce this for legal experts. Issue is what and how would regulation occur
- I am against proliferation of regulation. Having been an expert witness for over 40 years I do not relish even more paperwork. If it comes, of course I would be the first to comply.
- I don't actually think formal regulation would be feasible, but if it were, I think the standard would rise.
- I don't know
- I feel regulation (within reason) would provide a basic standard and allow a degree of reliability.
- I feel that certain mandatory training should be given. I have attended several Bond Solon courses to ensure I maintain my skills and keep updated in the expert field. I do not feel formal assessment is needed necessarily as profession as usually gain this via supervision, CPD or from feedback from solicitors or at court. Hence I am answering no to the question below. Training -yes. Assessment -no.
- I have seen a number of truly awful physiotherapy expert witness reports where it is clear the physio had not been properly trained.
- I think it is going to be very difficult to provide a single answer to this: sorry.
- I think it should be a certification process issued by a choice of the expert from either Bond Solon or the Academy of Experts
- I think that regulation would improve standards. But the form of this regulation is very difficult to conceive. Moreover, at least for medical experts, it could be argued that GMC licensing already supplies regulation.
- I think there should be a minimum requirement in terms of experience and education in relation to the area of expertise that one is providing evidence for
- I would like to think regular checking of an expert's ability to offer opinion on subjects they are instructed to advise on. However, I accept that problem would be with how you introduce such checks. Professions already require members to attend CPD events and the like, but this would be difficult for to control further. Perhaps, a system of the expert needing to respond to a questionnaire should be introduced which puts more pressure on an expert to ensure they are adequately qualified to provide evidence on a subject might help?

Appendix 3 - Question 15 continued:

- I'd have entered "don't know" if that option was available. This is not my field.
 - I'm really not sure, but I think that courts expect an experts governing body to keep a check on the conduct of experts (mine doesn't, and I was surprised to find that the Academy of Experts also doesn't.)at
 - In my medical specialty, regulation would just require that one was on the specialist register of the GMC for the relevant specialty. For less well-regulated professions, more specific criteria would be useful, to ensure that the expert truly was an expert.
 - Independent
 - Inexperienced experts can be misled by over-zealous solicitors
 - Interview/relevant experience.
 - It is logical that an expert in a field be both registered with any regulatory body and I would add, that they are in practice too.
 - It is up to the court to decide on the definition of an expert and any specific regulation/registration required.
- It needs further discussion but could possibly be considered via current organised bodies
 - It should take the form of a driving licence test of experts knowledge of the relevant parts of the Civil Proceedings and other relevant rules.
 - It would be useful only if it ensured that experts only provided reports on cases within the current or recent past, clinical practice, and judges/solicitors on both sides of a case reported experts who they thought were not performing to the level of an "expert".
 - It would ensure all are writing and assessing to the same standard whilst also being accountable for their acts and omissions.
 - It would ensure experts fully understood their duties and any deviation from this could be used to prevent further evidence being used from this expert
 - It would ensure the expert is providing honest and unbiased reports that would be held against them if shown to be biased,

Appendix 3 - Question 15 continued:

- It's difficult to say, but in my field there is an expectation that expert witnesses will be chartered with the relevant institution as well as having appropriate experience practising in the area. Some kind of external verification of an expert witness's competence would help to prevent miscarriages of justice or some of the recent complaints relating to expert witnesses that have been discussed recently.
- its like all forms of regulation - it simply creates inertia for the majority of responsible practitioners and the unscrupulous ones find some way to circumvent regulation
- Light touch regulation would work well as it would avoid regulatory creep. The issue is that it could promote business opportunities and could be expensive which would then reduce the number of Expert Witnesses and/or drive the price up of using an Expert.
- make certification like CUBS compulsory
- Mandatory courses
- Mandatory courses, a governing body
- Mandatory training and assessment of a random selection of reports but no exams
- Mandatory training as below. Assessment will be more difficult.
- Many EW are regulated by their professional bodies and have to fulfil criteria to remain registered. One way would be insist that EW were registered with their relevant professional bodies.
- Many experts still behave like hired guns
- Meeting a code of conduct and having a medicolegal qualification would help to ensure experts meet a certain standard.
- Member of a professional body PLUS expert training.
- member of HCPC or any other UK recognised medical body.
- Membership of a professional body or suitable references outlining appropriate experience and qualifications.
- membership of accredited body, proof of annual CPD.
- Membership of an accredited, reputable authority which requires expert witness training to join and which undertake due diligence on all experts, including enhanced DBS (when working with children and vulnerable adults), obtained recommendations from solicitors, and examined any adverse judicial findings
- Membership of appropriate professional body eg FFLM

Appendix 3 - Question 15 continued:

- Membership of HPC or other relevant professional bodies.
- minimal standards
- Minimum professional qualifications obtained with regulated professional bodies relevant to the subject matter.
- Minimum requirements around training
- minimum training, accreditation
- More standardised level of training and mandatory level of minimum training. Monitoring of CPD.
- MUST belong to a recognized governing body at minimum member level and undertaken formal recognized training
- Must have Certificate of course attendance such as CUBS etc.
- My concern about q13 is that statutory accreditation will lead to 'groupthink' where correct but unfashionable opinions may be suppressed.
- no idea
- No idea, I don't do family Court work
- not existing regulators, a regulator responsible to the courts
- Not really sure - standard training and regular CPD
- Not sure
- Not sure but perhaps like the CIPD where an assessment of experience is carried out to assess capability
- Not sure. I think the expectations are relatively straightforward. Any regulator needs the power to punish / prevent expert witnesses giving opinions.
- Obligatory training schedule to be adhered to. Requirement to be on the Medical Register and employed. Consider requirement for an NHS appointment (could be honorary).
- On a GMC register - eg GP or Specialist
- one standard register would be helpful - and one could be struck off!
- Partial agreement. It would potentially reduce the pool of experts in my field which would increase pressure on the rest of us. How regulation would work would likely require tremendous effort to ensure it is fit for purpose.
- Peer review and formal feedback including from the Court

Appendix 3 - Question 15 continued:

- Perhaps the creation of an overseeing body who would require a formal application similar to that of a Chartered Institute.
- Periodic reviews of their reports by an independent body, to ascertain their compliance with Procedural Rules and whether the conclusions reached are supported sufficiently by evidence.
- Probably attending courses and examinations
- Prof bodies
- Professional registration with agreed title
- professional regulation
- Professional regulation exists for professional titles and therefore these experts should abide by their professional standards as well as their obligations as expert witnesses
- Proof of appropriate professional qualifications, registration with a regulating body requiring ongoing CPD, Plus Bond Solon CUBS followed by relevant CPD
- Proof of experience / qualifications, CPD, annual review, appraisal
- proof of experience, proof of training and proof of ongoing cpd with peer review of reports produced
- Proof of expertise, vetted by peers
- Proof of formal training and revalidation
- Proper training is prerequisite plus evidence of continuous professional development. Also feedback from instructing solicitors, something like 360° feedback which medical profession is subjected to every five years
- Psychologists who are, for example, registered with the HCPC have years of experience and expertise. They are regulated to ensure the safety of the public. I cannot think of many other situations bearing as much care and attention than where the expert may significantly influence the decision relating to a child's life. In my opinion, instructing solicitors must be very careful to only instruct regulated professionals to achieve the overriding objective.
- Quality feedback in every case uploaded to a database.
- Rather like a Multidisciplinary Team Meeting to check your credentials
- Recognised CPD training. Possibly a diploma
- Recognised qualification
- Recognition of appropriate training, evidence of appraisal, national register
- recognition of formal training by a body such as CUBS

Appendix 3 - Question 15 continued:

- referral to professional body, qualifications, experience and references, possibly
- Register
- register but also a regular assessment of competency to ensure that standards are maintained.
- Register of EW with minimum level of training required.
- Registered as expert witness with qualifications
- Registered with a governing body, with a yearly revalidation including hours worked and in what discipline
- registered with eg GMC and evidence of CPD and references
- registered with professional body. audited cpd.
- Registration
- registration
- Registration as expert with professional body having provided evidence of appropriate training as expert.
- Registration based on regular reassessments
- Registration of certified experts.
- registration to an approved body
- Registration with a professional body or recognized institution.
- Regular appraisal
- Regular appraisal directed at the specific nature of expert witness work
- regular checking of knowledge of legal requirements for experts
- Regular CPD
- Regular update training and keeping abreast of changes in the law. Why not create a register of approved expert witnesses.
- Regulated by a statutory body.
- Regulation across all experts is dubious - who regulates for what ?
- Regulation by appropriate statutory body for each expert's profession (eg HCPC)
- Regulation by some form of UK regulatory body
- Regulation by the relevant professional body such as GMC, NMC or HCPC - NOT Medco or Bond Solon
- Regulation is likely to lead to higher standards.

Appendix 3 - Question 15 continued:

- Regulations means that there are standards to adhere. And the consequences of an unregulated, inappropriate and poor quality of expert can have a massive impact in the course of Justice and penalty. A regulation will provide a structure where those who try to be experts but are really unprepared, then to be dismissed.
- Regulatory body eg like NMC
- Same as for the family courts.
- Same as in place for those professions who have statutory regulation.
- Self regulation initially
- set standards and governing body
- Should still be on GMC register with license
- Similar to doctors or other professions there could be an initial course you pass then regular (maybe every 2 years) a shorter update is required.
- Similar to the Forensic Regulator's Codes of Practice for forensic scientists
- Similar to the professional body that governs/sets standards for nursing and midwifery practice (NMC)
- Similar to the regulation/registration of Doctors
- Some form of accreditation and/or CPD hours
- some form of scrutiny of expertise and competence by a professional body
- Some qualification is required for example CUBS
- Some way to assess the 'balance' of the report and 'range of opinions' provided. So often I find there is no range, with pros and cons and a very 1 sided 'argument' versus presentation of evidence
- Something along the lines of CRFP which can be accessed by individuals as well as large companies.
- Something equivalent to the Forensic Science Regulator Act which regulates so that experts and courts understand the situation they are in without being exclusive. It is an excellent example of clear, concise, well thought out, legal drafting.
- Something similar to MedCo
- Specific training/certification
- Standardised training and CPD. Registration.
- Standardised training and responsibilities for all.
- Standards

Appendix 3 - Question 15 continued:

- Standards should be set in order to ensure standards and consistency. However, I think the concern about the issue of parental alienation is misplaced and has led to poor legal practice guidance which has harmful consequences for children and which restricts the expert's ability to carry out their role fully
 - standards would ensure consistency as well as guidance to experts.
 - Statutory regulators where available
 - TBC
 - The above applies to me, and you don't have an option to not choose outside own area. I strongly believe this course of action correct for my profession (psychology) and have been disappointed to discover what I consider unacceptable variation in practice, even with this stipulation in place. Experts who are not adhering to best practice, as stipulated by British psychological society.
- The courts are easily mislead / impressed by things that do not mean what they appear to mean (whether deliberately or otherwise) - there are lots of meaningless or ambiguous titles that people make all sorts of assumptions about - the title Dr or member of British Psychological Society, Consultant.... even the term 'psychologist' is not registered which is scandalous and leads to potential harm
 - The HCPC regulates allied health care professions and this could form part of the standards. A separate body would need to develop standards around each discipline

Appendix 3 - Question 15 continued:

- The issue of regulation of psychologists and associated professionals like psychotherapists is a complete mess; poorly understood by legal professional because it is so hard to understand. Regulation is a first step in establishing that an expert is actually qualified. There are two further problems though and they are serious: 1. Being registered/regulated as above is no guarantee of quality as an expert witness. It establishes only the basis fact of a professional qualification, not that the individual has any aptitude or understanding of the role and requirement of an expert witness. I have read many truly appalling expert reports by qualified psychologist who should not be instructed as expert witnesses in my view. 2. The HCPC which regulates psychologists is not fit for purpose. It regulates 15 disparate professional groups and has a scant understanding of the broad church of psychology let alone the role of expert witnesses and associated regulatory issues. I do not believe regulation as proposed will make much difference to the quality of expert evidence. Much more is needed.
- The professional body to which the expert belongs (eg BPS or HCPC). If a potential expert does not have a professional body overseeing their work then they should not be appointed or instructed.
- The relevant statutory bodies should provide clearer guidelines.
- There are too many 'experts' acting well outside their area of expertise on a regular basis [orthopaedics] - regulation should make an expert formally declare their areas of expertise and provide evidence as to why they have/have maintained expertise in these areas.
- There are too many poor experts who do not understand the meaning of the word independent
- There should be a consistent criteria to evidence the credibility and impartiality of any expert in order to avoid unnecessary delays and conflicts when proceeding to trial.
- There should be two or three expert witness associations (EWI for example and Bond Solon Register) where membership is given only once the standards have been met (Sample reports submitted/mentoring & training provided). no one organisation should do this as there is then a lack of choice and no competition with fees.
- They should have expertise in their field
- This I don't know!
- This might best be done by the experts professional bodies with appropriate legal support?

Appendix 3 - Question 15 continued:

- To be registered with a professional body, to have so minimum years of clinical practice post qualification or be of a certain grade/banding in their clinical position
 - to ensure solicitors improve their standards
 - Training and CPD must be mandated.
 - Training such as Bond Solon!
 - Unclear!
 - Unified regulatory body, such as AoE, EWI, etc
 - Unsure - would need further information
 - Unsure at this time
 - use the current expert witness directories to start fact checking their experts. There are many you can join for just a fee. Others, require a previous expert report, which is then assessed by a group or committee. The latter should be the minimum requirement.
 - Very difficult question to answer. I do not have the answer (unfortunately)
 - Via professional bodies
- Whilst I would be happy for the CUBS registration to be used to regulate all experts - something similar or overarching regulation is essential - being an expert is a requirement, but knowing the report format and associated requirements is essential to meet court expectations.
 - will ensure minimum standards and recognition
 - Yearly regular certification obtained by completing CPD.
 - You would be better off dealing with the unscrupulous solicitors manipulating the system. It doesn't take long to establish if a professional is competent.

