

# Cardiff University Law School Medico-Legal Foundation Certificate in association with Bond Solon Training

An independent, university assessed certificate for medical experts, which demonstrates to both instructing parties and the courts that you have the requisite knowledge and skills to undertake expert witness work.





*You must also ensure that you understand, and adhere to, the laws and codes of practice that affect your work as an expert witness. In particular, you should make sure that you understand*

- *how to construct a court-compliant report*
- *how to give oral evidence*
- *the specific framework of law and procedure within which you are working*

### **General Medical Council Acting as an Expert Witness – Guidance for Doctors**

*MobileDoctors now expect all medical examiners on our panel to have successfully completed the Cardiff University Law School Medico-Legal Foundation Certificate or the Cardiff University Bond Solon Expert Witness Certificate. These independently assessed qualifications enable us to demonstrate to instructing parties and the courts that the experts we engage with are both independent and competent to undertake expert witness work.*

**Matthew Game  
Chief Executive Officer  
Mobile Doctors**

## **Why undertake the Medico-Legal Foundation Certificate?**

As well as having the relevant qualifications and expertise in your medical field, it is now regarded as essential that medical experts, however experienced, undertake recognised expert witness training.

Important changes to both the Civil Procedure Rules and the Supreme Court's decision to abolish expert witnesses' immunity from suit, have resulted in medical reporting agencies, insurance companies and solicitors being more careful than ever when assessing the suitability of an expert.

There is a need for medical experts to be able to demonstrate the quality and independence of their work.

The Cardiff University Law School Medico-Legal Foundation Certificate has been developed to give all medical experts an understanding of their duty to the court, the law and procedures that affect expert witnesses in civil claims and the skill of producing court compliant expert reports.

This is the first standard foundation and entry level certificate for all medical practitioners wishing to undertake expert witness work.

On successful completion of the training and corresponding assessments, you will be awarded the Cardiff University Law School Medico-Legal Foundation Certificate. You will also be provided with the certificate logo and specific wording, which can be used on all your material to demonstrate to both instructing parties and the courts that you hold the requisite competencies to undertake this work.

## **The training**

The Cardiff University Law School Medico-Legal Foundation Certificate is made up of distance learning and 3 days of face-to-face training. The whole programme is eligible for 24 hours CPD.

The training consists of:

- Bond Solon Civil Procedure Rules (distance web learning)
- Excellence in Report Writing (1 day)
- Civil Law and Procedure (2 days)

You have 1 year to complete the certificate, starting from the first module that you pass.

## **The assessment process**

- **Part 1 - online assessment of the Civil Procedure Rules.** A multiple choice test at the end of each of the 5 modules will test your understanding.
- **Part 2 - assessment of your expert witness report.** You can submit your expert witness report at any time during this one year period. You are required to submit two copies in court-ready condition.
- **Part 3 - multiple choice exam on law and procedure.** A multiple-choice examination is sat at the end of the Civil Law and Procedure course.

## **Recognition of prior expert witness learning**

A large number of medical experts will have already completed parts of, or the whole of, the training listed on the previous page. These experts will be provided with either full or partial credit toward the Cardiff University Law School Medico-Legal Foundation Certificate. The courses which medical experts will receive credit for are:

- Bond Solon CPR Web Learning
- Cert MR Part 1
- Excellence in Report Writing
- Civil Law and Procedure



## Who should undertake the Medico-Legal Foundation Certificate?

The certificate has been designed for **all** medical experts involved in both personal injury (fast track and multi-track) and clinical negligence cases. It is suitable for both those who have undertaken expert witness work for many years and those who are starting out within the medico-legal arena.

## Benefits of the Cardiff University Medico-Legal Foundation Certificate:

- Ensures you are able to fulfil your duties as a medical expert witness and demonstrate for GMC Revalidation process that you are up to date and fit to practise as a medical expert
- Increases confidence in your skills and knowledge, both to yourself and to instructing solicitors
- Entry on the National Register of Medical Experts
- Widely-recognised certificate logo and wording for CVs, websites, reports and correspondence to solicitors which will differentiate you from other medical experts within the same field
- Discount expert witness indemnity insurance, listings in a number of expert witness directories and adverts in the legal press

## National Register of Medical Experts

Medical experts that hold the Cardiff University Law School Medico-Legal Foundation Certificate and/or the Cardiff University Bond Solon Civil Expert Witness Certificate will be placed on a central National Register of Accredited Medical Experts.

This register will hold the details of the medical expert, the date they passed their foundation certificate and an on-going record of their relevant expert witness CPD.

## Ongoing medical expert witness CPD training

Holders of the Cardiff University Law School Medico-Legal Foundation Certificate will be required to undertake 6 hours of approved expert witness CPD training every 2 years.

Medical experts will also have the option of upgrading their certificate to the full Cardiff University Law School Bond Solon Civil Expert Witness Certificate (CUBS) by undertaking a further 2 days of training covering Courtroom Skills and Cross-Examination and passing the corresponding assessment. You have 2 years