Appendix 4

Question 18:

If you answered 'yes' to Question 17, please provide details.

- | | |
|---|---|
| <ul style="list-style-type: none"> • (1) End of life cases due to publicity around these cases and (2) specific areas of safeguarding where medical evidence is lacking or contentious • Accident Management company owned by solicitors allegedly not "playing by the rules". • Against senior political surgeon case • An a • An aggressive solicitor • Anything Covid related because there remains a refusal to accept many of the scientific evidence that the vaccines caused harm. It is impossible to argue a case when there remains so much propaganda which subdues evidence • Approached for a high profile murder case • Being asked to assess a victim with a view to psychiatric evidence being used to discredit them. • Child protection or withdrawal of care cases • complex case with multiple issues but fast track costings | <ul style="list-style-type: none"> • CONFLICT OF INTEREST • Conflict of interest- e.g. if I knew the defendant personally • do not wish to answer • due to potential cultural issues • Expectation of complaints • High profile very emotive/notorious case. • Highly political potential • I am one of those endocrinologist who is not prepared to touch any case related to child gender issues. This is more of a political correctness and nobody is prepared to hear medical arguments based on human biology |
|---|---|

Appendix 4 - Question 18 continued:

- I am the target of a self-described “group action” of parents who have been in the family courts and about whom I have undertaken psychological assessments. In honesty, I have not refused any instructions but I try to get a sense of whether the parent is more likely than average to become involved in this group and think carefully about people who may have significant personality disorders especially narcissism (where some consideration is possible). The family courts who know me are aware of this and sometimes there is some explicit consideration of the potential risks of complaints and litigation against me before instruction.
- I am very new and need to build up confidence
- I approach instructions requiring reporting in other jurisdictions with extreme caution. I have avoided instructions requiring reporting to Iranian courts for example.
- I declined a murder trial case that I knew would be closely followed by the media. I have a young family and don't want that kind of attention.
- I felt that the remit was to politically driven and would comprises my professional integrity
- I have already had a case where I was criticised and the case was published. I am very wary of getting involved again
- I have had backlash - I act as EW, and have my own clinic. Recently, after identifying significant child protection concerns, the parent involved wrote a false (anonymised) report naming me, alleging she saw me in my clinic, and made a series of highly damaging accusations about things she claimed I said during this alleged appointment. This was in a parent support group closed group. Fortunately, the moderator had been a client, and removed it as a) it identified a clinician by name (me); multiple parents contacted her to express distress and removal of the post; and she knew from her own experience that I wouldn't do what had been alleged.
- I have had difficulty recruiting paediatric endocrinologist to act as fellow expert witness in Lucy Letby case
- I have refused instructions when the matters I have been asked to consider do not sit comfortably with my moral compass, as I may bring unconscious bias to a matter, which would be inappropriate.
- I now avoid cases involving matrimonial disputes which in practice means all family law cases.

Appendix 4 - Question 18 continued:

- I tend to decline Criminal cases even though I have had the training. Though “backlash” is equally prevalent in Family law, there is more of perceived fear in working with criminal cases.
- I was asked to assess a sorry for a negligence claim in relation to the Tavistock gender service. I refused.
- I was instructed to see a client in another county but asked to complete an assessment over zoom/teams. I did not believe this was adequate and I was also given little time before a report was due. I refused as I believed the client needed to be seen in person.
- I will not do medical negligence Breach of Duty reports against surgeons/clinicians in other hospitals within my region (East Midlands)
- I would never take a private law family court instruction because it is an unsafe area of practice. This is due to the rapid increase in malicious complaints from parents who don't like the expert's report, coupled with the failure of the courts to address this issue and the lack of knowledge and expertise in this area in regulatory bodies
- In my first 7 years working as an expert I refused or withdrew from 3, I did not feel that I had the right expertise to deal with the level of public scrutiny in these cases.
- Instructed expert by the other side was a previous mentor
- it is confidential
- It was associated with a conflict of interest. I was at the time undertaking enforcement action against a client (prosecuting), but that same client contacted me (without realising) relating to a separate matter as they required assistance. Made them aware of the potential conflict.
- N Ireland inquiry
- no
- No so much ‘backlash’ but I have refused many if it has been outside my remit of expertise. I have also refused changing my report based upon the direction of a solicitor as I was not in agreement of the change in opinion requested.
- Not in a position to disclose
- One has a sense of when ones opinion will be accepted and when not. There an be a lot of unpleasantness if Claimant disagrees with your opinion.
- Online activists

Appendix 4 - Question 18 continued:

- Paediatric trauma cases
- Politically high profile, highly contentious. Didn't need the hassle!
- politically sensitive
- Poor vague instructions
- Potential instruction for investor in investment arbitration
- some criminal work for defence where there seems a strong likelihood of guilt
- Sometimes it is clear from instructions that the Claimant is adversarial and the solicitors have not been able to manage them adequately
- Super specialist areas where all the operators are well known or cases involving the GMC or cases so rare, that no-one else is likely to have any practical experience of it such as a brand new medical procedure which has never been performed in the UK.
- the case was very contentious and threats of violence had been made. Too risky given that i was then pregnant and had a young family.
- the intrsuction was provided after the appointment was made for client, and i could answer many of the questioned posed.
- The Lucy Letby case.
- the potential instruction was biased from the start, prescriptive, unachievable and was steering me to opinion I refused the engagement
- There are some projects and some Clients and some Solicitors one knows bring danger. Forty years of experience alert one to the warning signs.
- There is very little protection of the "rights" of experts and yet the courts and any potential backlash has the potential to ruin a person's career and livelihood. The risks are not worth it and I will always carefully select an instructions to avoid cases which I think could be problematic. The risks are so high and the rewards minimal.
- This relates to Grenfell. I did not specifically refuse an instruction, but fear of backlash affected my responses to the solicitor potentially instructing me.
- To avoid medical negligence cases
- Trans person - know of someone who was sued for disclosing this status even though this was unavoidable when reviewing the med records.

Appendix 4 - Question 18 continued:

- We have been misled by solicitors declaring all issues when providing instructions and this has meant that we were not an appropriate professional for that case. The infiltration of services and the legal profession by activists has done significant harm and led to the erosion of safeguarding for children.
- Where there is a litigious LiP
- Yes but not in this context. I tend to refuse expert instructions in Medical Negligence cases when colleagues of the consultant concerned are known to me or where I have been employed by or may potentially be employed by, the Hospital. It is important to me to maintain my network of supportive colleagues as I never know when I may need them in the future.
- Yes, an extremely dangerous case involving OCG.

Appendix 5

Question 20:

If you answered 'yes' to Question 19 (on controversial and/or high profile cases), what measures would you expect to be in place to protect experts?

- | | |
|--|---|
| <ul style="list-style-type: none"> • [assuming you mean Q19] - I would expect support from my legal instructors that was independent to the case (i.e., media support et cetera) • 1. Their own professional conduct could/may suffice. 2. It would realistically depend on the case... • 1. Would anonymity be possible? 2. If not, some sort of witness protection/support • A definition of controversial/high-profile case made by the Courts • a difficult question, the obvious answer would be anonymity but there are concerns • A need for anonymity and also to be clear on the brief. | <ul style="list-style-type: none"> • A set of laws that prosecute lawyers for dodgy instructions or attempting to force experts to a certain conclusion. A set of law banning the media from reporting on live cases e.g. cherry picking words uttered in court though factually presented (because may lack context). • access to an expert on handling the media • Adherence to normal court procedures • Advice is based on the current standards and whether they were met. • Advice, support. • All the cases are potential controversial as we work in an adversarial legal system! • anonymity for the expert |
|--|---|

Appendix 5 - Question 20 continued:

- Anonymisation in public eye i.e. non-disclosure of professional name - unless there is dispute/negligence on part of the expert of which has harmed a client, the case or is a safety concern, then do not feel appropriate to name due to implications on other full time working commitments.
- Anonymity
- anonymity application to expert as well as Claimant.
- Anonymity for experts involved (Use screens as we do with Special Measures) names redacted from reports if publicised and security for assessment sessions (If media likely to be prowling)
- anonymity from potential backlash, from media and opposite parties.
- Anonymity from the press
- anonymity from the press/ social media
- Anonymity if it is really sensitive, no media reporting.
- Anonymity if it was deemed that there was likely to be a backlash that might compromise the safety and welfare of the expert
- Anonymity in court is an option- as per Northern Irish explosives forensic scientists in the 1980s and MI5 witnesses
- Anonymity in press reports
- Anonymity in the press
- Anonymity subject to judicial order
- Anonymity until the end of trial. Harsh measures against anyone who attempts to subsequently intimidate / harass expert etc
- anonymity, possibly, to avoid distortion of facts across social media platforms and other media outlets
- Anonymity. Report kept private to the litigant parties by court order, so that disclosure would risk proceedings for contempt.
- anonymity?
- Anonymous reports
- Appropriate actions by all - I would only take the case if I was confident I was an appropriate expert to be instructed and had the relevant training, skills and competency to provide an expert report in such a case. Experts should at all times work within the limits of their training, skills and competency.
- Appropriate Indemnity arrangements

Appendix 5 - Question 20 continued:

- Appropriate indemnity insurance cover
- As above (answer to 17). And anonymity if necessary - I and most of the solicitors and barristers were anonymised in a family case involving gang membership.
- As long as your evidence is truthful and confined to your area of expertise then there should be no issues. If you are asking about physical security then I am happy for the courts and police to provide whatever they think necessary.
- At the minimum- appropriate advice and guidance
- Back up and support from the instructing solicitor and from professional expert witness bodies - and from the police, if things really escalated.
- Cases involving non-stun slaughter of animals can result in death threats from religious extremists and a colleague had significant advice and support from the police following being involved peripherally in this area.
- Change in rules to allow the courts to direct the expert to have their name withheld beyond those immediately involved in the case, or to operate under a pseudonym.
- Clear and full instructions, documentation, thorough meetings with counsel and discussion of issues/report with all parties pre submission.
- Clear contractual terms including a clause on indemnifying me personally, confidentiality of all communications, and clear instructions regarding role and scope of opinion. Anonymity would be useful particularly my home address and contact details although that would be almost impossible to achieve. Adequate Insurance is clearly essential including against costs of public relations / reputational management.
- clear instruction, adequate support, effective communication, clear role definition
- Clear instructions providing a clear breakdown of the case, plus comprehensive bundle.
- Clear instructions with clear objectives
- Clear instructions, enough allocated time to ensure that the report is firmly based on the evidence. Reviewing the evidence takes time, and this can be rushed at times due to the instructing party not wishing to allocate the appropriate hours for the case.
- Clear understanding from all parties about where limits are

Appendix 5 - Question 20 continued:

- complete confidentiality between myself and the instructing party and nothing to be disclosed to any other person without my express permission in writing
- confidentiality
- Confidentiality, increased rate
- Court protection of independence
- Current legal protections should be enough
- Currently no protection is available to experts in high profile organised crime matters. Giving evidence in front of the gang leaders can be daunting, with no separation from their relatives or associates. This could be prevented by Expert Witnesses being give similar protection to vulnerable witnesses of fact, by giving evidence from behind a screen and not having to sit outside court in the public areas before being called.
- Degree of anonymity from the public but not the court
- Depending on the risk attached to the case there are some grounds for anonymity.
- Depends on the case, maintain as much privacy as possible
- Depends on the case.
- Depends on the nature of the controversy / why the high profile
- Detailed media training and very specific instructions.
- Direction by the judge that disagreements with expert must be limited to calm and rational argument
- Do the same as I always dov
- Don't know
- Ensuring anonymity of experts at trial. Ensuring all instructions are clear and concise on what you are requested to comment on.
- Ensuring they remain anonymised
- Ethical conduct
- Exceptional penalties for intimidation etc.
- Experience and knowledge, qualifications. Appropriate Insurances. Courage.
- Experienced experts should be able to deal with such pressure and have processes in place for risk management to ensure neutral opinion.
- Expert public anonymity
- Experts are giving an opinion based upon their experience and knowledge. I would expect courts to protect against being vilified .

Appendix 5 - Question 20 continued:

- Experts are the only witnesses whose opinions are sought. However in contravercial cases maybe the court issues a template to the expert to provide objective and balanced answers a sort of pro and con approach leaving the court to do the weighting up without influence.cases
- Explicit instruction regarding the nature and scope of expert evidence required.
- External communication via a press officer
- extra insurance
- For personal details, to be kept private. Safety protected, including from the media.
- For a start, reverse the decision to name experts in family cases
- For valuation and damages experts in which we opine on quantum, this is less likely to be an issue
- formal communications strategy and possibly given evidence in camera
- Forms of security during the case would be essential if there was any threat of violence. Advice on locking down social media would be appropriate as well.
- Free from civil action and allowed to give own opinion and an open book on information
- Full support from instructing solicitors/barrister
- General protects including security
- Good preparation for the case. Additional allowance of hours as it's likely to be time consuming. Background of relevant CPD. More interaction with instructing parties.
- Guaranteed Indemnity
- Haven't considered
- Having a right to express an opinion on something that is controversial should not mean the expert is not qualified to be instructed on other cases. The expert should be protected in my view to ensure they are not attached for expressing their qualified opinion. There is too much fear in this country these days for expressing an opinion on a topic.
- High Court Injunction to protect experts and immunity from prosecution or liability
- I accept the public scrutiny of the expert witness role however through upholding the highest standards should be beneficial. Also for constraints to be placed on the media

Appendix 5 - Question 20 continued:

- I am instructed as an independent expert witness in international arbitrations which are confidential. Therefore, my appointment and opinions would not become common knowledge. Moreover, my opinion is my opinion and I will not be silenced for have an unpopular opinion that doesn't align with the current 'the in thing'!
 - I am not sure
 - I am not sure this is possible when you work in an industry that relies on people coming together to meet / train and develop standards. You will always come across those that you have written about. Certainly in my world.
 - I assume that my professional independence will apply regardless of the profile of the involved parties
 - I believe strongly that objective voices/experts should not be silenced by bigoted and ill-informed social media trolls
 - i believe sufficient measures are already in place
 - I do not believe in anonymity. But reasonable care on contact details should be taken
 - I do not believe that anybody could protect experts. When you are in a mass you are on your own.
- I do not want to get scapegoated. If I got paid a six figure sum, then I would consider it as I don't ever have to work afterwards.
 - i do think experts should be entitled to anonymity if they request it - but i can see the courts are going in the opposite direction for this.
 - I don't generally operate in an area where there is such vitriol directed at experts, so I am less worried. But if that were the case, then consideration should be given to anonymity, or guarantees that threats/harassment arising from any evidence I gave would be robustly dealt with by the police/courts.
 - I don't know
 - I don't know specifics
 - I don't think anonymity is the answer, in these occasional cases one has to hope that one has the courage to take the risk.
 - I have already done so.
 - I have not yet considered or discussed this with the solicitors concerned

Appendix 5 - Question 20 continued:

- I have undertaken cases for murder and large drugs cases. The reality is if the defendants wanted to find me they would so what needs to be there is a preparedness to respond quickly to any threat is key. This has not been tested yet but hopefully will work
- I would agree to consider, but that means I may also reject. I expect the Court to protect me as an expert in whatever way was necessary and that may include anonymity if the subject area was so heated.
- I would assess the risk of personal damage such as a frivolous referral to the GMC who then are mandated, if they feel justified, at the least to ask you to provide details of the last 100 cases you were involved in. A high bar and the fee will need to reflect this, unless the GMC is reformed and better regulated.
- I would expect any instances of threat, harassment, stalking or the like to be thoroughly investigated by the police.
- I would expect data protection of identifying information up to and during trial. After judgement how could any protection be guaranteed? Court order versus media (social or otherwise), neither is perfect.
- I would expect more assistance than normal from my instructing solicitor to ensure the risk of any adverse criticism of my report was minimised.
- I would expect no protection other than what is already provided in law, to anybody who has a public profile.
- I would expect that all documentation be provided for me to review and to determine what is relevant.
- I would expect the company that employs me to offer this protection.
- I would expect the instructing party to make sure protection was in place
- I would expect the instructing solicitors to provide absolute transparency and level of confidence to me that reasonable measures would be in place to protect the expert.
- I would expect the Solicitors, the regulatory bodies, and the Courts to allow an Expert to freely give his opinion and respect his professional opinion whether it agreed with it or not- as long as it is not offensive or illegal
- I would expect to be informed when the report was being disclosed and to have my personal contact details redacted.
- I would feel more comfortable in such a case if evidence was not made public.

Appendix 5 - Question 20 continued:

- I would only accept instructions with caution. Ideally the courts should use their contempt powers to protect experts who have given evidence in these cases, as allowing them to give Frank and unhindered expert opinion supports the overriding objective.
- I would want to know what support and protection or guidance there would be for an expert in such cases. I would want to know more exact details before accepting such an instruction.
- I wouldn't expect there to be any measures to be in place.
- If gender issues or children expect anonymity as wokism has got out of hand. If other eg VIP then nil .
- If I felt it necessary, I would seek permission to discuss the case with a trusted colleague
- If I had the appropriate expertise for a case I would accept instructions - but I would be mindful of the pitfalls and take extra care (or seek clarification).
- If I was the appropriate expert and felt that my professional indemnity was appropriate and that my indemnity provider had been made aware of the high profile nature of the case.
- If the expert is an officer appointed to assist the court, is there an argument than any such 'bullying' or 'backlash' could be considered contempt of court?
- If you are accepting an instruction you have to be prepared that your views will become public knowledge. If that is a concern you would not be accepting an instruction under those conditions. If, as in the example given, the Courts cannot find an expert prepared to give a view, then perhaps the controls similar to people in abuse cases would be appropriate ie names are anonymised, protected when giving evidence, reporting restrictions etc.
- I'm not sure any measures can be put in place outside of those already covered by the law as it stands.
- I'm not sure of the answer to this except to say that support with social media / media would be essential
- I'm not sure, it's not a situation I have ever been in or know anyone who has been in
- Immunity for expert opinion
- In exceptional cases, reporting restrictions would help persuade experts to be involved in controversial cases.
- In general, whilst what I do might be controversial, at times, I'm not sure I'd need protection.

Appendix 5 - Question 20 continued:

- In my sphere (hand surgery) I would assume that if I gave an informed opinion I would not be slated on social media, partially as I am not on social media.
- In that situation there should be a body allowing the Expert to deliver the findings without impact upon themselves.
- Indemnity
- Indemnity MDU
- Independence and autonomy paramount.
- independent advice outside instructing solicitors, possible peer review of reports, defence union advice
- Insurance controversial cases are not going to raise the same level of interest as medical.
- It comes with the territory. Unless the threat is a physical one the expert should suck it up or withdraw
- it is impossible to place sufficient protections on experts not to be villified on social media
- It very much depends on the situation and what the controversy was. For example, the controversy surrounding the Letby case is quite different to controversy which surrounds issues such as parent alienation or gender identity. I think it is important for those giving instruction to understand that it is not always possible to be absolute for whatever reason.
- It would be about protecting me from backlash from media and social media
- It would be helpful to anonymise my report although it becomes difficult if a court appearance is required.
- It would depend on multiple factors
- It would depend on the context of the case
- It would need to depend upon individual circumstances of each case
- I've worked on a number of fairly high profile or serious cases over the years, it's something you have to take in your stride, I'm not sure we need protection as such, I'd expect to be treated professionally within the CJS and that's about it.
- Judges directions regarding press Confidentiality
- Legal support and guidance
- Libel/reputation protection

Appendix 5 - Question 20 continued:

- Litigation and support through the case
- measures should not be needed
- Measures to actively discourage and take action in respect of inaccurate or prejudicial reporting including social media.
- Measures would need to be proportionate to the risk.
- Need to know the instructing solicitor was reputable and the expert is given all the relevant documents
- needs to be identified at the outset that there is a likely public interest. Keep expert informed. Only usual reporting restrictions unless likely risk to the judicial process or expert if no anonymity
- never really thought about this....some form of anonymity maybe?
- next to none!
- no contact details of expert provided and if required anonymised
- No different to any other case
- No more than the usual.
- No more than usual
- No protections
- No special measures
- Non-disclosure until presented in court.
- None
- None beyond what is currently in place.
- None in my particular area of expertise
- None other than those that presently exist.
- None, it is up to the expert to risk assess the situation and provide their own solutions.
- None, other than those extended to regular witnesses.
- None. If you can't handle the work, don't do it.
- None. I think it's a matter of 'If you can't stand the heat...' Potential physical danger is a different matter. I've done cases under police protection.
- none. The expert should have their own liability insurance and be wise enough, and experienced enough, to not stay from their area of expertise.
- Normal process of primary duty to the Court would apply. Anonymity of the claimant may be required
- Not considered
- Not had enough chance to think about this

Appendix 5 - Question 20 continued:

- Not providing the Experts home address, personal email/ telephone number
 - Not sure
 - not sure but possibly a less belligerent opposing barrister
 - Not sure as I would accept if within my specialist area only, but have not had such a case
 - Not sure what you mean
 - Nothing
 - Nothing?! Our role is to provide opinion on a specific subject matter based on the information available. If you overreach you deserve to be criticised. The protection should come with doing the job properly and providing opinions that can be understood based on the information available.
 - One is the chance to be anonymous. That it could not be reached by the public; Second is to have some sort of Support from a Governing Body that can support and reassure experts in different matters. Even Pastoral as the emotional charge of many cases can lead to poor mental health of experts.
 - Peer support
- Perhaps with anonymity and protection of reporting if there were lobbying groups in the area that could create risk to the professional whatever their views
 - Personal details not made public
 - PI insurance
 - possibility to be anonymous in reporting
 - Possibly anonymity in media?
 - potentially anonymitiy
 - Potentially anonymity
 - Potentially anonymity may even be required
 - Preliminary guidance from, and discussion with legal professionals.
 - Press intrusion
 - Privacy from press exposure, potential protection in cases alleging violence and intimidation.
 - Professional boundaries and respect of privacy as much as possible
 - Professional support re dealing with social media and psychological support if required
 - Proper insurance and guarantee of privacy where feasible

Appendix 5 - Question 20 continued:

- Protection / adaptations at the Court. I had a colleague who gave evidence at a high profile child murder trial and he had to run the gauntlet of racist protestors outside the Court to give his evidence. He should have been afforded more support and protection by the Court.
- Protection from claim when fees are spread over many years
- Protection from legal proceedings provided report is made in good faith. Protection from inappropriate media intrusion
- Protection from media questions
- Protection from vexatious referrals to regulators, and Court orders regarding publishing derogatory comments online.
- Provide all documentation.
- Public anonymity
- Rather depends on the case.
- Redaction of report before disclosed to defendants
- report is to the Court and is to help Court come to a decision
- Reporting restrictions - I would hate for the tabloids to be parked outside my front door.
- Reporting restrictions, protection where necessary
- Restricted reporting in the family court limits problems to a degree
- Security. Legal and life Insurance. Emergency travel / evacuation plans,
- Social media restrictions.
- Some degree of privacy
- Some level of legal protection
- Some sort of legal privacy arrangement - name and contact details out of the public eye
- Standard indemnity
- Strict privacy and non disclosure.
- Strict privacy, NDA documentation, and no press or social media at all.
- Suitable time and resources (fee) to conduct the investigation and reporting to the highest possible quality.
- Support dealing with external pressures

Appendix 5 - Question 20 continued:

- Support from instructing parties with ensuring there is informed consent from the expert prior to taking on the case; ensuring adequate indemnity insurance is in place, explicit checking of knowledge of legal requirements to be an expert
- Support, including legal, for dealing with unpleasant repercussions (assuming not related to deficiencies in the report).
- Support/mentoring from professional bodies that is a-political
- That depends on the case. Experts should be subject to scrutiny by way of their duty to aid the court and to assist with determination of justice
- That instructions are joint and the LoI has been agreed by all parties
- That my professional integrity was protected
- That would be on a case by case basis
- The ability to withdraw at an early stage if the scenario is deemed too controversial on learning more about the case / ability to remain anonymous in certain documents
- The expert is there to help the court and only provides an opinion on the information received at the time of instruction. There is of course the ability to change that opinion if more information comes to light. This should be fully recognised.
- The expert should be very senior and have additional training to deal with public relations. The solicitors should have a contact for the PR aspects.
- the expert would have to act professionally and remain objective. Its your reputation that really matters.
- The expert's remit should be clear and publicly available. There should be advice and support available if matters got out of hand: If special measures were needed their costs should be borne centrally, perhaps by the court system or through insurance.
- The independence of the expert should be their protection. In any publicity, this independence should be stressed.
- The instructing lawyers have to take some responsibility for the expert, as well as their client.
- The measures would be dependent upon the case.

Appendix 5 - Question 20 continued:

- The media backlash for most things in the UK just now is overwhelming - there needs to be protections put in place to protect the expert witness especially from press/public - the scrutiny should be from the courts only. Whether that means that the expert's name does not get disclosed to the press then so be it; photographers should not allow to be taking pictures of people at the court and parading them in newspapers or online - protect everyone involved in the case.
- The same as in any case. Encouragement of independence with a duty to the court and all correspondence via the instructing solicitor.
- The same as in any other case.
- The same fairness and other considerations applicable should apply.
- the support of the instructing party
- The type of cases that I am involved in, whilst potentially high-profile (involving large sums of money and / or public figures) are not likely to lead to experts being trolled on social media.
- The usual protections that any member of society would expect where appropriate
- there are no measures in place to protect experts. I've been cancelled completely and a witch hunt conducted against me for 4 years.
- There should be the ability to be pseudoanonymised in the process. That is identified by specialism and perhaps qualifications, but not name, and giving evidence via an audio link.
- Those are where barristers try to humiliate experts rather than see the picture for what it is
- Though I have not considered it for the reasons stated in Q17, I do think professionals should be protected. Examinees can often feel a sense of injustice regardless of which area of law and that can be displaced on the psychologist.
- To clearly determine an expert's integrity, independence and impartiality.
- training and support
- Understanding of expert role
- unnamed if necessary
- Unsure
- Usual protections. Not to be named in press in family cases.

Appendix 5 - Question 20 continued:

- V clear guidance around what is allowed. At the moment someone with a GRC ceases to exist in their former gender. Makes reviewing their pre-GRC recs v difficult as not allowed to mention their trans status and they were previously a different gender.
- Very clear instructions and guidance on structure
- VERY DIFFICULT TO SAY
- very good instructions and a strong legal team that understands the issues - i would only do it if for areas I was expert in
- Very objective, neutral instructions. Assistance with legal/ publicity concerns
- Very specific instructions as to the areas to be covered within the report and areas where comment should not be made.
- We have our own defence organisations as a degree of protection. I would be more wary of this following the Letby case, but would not let that put me off providing a report re areas specifically within my expertise. I have not expected any other measures to protect experts but this will be important in case of expert negligence claims
- We undertake high profile casework, our professional approach and verification of reports assists
- Whatever is available
- Where appropriate suitable anonymity and disclosure of threat.
- Why do they need protecting? And, from what? If they need protection perhaps they're in the wrong job, or not very good at the job in question.
- With the world of social media and the media in general, I honestly don't think any measures can reasonably be put into place to protect experts
- witness intimidation enquiries if the expert receives threatening/ unpleasant communication concerning their involvement in the case
- Would assess the risk. Legal/financial protection
- Xx
- Yes
- Your name is not disclosed

Appendix 6

Question 21:

What do you most enjoy about expert witness work?

- Being involved in professional matters and keeping up to date.
- 1. The interesting range of people that I meet. 2. Being independent.
- A degree of control of what I do
- A dispute allows me to see both sides and it is a learning experience
- A refreshing and interesting change in direction after 40 years of work in my industry. A level of recognition & respect of my experience. A broader understanding of what happens when things go wrong has also changed my attitude and approach in other aspects of my work.
- a) Determining the reliability of the Claimant b) Discussions with the solicitor and Counsel.
- Ability to do at convenient times / Interesting / Renumeration
- Ability to manage own work, interesting nature of the work, and the mental challenge.
- Ability to offer a balanced opinion. Learning opportunities.
- An interesting and challenging source of income that values my capabilities and has similar priorities
- Analysing the available information and providing a fair and balanced report
- Analysis and academic aspects
- Assessing the clients
- assessment visit , communicating with claimant to achieve best outcome
- Assisting the client in achieving the correct outcome
- Assisting the courts
- assisting the truth to be given to a court
- Assisting Claimants/defendants to find a settlement

Appendix 6 - Question 21 continued:

- Attending Court and discussions with Counsel and other experts
- Being able to produce the correct answer where two sides are in disagreement
- Being able to provide assistance to those who need it.
- Being able to use my knowledge to help and support people when they have been exposed to poor care. Also using my position to hopefully drive positive change for care providers
- Being able to write a report or present in court in a way that clearly answers the questions asked using my own experience as well as literature reviews and making it clear that this is a non-biased opinion. The feeling when the outcome clearly shows your report has been not only been accepted but used to explain the outcome is very rewarding.
- Being helpful to the judge. Contributing to decisions being made that are in the best interests of vulnerable children.
- Being involved in cases that are interesting challenges and where my expertise may contribute to the decision of the Court
- Being involved in something meaningful and worthwhile
- Being my own boss
- Being paid for CPD
- Bringing an technical experienced view i my work. The benefits of continuing to use CUBS training in my work.
- Challenge
- Challenge and using my experience and expertise
- Challenge in being Objective
- challenge of analysis of documents and witness statements
- Challenges
- Challenging
- Challenging cases / interaction with colleagues in different disciplines (MDT - style work) / research involved / appreciating the different approaches of lawyers & clinicians
- challenging research and debate, separating relevant opinion from sound bite drama.
- clinical details and logical analysis of facts
- clinical formulation and helping the solicitors understand the case better
- Clinical reasoning to find the best way to get them back to their baseline. And also the money.

Appendix 6 - Question 21 continued:

- complexities of cases
- Construction a logical pathway through case with the evidence available and own knowledge to
- Continued medical education research into each case requires.
- Continuing professional development and staying current with evidence and literature in the field. Joint meetings with experts
- contributing to justice
- Contribution to a fair and just society
- Contribution to the system of Justice
- Court
- CPD, expert meeting with Council - I learn a lot
- Detail
- Determining fact and justice
- Determining what went wrong and why in a claim.
- Developing the scientific opinion in the context of the kaw
- digging into the records and checking for consistencies / inconsistencies, considering what is needed to support rehabilitation
- Discussions at conference with Counsel, especially listening to the opinions of other experts, which is a learning curve.
- Discussions with Counsel and other experts
- Doing something different to clinical work but applying the learning back into clinical work and the remuneration.
- each case is different and I enjoy the challenges it brings
- Employing my knowledge in the furtherance of justice
- Enjoy reading about cases and literature
- Every case has its unique challenges and requires constant and intentional thought
- Every case is different and has many facets to it which makes it more interesting than my more routine clinical work
- Every case is different and interesting. I enjoy meeting people when conducting assessments and enjoy writing their story
- Every day is a learning day ! Helps my practice and I enjoy using my experience

Appendix 6 - Question 21 continued:

- Exercises my brain, deepens my knowledge and lawyers are generally stimulating to work with
- exploring the timeline of cases and the complexity of treatment decisions
- Feeling I am doing something useful that will help a family and possibly promote change
- Financial reward
- financial rewards
- Finding out the facts
- Firstly, the money. Secondly, providing expert engineering evidence to non-engineers.
- Flexibility
- flexibility (ability to work from home when report writing); the need to keep on top of professional and legal developments, intellectual challenge
- Flexibility of working hours. A good hourly rate reflecting expertise. Continuing professional development within my chosen field.
- flexibility or employment and supporting injured clients to access appropriate care and support
- flexibility and variety
- flexible working
- Forensic analysis of a case
- Forensic analysis of complicated cases and considering the “what if” when dealing with causation in medical negligence cases
- freedom and autonomy
- Freedom and the ability to contribute to justice.
- Freedom and the chance to represent those who need representation
- Freedom to express one’s professional opinion.
- Freedom to work at my pace
- Freedom to work in my own time
- Getting a high quality report for families
- getting to know and help the claimants
- getting to the bottom of a case and explaining what is actually going on
- getting to the crux of the problem, where things went wrong and what was/should have been done
- Giving a well considered and written opinion, supported by published evidence

Appendix 6 - Question 21 continued:

- Giving a well informed opinion to assist the court
- giving an independent opinion
- Good earner
- Have not had the opportunity as yet but hoping to self promote and gain instructions.
- having access to a wide range of information to be able to triangulate and provide a contextual formulation / explanation of issues that goes beyond the 'self-report' or silo thinking of one professional / agency
- Having my expertise valued
- having time to analyse and resolve complex issues in a way that I would not with NHS work
- Helping claimants understand their psychological distress better and being able to identify appropriate treatment plans for them
- helping clients get the therapeutic/parenting support they need, supporting vulnerable children
- Helping my Client achieve their goal.
- Helping others to understand my specialism and how it then helps them to interpret evidence.
- helping people and helping other understand police tactics
- Helping people resolve their issues
- Helping people to know how to correct healthcare that has fallen short
- Helping people to obtain a fair result. It is also interesting mental exercise dealing with varied cases and incidents.
- Helping the Claimants and the Court
- Helping to hopefully make a difference and get the justice deserved
- High precision opinions based on data.
- Hopefully making a difference to a clients life
- hopefully seeing justice for the injured party/ies by assisting the Court
- Hostile cross-examination. Also, cases where actual good may arise from the fieldwork and the report - like some child contact cases, or autistic people having their needs recognised.
- How interesting it can be. That I can use my clinical skills in a different capacity.
- I am new to this area of work but I am hoping to get a sense of satisfaction when areas of improvement can be implemented following an incident.

Appendix 6 - Question 21 continued:

- I can work at my own pace
 - I did clinical research more than half of my professional career. Around the time when I stopped doing active research and after I have written over 100 research papers I started doing medico-legal work. So writing reports replaced my writing papers for medical journals. I find some of the cases to be challenging and very intellectually stimulating. Although I accept only cases within my narrow area of expertise I often have to do additional reading when formulating my opinion. .
 - I don't .
 - i dont anymore
 - I don't enjoy expert witness work and am wary of experts that say that they do enjoy it.
 - I enjoy assisting the court with my expertise and knowledge, and as I have become more confident in my report writing receiving positive feedback from clients about the content of my report is rewarding.
- I enjoy considering all the details of a case and using my psychological training to form an opinion of the psychological impact of the Index Event. The work is flexible. A lot of it can be done remotely. As a psychologist it provides a viable alternative to working in a clinical role
 - I enjoy identifying the key issues and helping a client.
 - I enjoy meeting a wide range of clients - in my case mainly families with young children. Whether working for the claimant or the defendant, I try to reassure the parents that my report will give my opinion of what their child needs.
 - I enjoy research and communication with solicitors and barristers
 - I enjoy reviewing the cases - this is a very good way to keep up to date in my area of specialism. I enjoy giving evidence (most of the time). It is a challenge but if done well it is very fulfilling. It is the ultimate assessment of someone's expertise in the field.
 - I enjoy solving problems and interacting with intelligent people.
 - I enjoy that I can use all my skills, expertise and knowledge.

Appendix 6 - Question 21 continued:

- I enjoy the argumentation - of constructing a well-reasoned opinion that stands strong on basis of its structure and is not an ipse dixit.
- I enjoy the challenges of providing a well balanced report. I enjoy the discussions during conference with the legal teams. I hope that in cases of negligence, my reports will help improve safety and patient care.
- I enjoy the critical thinking that is required to write a report. I always learn so much with each one i write
- I enjoy the forensic analyses of evidence that inform my opinion
- i enjoy the investigation and interrogation of notes to provide the best unbiased opinion to the instructing solicitors
- I enjoy this as part of a wider range of work-related activities - so, the variety and challenge it brings to my work.
- i enjoy untangling difficult issues and trying to provide clarity for the benefit of IPs
- I find the cases always inetrsting and I learn so much about practise. It gives an insight into the workings of other Trusts.
- I have not actively done any case
- I learn SO much by the research I have to do in the cases
- I learn the more I do. It's niche. I learn some law and I like the professional/legal interface
- I like figuring things out/evaluating things
- I like having the opportunity to use my clinical experience and expertise in a legal setting and feel that it is valued.
- I like the chlenge and reviewing the literature
- I love it. I feel I have the scope (unlike rushed NHS work) to do a really thorough, considered psychological assessment. I feel I can offer a helpful perspective to the courts that can make a meaningful difference to outcomes for children. I feel valued by legal colleagues.
- I love seeing my clients who have been advised to come for a skin camouflage appointment for their case, but have no idea what to expect but to see their surprise and response when their scars appear to vanish in front of their eyes and begin to see how it can provide confidence, options and a level of freedom. I also enjoy writing the reports and staying up to date with research.
- I love the variety of work, cases and people we meet. I also enjoy working with (most) legal professionals who are generally great to work with.

Appendix 6 - Question 21 continued:

- I think it improves and informs my own practice, and then the fee earned helps of course
- I work as an independent social worker so it is not being constrained by local authority policies and focusing of the needs of the child rather than a service led assessment
- In depth case analysis
- In future we will only offer this work for existing clients and will not be accepting future instructions. It is not enjoinable work
- In my case to ensure procedural justice is served and learning from others experts from a very diverse range of professionalisms
- In my retirement from clinical work, I have time to critically analyse the case
- Increasingly I enjoy the role less and less due to often inadequate and often late instructions followed by unrealistic timescales for the production of evidence with no consideration or practical steps taken to sequence the evidence - as a care expert I need to have the medical C&P evidence before I can finalise my own and yet still (!) all

experts are given the same deadline. Medical evidence is invariably late or at the last minute leaving little or no time for my evidence to be finalised and no allowance is made for this. and

- Independence
- Independence and challenges of providing an unbiased report
- independence and impartial
- Independence and intellectual challenge
- Independence and the complexity and variety of work.
- Independence of practice
- independence, intellectually challenging, financial remuneration
- Independence. Intellectual challenge. Income
- Individual cases: trying to understand exact needs and to offer guidance on moving forward
- Initially the unknown then the forensic assessment of facts against (in my field) codes, standards and acceptable industry practice.
- Intellectual challenge (and pay rates)-
- Intellectual challenge
- Intellectual challenge and discussion with other experts

Appendix 6 - Question 21 continued:

- Intellectual challenge and learning from cases.
- Intellectual challenge and money
- Intellectual challenge and sharing my knowledge with others.
- Intellectual challenge in complex cases
- Intellectual challenge, control of workload (compared to NHS work!), good financial rewards, chance to improve care
- Intellectual challenge. Question 21 should have been the corollary i.e. what do you dislike about expert witness work? In my view, it is the obsession with determining the ratio of claimant vs defendant work. If experts truly believe that they are independent and are clear in their duty to the court then this information becomes redundant and unnecessary to ascertain.
- Intellectual rigor and opportunity to review the relevant literature
- Intellectual stimulation
- Intellectual stimulation and engagement with others.
- Intellectual stimulation and flexibility
- Intellectual stimulation of clin neg cases. Great learning opportunity.
- Intellectual stimulation, opportunity to use ones clinical skills and the remuneration
- Intellectually challenging
- Intellectually rewarding. Reasonably well paid (but hard work). Can do it in my own time at home.
- Intellectually stimulating
- Intellectually stimulating and well paid
- Interesting and a change from the “day job” but still relevant to my skills and knowledge
- Interesting and challenging work which is well remunerated and can be done at own pace.
- Interesting and varied subject matter. Assisting the court to fulfil its role.
- Interesting cases
- Interesting cases and control over my work
- interesting cases, interaction, helping family
- Interesting work
- interesting, varied, the luxury of time to focus on things in great detail, very different from day to day clinical work, feel appreciated

Appendix 6 - Question 21 continued:

- Interviews and research
- intellectual challenge
- Investigating facts
- Investigating the issue
- Investigating to get to the facts
- It gives me an opportunity to utilise my medical knowledge in a different sphere.
- It helps me in managing risk at my regular place of work
- It helps me learn more about my specialty
- It improves the standard of my work in general, and it matters that it helps ensure fairness for people before the courts
- It is challenging, but very interesting and thought provoking work
- It is challenging, interesting, and never repetitive so I am constantly learning
- It is essentially interesting
- It is interesting and one can have a positive impact on outcomes for children
- It is interesting improves own practice
- It is logical, requires careful consideration and experience. It is stimulating.
- It is varied and interesting work, and different from my clinical work. It also improves my practice as a doctor.
- It is very interesting, rewarding and challenging work.
- It makes me keep up to date, and it is interesting trying to see all sides of events and come to an informed opinion
- It makes me think in critical ways different to those in medicine, and I enjoy the intellectual discussions and deliberations. In addition, I think our work may be particularly helpful in letting Claimants move on from adverse injury or negligence and achieve the best possible outcomes (whether providing reports instructed by either side)
- It was enjoyable. Now not so due to solicitor coercion and non payment
- It's a cliché, but I learn or revisit something new in every case
- it's a challenge
- keeping up to date and the exchanges with other experts
- Keeping up to date, helping solicitors address issues and advising when cases are unlikely to run

Appendix 6 - Question 21 continued:

- Keeping using my medical knowledge and while hopefully helping patients who have suffered also helping doctors who have been wrongly accused of negligence
- Knowing that my knowledge and experience is assisting the court.
- knowing that your work is making a difference to society
- Lateral thinking
- Learning from others' mistakes
- Learning from the scenarios presented
- Learning what others do, getting justice for the case
- Less pressured time than clinical work to really think through a case. It has improved my written communication and sifting of medical evidence greatly. Transferable skills eg into professional practice assessment. The pay is better than for private practice for physicians.
- logical challenge, interacting with KCs, different way of looking at things vs NHS work
- Makes me think about common clinical scenarios from another point of view, and to evaluate the true implications of injuries and fractures
- Makes you think
- Making a difference to the child and the family
- medical negligence
- Meeting and helping the client in need as best as is possible.
- Meeting claimants
- Meeting clients and considering and forming an opinion of their life long needs, the intellectual challenge
- Meeting the Claimants, and often giving them information about their prognosis that the NHS have not had time to do
- Meeting wide variety of people.
- mental challenge, monetary reward
- Mentally stimulating and interacting with solicitors and barristers.
- My interaction with counsel
- my own balanced and neutral opinion , which must be justified. I learn a lot with this procedure about clinical practice.
- n/a

Appendix 6 - Question 21 continued:

- No two instructions are the same and it is just so enjoyable, basically its fun and you meet such great people
- not being in the NHS
- Not yet started
- nothing
- Nothing at the moment. The LAA fees do not meet my expectations so I decline the work
- Opportunity to learn
- Opportunity to review practices of others as can only inform my own clinical work.
- Own learning
- Payment
- Problem solving
- Problem solving, clearing up misunderstandings, explaining things clearly and concisely for others to comprehend and so carry out their role with confidence
- problem solving, MDT working
- problem solving, providing clients/courts with clear information to be able to make decisions and solve/ de-escalate disputes
- Producing a readable report which is helpful to the court
- professional challenge and forensic detail
- professional interest
- prolongs connection with profession
- Protection of children
- provides an instructive balance to my academic teaching and research
- Providing a clear and accurate report for the court. This sometimes requires detective work to discover what actually happened.
- Providing answers
- Providing detailed opinion and challenging work
- Providing evidence and information to the court hopefully to assist them in coming to the correct conclusion
- Providing reports for patient with genuine complaint/ problem.
- Providing the assistance and clarity that potentially no one else could have.
- Pushes me to check the literature and identify poor practice

Appendix 6 - Question 21 continued:

- Putting research findings into practice and the hope that Claimants with catastrophic injury can access therapy and equipment that helps via their Case settlement
- Puzzle solving, prestige, conflict.
- Question my own knowledge applicable to the problem, and being tested on it.
- Reading the medical history and seeing how the medical teams work together to provide care. I am always amazed how the NHS provides for its patients. I like thinking about what is needed to bring the person as close as possible to how they would have been if the incident had not occurred.
- Report-writing
- Research
- Researching and reviewing evidence from all angles and presenting complex issues in an understandable form (hopefully, if I get it right).
- Resolving and reporting on complex issues
- Reviewing documentation, using my expertise to provide an answer, and preparing a report which covers all the issues I identified.
- Reviewing the evidence and identifying the facts relating to the questions to be answered
- Salary
- Satisfaction in providing a sense of clarity for the Court as a result of my assessment & evidence
- Satisfaction of helping “the court” (lawyers) deal with complex, to them yet relatively simple to me, issues...
- Scientific challenge
- Seeing how cases are put together in a legal setting and the shift from a rehabilitative perspective to an adversarial perspective.
- Seeing variety of treatment provided to various injuries. Supporting courts with as objective an opinion as possible.
- Sense of purpose. Interesting, varied work. Forensic attention to clinical detail. Being of public service.
- sharing my expertise and assisting parties to resolve their disputes.
- simplifying things for the court and give a perspective
- Solving puzzles effectively, and getting a close to the scientific truth as possible in a case.
- Solving the complexity and explaining it to lawyers.

Appendix 6 - Question 21 continued:

- Solving the 'puzzle' in such an impartial/supported way that it almost always brings the parties back to the table where they agree a settlement - much more rewarding than pushing through to court.
- Sometimes you see interesting cases. Gives you a benchmark to set your surgical skills in the wider context. Makes you read a different literature to that required to practise surgery.
- Supporting parties with my research and knowledge
- Supporting vulnerable people going through the criminal courts & contributing to justice
- Synthesising the client's current status and making recommendations for their future needs
- TBC
- Te intellectual challenge
- Teasing facts out of clinical records
- Technical challenge of preparing quality report from evidence
- Testing my expertise against Counsel and opposing experts.
- Testing the feasibility of the issue concerned.
- Tests enquiring mind, keep up to date
- That my reports make a difference in peoples lives and help to get justice.
- The 'Sherlock Holmes's aspect', communicating in a way that is Claire, comprehensive, Family based upon the evidence presented, with a marriage of scientific evidence to present a variety of opinions without judgement or bias. I find this work keeps me grounded, up-to-date with contemporary thinking and help helps me to analyse all parts of a case that can seem simple but often have hidden complexities.
- The ability to apply many years of experience to problematic areas and provide solutions to those involved, in order for them to hopefully resolve matter and move on with their lives.
- The ability to assist the court with the truth regardless of the circumstances
- The ability to provide assistance to the court to get the right outcome based on the standard of care provided.
- The ability to spend time examining the evidence and the fact that I am being paid to to further my continuing professional development as I read deeper into the research base around each case.

Appendix 6 - Question 21 continued:

- The ability to thoroughly assess and formulate a clinical opinion based upon reviewing detailed records which are often not accessible in standard clinical practice.
- The ability to use my skills.
- The academic complexity, the intellectual challenge to look at issues from multiple perspectives, rather than simply trying to fit the evidence to the opinion the instructing solicitors would expect, also the fact that I am thorough and happy to argue my opinion
- The academic rigour
- The academic/medical exercise in reaching a diagnosis and guiding future treatment
- the analysis of the information and constructing a coherent opinion and report
- The analytical element
- The attention to detail and the excitement of cross examination- lol
- The brain exercise and the forensic details
- the breadth of work, exploring the nuances of cases and pulling together information to form an opinion
- The case itself.
- The cases and the interaction with legal professionals. Intellectual stimulation
- The cases where staff have done everything right and my report will support them
- the casework side
- The cerebral challenges, plus the need to demonstrate sound clinical reasoning within my chosen field of occupational therapy
- The challenge
- The challenge and helping the court and others
- The challenge and learning
- The challenge and the need to think clearly.
- The challenge of investigating the facts to get to the root of the issue(s)
- The challenge of objectivity
- The challenge of solving a problem.
- The challenge of thinking long term for optimum care of the client
- the challenge of understanding the people I work with
- The challenge of understanding what is required and the investigation into the minutia of the case - I often see things others miss.

Appendix 6 - Question 21 continued:

- The challenge to look for truth
- The challenge. Pushing myself to think harder and harder about my subject. Learning more and more. Meeting and befriending other like minded individuals.
- The challenges inherent in researching pertinent issues and assessing the “other sides” expert reports.
- The challenges of preparing reports.
- The challenging and interesting legal cases.
- the challenging nature of the work
- The client (patient) contact
- The cognitive challenge. I enjoy standing in Court and being cross examined. I enjoy my facility in recall of many years of learning and experience.
- The complexity of the challenge - each case is different and brings its own challenges and rewards. It's never boring.
- The contentious nature and intellectual challenge
- The contrast with clinical work and the interface with another discipline.
- The cpd and formulating an opinion and potentially arguing an opinion
- The critical analysis and using my experience to help with justice
- The deals that go wrong are so much more interesting and educational than the ones that go right.
- the debate among experts in providing a joint expert report
- The detail and being factually correct.
- The detailed assessment and analysis involved
- The detective work of the case. Explaining what has happened to claimants and defining a complication versus negligence.
- The detective work.
- The different cases that arise.
- The different perspective on medical issues, and broader education and contacts
- The enjoyment and the challenge in using my skills and knowledge to assist in finding the truth and to present cost effective solutions to parties in dispute. The Kudos of being an expert in a very niche area of my industry. The experience and knowledge gained from working alongside highly skilled legal teams.

Appendix 6 - Question 21 continued:

- The face to face with the clients, i.e. the subjects of my reports.
- the fact that I need to keep updated with the latest guidelines
- The finished product, very proud of the reports i write.
- The flexibility
- The flexibility and work/life balance
- The flexibility it offers and that I can decide on doing things based on what I want. The the opportunity to continue to develop my knowledge and skills as a clinician.
- The flexible working and meeting wide variety of clients
- The forensic process; trying to ascertain the truth from a variety of sources
- The independence and as a care expert time with the client to holistically assess and share the accurate narrative of illness and burden of disease with the court.
- The intellectual challange
- The intellectual challenge delivering understandable and referenced opinion
- The intellectual challenge of a forensic examination without the usual time constraints of clinical work
- The intellectual challenge of putting all the evidence together
- the intellectual challenge of the work leading up to the submission of the report
- the intellectual challenge, especially in relation to causation discussions. Freedom to work away from the NHS, feeling more appreciated and in your own time.
- The intellectual challenge. The satisfaction of being able to assist decision makers with the benefits of experience I have gleaned over 40+ years in industry.
- The intellectual challenges of forensic analysis of work within my area of expertise. The money
- The intellectual rigour
- The intellectual rigour and engaging with lawyers and other experts
- The intellectual stimulation
- The intellectual stimulation
- The intellectual stimulation from considering wide ranging evidence in clinical areas I have extensive experience combined with having to justify my opinion with challenge from medical and legal colleagues

Appendix 6 - Question 21 continued:

- The intellectual stimulation.
- The interest and complexity of cases, and working with good solicitors/barristers
- The investigation
- The investigation and findings
- the investigation for the truth
- The investigation of the case
- The investigative aspect of determining what actually went on and helping people achieve justice and recognition for the wrongs that have been done to them.
- The investigative process of reviewing the records and then the formulation of an argument or opinion.
- The investigatory element
- The mental challenge.
- The mental challenges
- The money
- The nature and flavour of the work. Writing in a balanced way. Implementing years of clinical practice for the purposes of court
- The opportunity to delve deep into evidence and use my knowledge and skills to the maximum.
- The opportunity to get appropriate and correct facts in the public domain
- The opportunity to make a tangible difference in people's lives.
- The opportunity to uncover practices giving rise to causality and contributing to the education of good practice by the client base.
- The pursuit of justice - trying to help reach a fair outcome for the Claimant and the Practitioner.
- The quality of interaction with smart solicitors and counsel on tough issues.
- The really complex case that makes you think, argue through in legal terms and provide a cogent case for the solicitor
- the research
- The research to the point of conclusion and this process, as well as the positive engagement from most of the instructing solicitors I work with
- The satisfaction of justice happening and the right outcome being achieved.

Appendix 6 - Question 21 continued:

- The satisfaction of producing a well structured, logical and evidence based report. Giving evidence in court -not so much!
- The search for truth, and debunking falsehoods
- The technical challenge
- The technical challenge of a case and ensuring that the barristers, judge, juries and both parties get to properly understand the technical aspects of my specialism
- The variability. The freedom to choose cases, and my working day. Hope thorough and comprehensive I can be. The offers to teach / train solicitors. The balance of clinical skill, research, access to range of documents for formulation. Only been to court once, really enjoyed talking about my assessment process and findings.
- The variation in cases and people
- The variation of the work
- The variety
- The variety and being able to support the legal process with an objective professional opinion.
- The variety and challenge of the cases
- The variety and challenge of the work
- The variety and forensic objectivity.
- The variety and intellectual stimulation.
- The variety and solving technical problems
- The variety and the ability to use my clinical reasoning without the glass ceiling of budgets and criteria.
- The variety of cases and always something new with each case
- The variety of cases and learning from the mistakes of others.
- The variety of cases and range of complexity of injuries and care needs.
- The variety of cases and the ability to challenge my professional opinion
- The variety of cases, that every case presents a puzzle and that you are helping to secure justice.
- The variety of cases, the legal process and proceedings and how the legal system reaches Justice through truth.
- The variety of casework and how much I learn from the process, instructing solicitors and barristers, and other professionals.
- the variety of difficult problems encountered

Appendix 6 - Question 21 continued:

- The variety of the cases and Claimant's. Assessing and contributing towards a Claimant getting what they reasonably require (and no more) for their needs is gratifying
- The variety of the work
- The variety of the work and mental challenges of the different cases
- The variety of work
- the variety of work and the potential to influence outcomes in a psychologically informed way.
- The variety, and making a difference.
- The variety, and sense of responsibility
- The variety, the altered perspective it gives me on my career and expertise.
- The variety; and working with different people, notably solicitors and barristers
- Time to deep dive a case, reasoning
- To be honest - the pay.
- to help genuine clients to get their fair compensation.
- To help to bring to a conclusion a case (whether for the Claimant or Defendant) so that the claimant (and family) can get on with their lives, with hopefully the financial support they require to live it as well as they can.
- To undertake detailed analysis, come to conclusions and make a difference
- tool in dispute resolution
- Trying to help the process of justice.
- Trying to improve governance and learning -
- Two things: the intellectual challenge and some of the brilliant legal minds with whom I get to work.
- Understanding the intricacies and nuances of a case, reviewing and advising on the evidence
- Understanding why and then explaining it so people can understand it.
- Understanding why construction project are unsuccessful.
- unpicking a problem
- Unravelling difficult cases with chronic pain conditions completely unrecognised which explain the person 's symptoms.
- Untangling complex cases

Appendix 6 - Question 21 continued:

- Using my expertise and making recommendations that I feel will be beneficial for children
- Using my expertise to hopefully simplify things
- Using my full skills, having profession discussions with others in cons,
- Using my knowledge and experience
- Using my knowledge and skills in a different way. Analysing detail, examining best practice and identifying where this can fall short or indeed be demonstrated in real live circumstances and situations. Human factors, behaviours - systems and processes all affect performance. Working as an Expert Witness will provide more insight and ultimately lessons learned can be used anonymously to better inform practitioners.
- Using my knowledge of medicine and drug development, but also learning more each time about the legal system.
- Using my knowledge to earn money
- Using my mind in a different manner to clinical practice.
- Using my professional knowledge
- Using my years of experience to provide independent opinion.
- Usually interesting cases
- Variation, interest.
- Varied work, interesting insight into legal profession, pay
- Variety
- Variety and flexibility
- variety and freedom to express my own thoughts on a case
- Variety and getting to the heart of the issue.
- Variety and having opportunity to demonstrate expertise
- variety and the ability to use experience
- Variety and the legal argument.
- Variety of case work
- Variety of cases
- Variety of cases and how it impacts on my own judgement and clinical reasoning
- Variety of casework, opportunity to learn
- Variety of client cases. Being acknowledged for my skills and experience. Satisfaction that I am assisting the court in their decision for a client.
- variety of orthopaedic injuries

Appendix 6 - Question 21 continued:

- Variety of work
 - Variety of work, flexibility to maintain work life balance
 - Variety, hearing people's stories
 - Variety, no two days the same
 - Variety, responsibility and freedom of thought
 - Winning new cases
 - working in the lab and crime scenes
 - working out the course of events and why such things happened or were missed
 - Working out what a client needs and achieving a fair settlement for clients.
 - Working with other experts the depth of scrutiny into some areas of practice which may not have considered on the day to day
 - Working with people to make a difference to their lives.
 - Writing good English
 - Writing the reports and giving evidence
- You constantly learn something and you have to view things very analytically and not allow emotion into your thought process. You also have to be a bit of a detective to look for actual evidence.
 - Being in control of timelines
 - The review of literature constantly needed to ensure one is up to date with the latest clinical evidence

Appendix 7

Question 22:

What advice would you give to someone who is considering becoming an expert witness?

- 1. Complete relevant training. 2. Be clear on your professional duty (i.e. to The Court); 3. Spend a day in Court observing Expert testimony and cross-examination in your area of practice
- 1. Figure out if it's something you really want to do – do you like essay writing? 2. Don't use it as a once in a while sideline project – it takes far too long to get proficient at writing reports for it to be a lucrative form of income. 3. Get accreditation- go on the Bond so long course! Four be clear upon your duties as an expert and the risks involved.
- a 50:50 balance of claimant/defendant work is practically unobtainable.
- Access regular supervision.
- Allow sufficient time, understand what is necessary to carry out your role
- Acquire training first for to fully understand duties to the court
- Are you an expert, stick to your own expertise
- As an OT, I would recommend joining a company who offers high levels of training and support.
- As with most professional activity you learn by doing, there is no substitute for experience
- Ask lots of questions of friends/colleagues who undertake expert work. Make sure that you have a good compliance structure surrounding the business. Ensure that you have sufficient cash flow [particularly in the early days]
- Attend a recognised training course before committing yourself to this work
- Attend formal training courses before starting
- Attend the bond solo course
- Attend the relevant courses and network with other experts.
- Attend the relevant training courses

Appendix 7 - Question 22 continued:

- Attend training and ensure peer support - this isn't fast track to making money as the duty to the court and client is significant
- Attention to fine detail and being totally committed to your opinion
- Avoid major agencies
- BE THOROUGH AND PROFESSIONAL
- Be absolutely convinced about your own ability. Prepare for very late payment. Prepare for claimant solicitors trying to win at all costs.
- Be absolutely independent and be honest.
- Be aware of advantages and disadvantages to the role including penalties and deadlines
- be aware of what you are going into .. very different from clinical work
- Be aware of your worth, accept only instructions that align with your expertise/area of expertise, set boundaries for your time.
- Be brave and go for it - the Court is a much less scary place than you think it will be
- Be careful
- Be careful not to work outside of their field of expertise, and to not depend on the money they make as their sole source of income. (I have on occasion had to wait 4 to 5 years to be paid!)
- Be clear with instructing solicitors regarding Terms of Engagement
- be committed
- Be confident in your area of expertise and undertake expert witness training to fully understand what is required from report writing to giving evidence in court.
- Be confident of your own ability and follow the CPR
- Be confident that you really understand your speciality as thoroughly as possible. Be prepared to deal with challenges from other parties. You need a good understanding of the process and the kinds of questions you may need to face. If possible, attending a similar case where you're not involved, to observe other expert witnesses in action.
- Be curious, never give up learning, and be prepared to be wrong.
- be experienced and not a recent member of your profession
- Be experienced in your area and understand the process through training

Appendix 7 - Question 22 continued:

- Be familiar with the requirements for expert evidence, part 35 etc. make sure you believe what you say. Be aware of being dragged in as a witness to fact, you will not be paid. Don't be a prima donna.
- Be good at what you do. Be thorough and hold yourself to the highest standards.
- Be honest and independent when reporting. Be aggressive about non payment.
- Be honest with yourself and the court
- Be objective, put the claimant first (no matter which 'side' you're working for, and don't be pressured into changing your report, as you will be the one standing in the witness box defending it, not the solicitors or barristers.
- be organised, realistic and very well bounded. Do not be persuaded to state anything against your judgement, and exercise that judgement decisively and well.
- Be prepared for a steep learning curve. Expert work is incredibly rewarding and satisfying.
- Be prepared for deadlines
- be prepared to be criticised
- Be prepared to defend your argument
- Be prepared to plough your own furrow. Take some training to understand your roles and responsibilities, particularly with respect to interactions with client and counsel.
- Be prepared to spend a lot of time writing the report so as to withstand scrutiny from barristers and the courts by understanding the duty of an expert witness
- Be prepared to work
- Be sure that you are prepared to have the necessary attention to detail to produce reports suitable for Court
- Be sure you understand all aspects of the process.
- Be trained.
- Be truthful at all times
- Be truthful, stick to the facts and your own area of expertise.
- Be very aware that it is very time consuming
- Be your own man/woman
- Before forwarding your completed Report, read it carefully trying to wear the hat on behalf of the 'other side'.
- Being criticised, having one's credibility attacked, facing hostile challenges to one's opinions are all part of 'the game'

Appendix 7 - Question 22 continued:

- BEWARE OF LAWYERS!
 - beware solicitors they don't pay - its hard work and the financial rewards only come after year or two
 - Commit to it fully. It can be all consuming with deadlines and demands from instructing solicitors. It is difficult to do as a "sideline"
 - Complete the CUBS training.
 - complete training around report writing
 - Complete training courses to understand the legal test, ideally have a mentor. Also follow the CPR!
 - Consider carefully whether you are suited to the work type. Experience alone is not sufficient
 - consider carefully whether you have the time and inclination
 - Consider it carefully, shadow a colleague / get a mentor and ensure undertake education and updating
 - Consider the long term committment it requires above all else.
 - Consider time element
- Consider what skills you have and don't venture out of your area of expertise. Know that you will not always learn of the outcome of your cases. You'll meet some wonderful people. It can be heart breaking, but you have to maintain professionalism.
 - Consider whom you want to work for - Defence work is essential and fulfilling, but is also an uphill battle.
 - Consult others in the field. Read all the relevant published material.
 - CUBS was excellent when I did it in 2014 and has been very useful ever since.
 - Definitely give it a go. It is not for everyone but is very interesting and rewarding.
 - Develop a network of other expert witnesses
 - Do a course
 - Do a course before starting
 - Do a course before you do anything
 - Do a course on "how to do it".
 - Do a LLM first
 - Do a medicolegal course first
 - Do an approved training!

Appendix 7 - Question 22 continued:

- Do bond Solon training. Go to court and observe what happens.
- Do formal training
- Do it
- Do it - but attend Bond Solon (or similar) training for report writing & court appearance.
- Do it for the intellectual reason and make sure you have the time to devote to it
- Do it properly! Get trained, understand cpr
- Do it seriously and stay up-to-date or don't do it at all.
- Do it! Attend a course; put your name in a respected directory
- Do it! Do some training and find a mentor
- Do it, but get training from the start, I didn't and have regretted it.
- Do it, but get training. There is a big difference between someone who has and someone who has not been trained as an expert. The latter, in my experience, don't seem to always understand their duties and rely more on

instructing solicitors ... which is not always a good thing seeing the instructing solicitor will have a vested interest in getting the best outcome for their client and an expert is supposed to be independent.

- Do it, but only when you are at the top of your profession. You must be able to answer the why questions as well as know the law as it is relevant to your practice / industry
- Do it, BUT, make sure you have the CV and the experience top back it up.
- do not act beyond your field however narrow and do not be bullied
- Do not be bullied by legal profession or step outside area of expertise
- Do not be swayed by instructing solicitors. Remain independent, stick to your findings and be honest.
- Do not claim to be an expert in areas that you are not (producing expert witness reports does not make you an expert) it is a probity issue and arguably also fraudulent.
- Do not do it for financial reasons because it is a very serious job that requires big time investment and continuous education
- Do not do it too early into your career. You need lots of experience, clarity of thought and be prepared to give the time.

Appendix 7 - Question 22 continued:

- Do not get involved without suitable training eg CUBS course. Be prepared to stand your ground, your opinion is your opinion. Agree terms up front and be strict on payment.
- Do not ignore your family and lose out on children growing up. Do not let it eat so much into your life that you end up having little life outside of work. Only take on what is achievable and be prepared for growth of work so it does not take over your life. Ensure really good T and C including fees for DNA, additional costs per hour review of records if provided less than a few days before meetings when starting out to ensure you get paid appropriately and receive all information as you would want it. Dictate what you will do and how you will do it as this work will be in addition to a busy clinical post and other commitments - you need to make it work for you so all you do is achievable and not a source of stress or burnout. Finally, regardless of how good AI and dragon natural dictating are, get an excellent secretary / PA as they will ensure you maximise your efficiency and protect you from unnecessary hassles, and will be a useful source of counsel when dealing with difficult situations that arise and you will not be totally alone when facing such issues. I affectionately call mine “dragon naturally typing”!
- do not produce obviously partisan, contentious reports
- Do one of the 5 day courses. It's a good investment and will go a long way towards making sure that a quality product results. It will help prevent compromising yourself. Work through a broker who provides proofreading, assessment and suggestions for editing, or team up with others who can provide a similar service. Be confident about clarifying instructions with an instructing solicitor. They usually like to hear from you.
- Do some courses and probably wait until you have been a consultant long enough to have built up enough experience to feel confident in your opinions
- Do some training (eg Bond Solon) and understand the requirements
- Do some training and get some mentoring
- Do some training and understand that the rules are very different from a clinical setting.
- Do some training to ensure you are able to answer the instructions carefully and without prejudice,
- Do the Bond Solon course
- Do the Bond Solon training!
- Do the formal training like Bond Solon

Appendix 7 - Question 22 continued:

- Do the required training, keep up with CPD, use the evidence, and always remember your duty is to the court. All parties may try to influence the outcome.
- do the training, get support from a reliable supervisor with lived experience of the Courts
- do them well. there are not short cuts
- Do your homework and go on courses to understand the processes
- Do your homework; speak to Experts and go on a good training course
- Do your research fully to see if this type of work is suitable to you
- Do your training eraly on. Stay strictly within your area of expertise.
- Does not pay enough.
- Don't do it .
- Don't do it early in your career
- dont
- Don't - it pays poorly for the personal exposure and demands placed on experts compared with other areas of similar work as a skilled professional.
- Don't become a family court expert under any circumstances. It is high risk, the courts seem determined to make the role less attractive and rates of pay are about half what they were, in real terms, compared to 15 years ago
- don't consider yourself to be an expert, keep an open mind and always work from first principles;
- Don't dabble, and do it exclusively or close to exclusively, as a repeat expert has to do a good job in order to win more work
- don't give up your day job ...yet !
- Don't hesitate
- Don't know yet until I do one
- Don't overstep from your area
- Don't start too early - pay your dues in the NHS first and do some expert witness training, like BS
- Don't take too many cases on to start with
- Don't underestimate how long some cases may take. Be rigorous about chasing payment.

Appendix 7 - Question 22 continued:

- Don't waffle
- Don't work for a government regulator
- Duty to the Court, stay within your own speciality , do not give in to Solicitors pressure to change the opinion
- Earn your stripes first!
- encourage him to join the panel of expert witness
- encourage them
- engage with training
- Enroll in training asap
- Ensure a good 15 years of experience in their chosen area and keep up to date with changes in national guidance
- Ensure adequate training and practice experience both in your area of professional specialism and then undertaking court work. Ensure you are very clear of your duties as an expert and engage with a network of others working as expert who can provide further information.
- Ensure full training undertaken
- ensure good training and do your research, need to have enough time to do this
- Ensure that they are a true expert in the field
- ensure that you have adequate training and ongoing peer supervision
- Ensure that you have the relevant expertise and experience in whatever field you are acting in as an expert witness.
- Ensure that you only take instruction and always act within your field of expertise.
- Ensure you are an expert, get adequate training and understand the CPR.
- Ensure you can cover your income for at least two years.
- Ensure you have a support structure and manage your time effectively, strict quality control, and take the responsibility seriously
- Ensure you have an understanding of how solicitors and the courts work
- Ensure you have sufficient clinical experience to stand up to cross examination by a KC
- Ensure you insist all required medical documentation is made available before you provide an opinion and be prepared to amend your opinion if new evidence comes to light
- Ensure you only base our opinion on the evidence available!

Appendix 7 - Question 22 continued:

- Ensure you only take on cases you are an expert on
- Ensure you understand your position as an expert.
- Ensure you undertake accredited training before commencing
- Enter every case with an open mind, regardless of what you have been told by instructing solicitors and their clients. Always have an eye for detail and never be afraid to make concessions. Provide your opinion on the matters you are instructed to cover, never stray outside our expertise, and never be corralled into an opinion that you do not believe to be correct and are unable fully support.
- Establish their own clinical expertise
- expect late payments and do not be afraid to sue solicitors
- Expert first, witness second
- Find a good mentor
- find a mentor
- Find a mentor who works in your chosen field of expertise and be willing and open to learn from them.
- Find a mentor, understand what's needed and expected as an expert before you start
- Find a role model.
- First be very good at assessment as a psychologist. Then ask yourself: do you like writing? do you like arguing a point? are you willing to say something that could be controversial? If the answer is yes, get expert witness training and get a mentor so that you have the benefit of advice from a senior colleague.
- First to undergo adequate training.
- Focus on quality rather than quantity
- For the last person who asked me this my advice was 'don't'. Late payment or no payment. Personal exposure in hostile environments. For someone really serious about it, and with the depth of professional experience required, I'd say the starting point is expert witness training (including from profession-specific organisations - in my case, the British Psychological Society). I'd also stress absolute independence from hoping to please the instructing solicitor.
- From the outset establish a mutually agreed TOA and establish that the matters in dispute are within your area of expertise and you have sufficient time to undertake the instructions.
- Fully understand and comply to the letter with all of the relevant Procedure Rules and Practice Directions

Appendix 7 - Question 22 continued:

- Fully understand the duties as an expert witness and the responsibility it entails . Ensuring that you remain up to date with current practices and obtain formal training with an accredited organisation.
- Gain experience, maintain diligence, integrity to the court, maintain independent opinion regardless, willing to be flexible, avoid any conflict of interest.
- Gain some formal training first for report writing and courtroom skills, then join a company for support for a few years.
- Get a mentor from the same of similar field who has done this before, and get trained on the duties of an expert, rules of evidence, report writing and courtroom skills
- Get a PO box and a good accountant
- Get appropriate training
- Get appropriate training, find a buddy expert and practice saying no to avoid being overwhelmed
- Get as much varied experience as you can
- Get Bond Solon training first
- Get credible training
- Get experience of seeing the court process first.
- Get expert advice, expert training and expert peer group membership
- Get expert witness training and stick to your speciality. Make sure you have enough time to devote to reading the documentation and preparing reports.
- Get formal training and join a larger company who can assist you with the logistical part of the reports
- Get forty years of experience under your belt and DON'T go on a training course to become an expert. There are too many so called experts out there whose only skill is in being an expert, or a supposed expert. Oh yes, and learn how to write: some of the gibberish I am offered these days is semi-literate at best.
- get full training
- get good training
- Get initial advice from other experts about time/costs/commitment - shadow colleague - train and be realistic of cases and skills
- Get proper training
- get proper training first !
- Get proper training g and don't take on case outside your area of expertise

Appendix 7 - Question 22 continued:

- Get properly trained and experienced in your field of expertise (years under the belt) before embarking on expert witness work
- Get properly trained and understand what you're getting into
- Get properly trained. Have a mentor.
- Get qualified FIRST!
- Get some basic training before you start attempting any reports
- Get some legal training
- Get some reputable training
- Get some time as a Consultant under your belt. Make sure your NHS contract allows it
- Get some training
- Get some training first
- Get some training!
- Get specific court based training and stick to your areas of expertise.
- Get to know the instructing solicitors and their client well before accepting the case. This to ensure you are comfortable in protecting your case under cross-examination.
- Get trained
- Get trained and stay within your area of expertise.
- get trained first
- Get trained well first
- Get trained, understand your duties, accept your own limitations of knowledge and if you are afraid of the prospect of standing up in court and being cross examined then don't do it.
- Get trained. Stay current.
- Get training
- Get training and accreditation
- Get training to learn the essential requirements and find a mentor.
- Get training!!!
- Get training, find mentorship and encouragement
- get training, get a support network, know your subject and stick to it

Appendix 7 - Question 22 continued:

- Get training, start slowly, build a system that minimises administration, be businesslike.
- Get yourself trained, properly! Clinical work and medicolegal work are very different!
- Get. training. Get a mentor.
- Go and get training and asked an experienced expert to mentor you.
- go for it
- Go for it - but the instructions are slow to come unless you really sell yourself
- Go for it but undertake training and have a mentor
- Go for it but you must be able to think logically and get formal training. Shadow other experts and solicitors and attend relevant CPD meetings
- Go for it with proper training and possibly a mentor
- Go on a Bond Solon training course, you must have legal knowledge as well as your own expert knowledge - this includes minor things like formatting reports too.
- Go on a course first and understand the process. If that clinician is good I would encourage them. If they are illogical and poor clinicians I would discourage
- Go on an expert witness course. Develop some legal information
- Go private
- Hard work & dedication
- Have a clear draft template contract. Require payment prior to Hearing.
- Have a support network of others doing expert work, be clear on the legal requirements on you as an expert witness, do not enter this work for the money as there are a lot of other factors besides pay involved
- Have an eye for detail with your work as it is so important
- Have broad shoulders. Remember you will never please everyone all the time, and proceed with both confidence and humility
- Have enough experience in your specialist field and don't stray into areas you don't practice in!
- Have lots of previous treating experience under your belt
- Have T&C document that sets out payment terms.

Appendix 7 - Question 22 continued:

- Honestly, I would advise them against it. The pay has not kept up with inflation or other lines of work (e.g. NHS roles) even remotely and the demands/ expectations are increasing. I am looking to stop expert witness work in the next year or so for this reason, despite being an experienced expert who has written over 500 reports to date in the past 12 years. There is also so little praise or recognition of our role, only criticism and potential for negative exposure, with very little protection.
- I have given positive advice to a colleague. I do recommend learning from the webinars provided by Bond Solon and the Expert Witness Institute. This advice was provided by my mentor and has proven invaluable in my professional development and understanding. It can be a very tricky and lonely business, but the job satisfaction is amazing.
- I told someone recently, who I could foresee as a future RICS president, that she shouldn't become an expert witness!!
- I would tell the truth about how there is little feedback, sometimes influence, late payment, interesting work and it always comes when you are doing something else.
- Ideally work with an experienced expert in a supporting role and do not work alone
- If they were in my field I would advise them against it due to pressure on rates
- If you are easily stressed, struggle with deadlines and can't work under pressure don't even think about it.
- If you are someone who avoids telling people what they don't want to hear then, don't.
- If you don't love it don't do it and train, train and more training, every day is a school day. Make it a fun thing to do.
- If you go into it, be prepared to put your heart and soul into it, through bad times and good. Always try your best and try your best to keep a level head. Yes, you will get angry and frustrated, but that is life and that is how we grow. In the end you can feel like the mountain you have climbed is worth while not only for yourself, but you feel like you have helped not only others around you but also the entire country, if not the world.
- Insist on clear instructions and full disclosure of facts and documents. Be prepared to be challenged about everything
- It can be rewarding if you know your topic and enjoy a challenge.

Appendix 7 - Question 22 continued:

- It is a great vocation but you can't wing it, you really need to have the expertise you claim to have.
- It is a hugely rewarding, but also hugely challenging area of work. Research the role thoroughly before you commit yourself.
- it is a lot more time consuming and i never charge for all the time it takes
- it is a lot of work and hours if you do it properly.
- it is probably not commercially remunerative, as the time taken is always longer than expected or intended, but the intellectual challenge makes it rewarding in other ways.
- It is very professionally rewarding work if you have the right mind set
- it needs time
- It requires careful preparation, consideration and diligence
- It takes a while to change your style of legal writing from clinical writing, also the pressure and uncertainty of potential court dates with still working clinically can be difficult
- It takes time and dedication. It's not easy dealing with solicitors. There are some in reputable practices out there.
- It takes up a lot of time. You might have to go to court - unpleasant experience
- It's hard hard work. Both practically and emotionally. Big cases can really have an impact
- It's harder than you think
- It's not easy, glamorous or particularly nice work. But it is necessary. Be prepared for everything you do to be pulled apart and questioned in detail. That exam you thought was the worst- you haven't been cross examined yet! And people will be more vocal in criticising you than thanking you for your time and effort.
- It's not for everyone, but try it out on one of the accredited legal courses
- its a changing sector and be prepared to change
- It's a fine balancing act between being technical and ensuring understandability
- It's challenging. The logistics can be frustrating like getting paid. Appearing in court can be stressful. However, it's very stimulating work and the pay is also good
- Its extremely rewarding, but only take it on if you have the time as cases can be extended for a long time. And you must be able to hold your ground in a debate
- Its hard work to do it well

Appendix 7 - Question 22 continued:

- its laborious and time consuming, very chaotic and disorganised systems with high expectations
 - It's tough, rewarding and not for the faint hearted.
 - join a company who can give you guidance on how to present your arguments
 - Join a respected company such as Somek & Associates, the support is invaluable.
 - Join several agencies
 - Just do it - it isn't as difficult or daunting as you think.
 - Just start with negligence reports and work your way through
 - Keep an open mind while dealing with these cases
 - Keep calm and enjoy it. Tie opinions to clear evidence. Always keep learning in your area of expertise - you will never know it all. Finally, be humble enough to change your mind if new evidence arises and honest enough to tell instructing solicitor/the Court asap if that happens. .
 - Keep to their area of expertise, undertake training from Bond Solon (!), where possible observe peers and other distinguished experts, always remember as an expert it is not personal when criticised.
- Know that the first thing an opposing barrister will do is try and discredit you.
 - know the subject and stay within the boundaries of your knowledge.
 - Know your stuff and get some training.
 - know your duties to the Court properly. Stick to your own view.
 - Know your field
 - Know your field and be able to explain it with ease
 - know your field; be ever curious - keep learning; do not be afraid to say that you were wrong
 - Know your stuff, don't take on any case outside your remit and be very clear to the instructing solicitors as to what your capabilities are. Be completely honest.
 - Know your subject
 - Know your subject and stick to your guns.
 - Know your subject. Keep to your own area of expertise. Be prepared for challenges to your opinions. Know your duties under CPR 35 inside and out.
 - Knowledge, experience, objectivity and impartiality are key components to being an expert witness and

Appendix 7 - Question 22 continued:

- Learn from others more experienced, make sure you know your field, maintain your active experience and knowledge and never stop learning. Be willing to open your mind to other opinions but always retain your independence with evidence-based reasoning that you can stand by no matter what.
- Learn from the best experienced experts.
- Learn the duties and remain independent
- Learn the law, get trained, keep up to date with CPD, remain neutral and professional, reflect.
- Learn your expertise inside and out and then learn it again.
- Look before you leap, certain areas such as OT and Case Managers are having to compete heavily for work.
- Make sure you actually know what you are doing, stick rigidly to your area of expertise, get everything peer reviewed by a competent peer and don't be afraid to hold your hand up when you inevitably make an error in a report (hopefully it's your peer who identifies it)
- make sure only do cases where you have genuine knowledge/expertise
- Make sure that you are happy to be cross examined
- make sure you are an expert
- Make sure you are expert and not an enthusiastic amateur.
- Make sure you are thorough and never step outside of your area of expertise
- Make sure you are thorough, don't accept instructions where you do not have extensive knowledge, don't let anyone pressure you to change your report and ensure you are truthful to assist the Court
- Make sure you are trained well - report writing and courtroom skills, etc. Keep up to date in your area of specialism - don't stray outside of this area.
- make sure you are well trained in how to conduct yourself as an expert witness and make sure you know your stuff!
- Make sure you attend appropriate training courses i.e. Bond Solon
- Make sure you can cope with the pressures of attending court.
- Make sure you can write comprehensible English and have a mentor (or formal training) to help with your first few cases and ongoing queries.
- Make sure you do adequate training first

Appendix 7 - Question 22 continued:

- Make sure you fully understand and learn about what the role involves before you commit
- Make sure you fully understand your field of expertise, get some training.
- Make sure you get access to the whole case facts
- Make sure you get proper training
- Make sure you have a good mentor
- Make sure you have a network of other experts to discuss everything with
- Make sure you have adequate professional experience and training
- Make sure you have enough experience and you are clear on the diagnostic criteria
- make sure you have good training and also dont start out independently, gain the support of an agency until established
- Make sure you have high quality T+Cs
- Make sure you have support and mentorship and good admin support for proof reading etc.
- make sure you have the time to commit to the work, make sure you feel comfortable with being challenged, and it can take time to get established as an expert. Join an established expert witness reporting company who can support you with your expert work
- Make sure you know the rules!
- Make sure you know your subject!
- Make sure you know your subject, don't take short-cuts, read the question!
- Make sure you truly are an expert in your field.
- Make sure your expertise is at the right level - and that you understand the for/against arguments and limitations
- Mentorship is a valuable tool, where you can have someone in place that can support and guide you (just not give you the answers). I had this very late on and wish I had it much sooner.
- My advice is consistent to contact Bond Solon and review the education (CUBS) that must be undertaken prior to commencement of the role
- My advice is: do not think of expert witness work as an 'add on' to your primary professional work; instead think of it as an area of specialisation within your profession.
- n/a

Appendix 7 - Question 22 continued:

- Need sufficient experience in main discipline before taking on the role.
- need to be flexible and resilient
- Need to genuinely have expertise and be the right personality. Pragmatic. Decisive. Impartial. And get trained.
- Not to do it. Out of all our clients the legal profession is the worst to deal with. The combination of slow payment, interference formally and informally with professional process and bad behaviour make the work unrewarding to the point of being toxic.
- Not yet started
- Nowadays - undertake some training and be under no illusion about how demanding it can be.
- Obtain sufficient experience in your field
- Only cover your own area of expertise
- Only do it if you enjoy it
- only IF (BIG IF) you realistically deem yourself to be an expert in named field and be prepared to protect that expertise and personal reputation "under oath"
- only if one keeps up to date with one's profession
- Only if they are sufficiently qualified.
- Only take on instructions where you have true expertise, and are at the sharp end of doing similar work.. Do not aim to be an expert expert.
- Own learning and interests
- pace yourself as it can get busy quickly
- Pace yourself, get training and supervision
- Pace yourself. Solicitors seem to be reluctant to use a new expert then once they become familiar they want to use the same expert - this can result in a snowball effect on the expert's workload.
- Pay attention to detail, be curious and ask for more information, and be assertive / confident in interactions with legal colleagues. Make sure you are answering the questions including context and alternative possible explanations but you must give an opinion and not remain sitting on the fence
- Pre payment

Appendix 7 - Question 22 continued:

- Prepare properly by joining an expert witness organisation (like Bond Solon) to teach you clearly what is expected of you as an expert witness. Do not rush into becoming an expert witness too early as your experience makes you a better expert witness. Make sure you give yourself the time to train, prepare and write reports as this takes longer than you think.
- Prepare well
- Prepare yourself for the cost of the expert course
- Prepare yourself properly it is no place for fools or laziness.
- quality over quantity
- Read a lot about what it involves. Be prepared to be challenged on your work
- Read my book
- Read the brief. Ensure that this is clear and discuss the context before you accept. I have received briefs that were wide, then questioned on why I had deviated from what the instructing solicitor believed they had instructed.
- recognise the complexity of all cases and the need for thorough research- one size does not fit all, each case is unique
- Recognised training course and start slowly. Peer support and mentoring if possible
- Remain objective. Undertake appropriate training. Seek peer supervision/support.
- Remain professional throughout and work on continuous improvement in your competency.
- Remember that you have to be firstly an expert in your field before you can be medico-legal expert. What I see among young doctors is a tendency to regard medico-legal practice as an alternative or additional income and possibility to cut down NHS commitments. As if people do not realize what the word expert means.
- Remember you never stop learning. Being an expert is a process. You never know it all. It's hard work and demanding, can be working to tight time deadlines however highly rewarding.
- Remember your obligation is to the Court not the client. I ALWAYS explain this to anyone who appoints me as an expert witness
- research and have training on vicarious trauma

Appendix 7 - Question 22 continued:

- Research being an expert in your field. Undertake training before practicing, not just in expert services but also in your particular specialism and other soft and hard skills.. Get a good mentor. Start gradually and do not assume you can immediately give up your day job.
- Research the field and save ££ before starting
- See above for the benefits. I tell lots of people to do it.
- Seek advice and mentorship and enjoy
- Seek appropriate training and find a mentor
- Seek out good quality training and supervision. Speak to other people who are already doing it to find out more about the work.
- Seek out others' experiences early on, identify potential pitfalls and issues and source support
- Seek relevant training and support such as mentor scheme offered by EWI
- Shadow a colleague in medico-legal clinic and get advice from a peer.
- Shadow another expert and have a mentor
- Sign up for courses covering report writing, cross examination and civil law.
- Sometimes it can be very unrewarding as you are giving a view after the event and don't directly influence the outcome of a project.
- Speak to other experts. Read anonymous specimen reports. If possible shadow an expert before deciding if you can meet the challenge. Then train in the basics of report writing firstly and get all your reports peer reviewed prior to submission and train further
- Speak to some experienced experts in their field to find out what it is like.
- Speak to your colleagues / other experts - in my area other expert witnesses have been a great source of support and advice
- Spend as much time considering alternative viewpoints as you spend considering the first viewpoint that occurs to you.
- Start as an associate of a company who have worked in your field and understand you're profession. Don't start with the big agencies who are invariably a hassle to work through.
- Start early...
- Start off doing a limited repertoire of cases, even if you have much broader expertise
- start slowly, get proper training

Appendix 7 - Question 22 continued:

- Start slowly, with small non-controversial cases.
- start small -
- Start with a realistic fee/hourly rate. I say double what they were thinking of charging. If the solicitor doesn't instruct you the next one with a difficult case will. You will have interesting cases albeit half as many but much more stimulating. (As an aside, I should double my rate but I work in a provincial setting, the level of work is becoming unmanagable so I may do)
- Start with less challenging case and have a supervisor
- Start with simple cases
- Start with simple cases. Do not do clinical negligence for at least five years.
- Stay honest direct and fiercely independent
- Stay in lane
- Stay within what you know and have personally experienced. Be humble. Recognise when you were wrong and be prepared to change your views in the light of fresh information or evidence. Be totally on the side of truth and never slant towards the claimant or defendant. Aim to make your report independent and for the benefit of the Court.
- Stay within your clinical expertise, don't be persuaded to venture out!
- Stick firmly within your area of expertise. Get appropriate training.
- Stick to the topics that you are an expert in. Don't be swayed by clients to advise on anything you do not have a working experience in.
- Stick to what you are genuinely expert at
- Stick to what you know
- Stick well within your sphere of expertise and think very carefully about the opinion you provide - would you be comfortable defending it in the witness box. Only agree to report amendments if you are entirely happy they do not distort your opinion.
- Study hard, for many years, keep up to date
- Study more and really keep up with your CPD.
- Study the evidence and be thorough with research. Your opinion is your reputation, never compromise.
- T&Cs required to work with lawyers
- Take a few courses
- Take advice and attend a course from Bond Solon

Appendix 7 - Question 22 continued:

- Take an LLM, complete the CUBS certificate and attend the annual BS update.
- Take great care to deal with what you know and avoid being pressured to give the 'right' answer.
- Take it seriously, this is not a side hustle
- Take it seriously, work with an agency at least to begin with, consider finding a mentor, don't take on too much work, ease in slowly
- Take on a very small number of cases and have a mentor
- Take the Bond Solon course
- Take the education
- Take the time to obtain some training (eg Bond Solon) and find a mentor who is experienced.
- Take time to really understand your responsibilities (professional opinion/ unbiased/ independent nature of the work/ use training companies and resources to develop expertise).
- Take training classes
- Take your time to fully understand the instructions and keep all options balanced and neutral. It is not for the witness to decide fact
- taking one step at a time
- Talk to a range of other expert witnesses in your field for their own personal tips and experiences.
- Talk with colleagues in this line, both those working for the Crown and those for the Defence, and find a course to help with report writing and courtroom skills
- TBC
- The cultural elements of the legal domain operate very differently from healthcare culture, and fitting within the process of that has required some reflection.
- The time commitment/expectations after initial reporting.
- The time it takes to write reports and do the background work, also once the report has been submitted its not the end of it, you will get requests to edit and meetings that can add to the time required to complete a reports
- The work provides personal and professional gratification, but it's often hard work and very time consuming. The role requires full commitment.
- Thick skin, meticulous, education, heart breaking cases
- Think about how it would fit in with any other work you're doing. Not everyone would find it easy to provide court availability as far ahead as it is sometimes required.

Appendix 7 - Question 22 continued:

- Think about what is involved and consider whether it is for you
- Think carefully
- Think carefully - have you the relevant and adequate experience, are you willing to keep UTD with the relevant literature, can you cope with defending your professional opinion, have you the time
- Think carefully about it and seek counsel from current experts about the positives and the pitfalls of such work - it is not for everyone
- Think carefully and talk to an experienced professional
- Think carefully before your decision and participate in structured training.
- Think how you would defend your opinion when faced by an experienced hostile barrister, when standing in Court, answerable to the Judge, not the partisan solicitors who instructed you, knowing that the Judge will judge your evidence in the Judgment and publicly praise or condemn you
- think very hard about what it means to be impartial and then ensure you are impartial
- This work allows you to make a worthwhile contribution to society so give it a go. Form your views on the evidence that is available, combined with your own knowledge and experience, and paint the picture as you understand it. The fact that your opinion might be different to another expert just means you have had different life/work experiences, not that your opinion is 'wrong'.
- To be aware of poor communication and time management by solicitors. Only take on cases that they truly have expertise in.
- To be confident of your opinion and to be resistant to undue influence. Only do it if you are prepared to stand by your views.
- To be mindful of Duty to the Court
- To be prepared to work late evenings or weekends and to be aware of tight deadlines, case conferences and court appearances.
- to be truthful and not sway a report to the instructing party agenda
- To be very clear about your specific area of expertise and not to stray beyond it!
- to do a recognised training course before starting
- To do it, but only if they are willing to have attention to detail and put the required time into it.

Appendix 7 - Question 22 continued:

- To embark on the training
 - To ensure you have local contacts and ability to self promote.
 - To get started
 - Train first
 - train properly and understand your duties
 - train properly, treat it as a professional activity
 - Train thoroughly in both expert work and maintain currency in your principal profession. Maintain a high level of CPD e.g. through The Academy of Experts.
 - Train to be comfortable in a combative and adversarial working environment.
 - Train train train.
 - Train well and read lots, maintain CPD
 - Train! And then shadow. Have a set of useful proformas and keep impartial!
 - Train, train , train
 - Train, Train and Train. More training, better expert. Then be prepared a robust business plan as it has all the implications of risk of any business.
- Training
 - Training (I did Bond Solon) and a mentor
 - Training and seek supervision from a currently serving expert witness for guidance and support
 - Undergo training and fully understand the process and how analysis of the expert evidence and the duty to the court differs from clinical reasoning associated with primary duty to the client
 - Undergo training properly
 - Understand clearly what is expected of you. Know the relevant procedure rules and practice directions. undertake training in expert witness work. Do not stray outside your area of competence.
 - Understand the change in mindset - it isn't about negotiating a settlement or justifying anyone's position. It is about helping the judge to understand the technicalities and reach an informed decision him/her self.
 - Understand the legal process, the overwhelming duties to be independent and attend the requisite legal courses regularly
 - Understand the legal processes before committing
 - Understand the process and be sure you are an Expert

Appendix 7 - Question 22 continued:

- understand what you are getting into - get training in being an expert, and do not be bullied into reducing your fee or changing your report. You need to be robust and strong in this work.
- Undertake a training course such as Bond Solon etc
- undertake an expert witness course and be confident in your knowledge
- Undertake appropriate training first, Bond Solon highly recommended
- Undertake appropriate training, it helps build confidence when dealing with solicitors.
- Undertake some training in being an expert witness, and if possible join a group or body that will support your practice in the early days, and also helps by being the interface to the solicitors, obtaining good copies of records and other evidence; also who will bill on your behalf
- Undertake training
- Use a better contract than the one I am using - I'm retiring and am not accepting any more work, otherwise I'd be taking steps to improve mine.
- Value your work and do not work at an unacceptable fee rate
- Very good CPD
- Wait until your clinical practice (especially PP) have wound down
- We need you. There is a shortage of good expert psychologists. Know your stuff but don't be afraid to say if you don't know. The work really improves practice as we have to be very clear and able to justify our position. You get used to giving evidence and don't be put off by that.
- when committing yourself to paper imagine having to explain your report in court
- Work as an assistant to gain experience
- Working in the industry compiling knowledge is the learning that is required to be able to grow into an Expert role later in a career.
- you are there to assist - if you think you can do this well and have the time then OK - be aware that the people you are speaking to are not experts
- You have to enjoy it
- you have to open minded to every case and remember that you are writing for the Court

Appendix 7 - Question 22 continued:

- You master your trade before attempting to enter the expert arena, otherwise you will come unstuck very quickly.
- You must undergo appropriate training in report writing and courtroom skills and repeat this every 2-3 years
- You need many years of experience, with a specialism but also a wide tool box of skills as cases can morph into other areas of healthcare and life
- You need to be experienced in your field, you need the ability to look at the facts, think critically and be objective
- You need to be thorough and allow enough time to review
- You need to do the training and know your subject
- Your duty is to the Court
- You're not an expert just because you've completed the mandatory MedCo training. You may be able to call yourself a professional witness after this, but not an expert witness.
- You're not as smart as you think you are.
- Shadow an experienced witness for a while
- Ensure you have appropriate training and attend regular updates

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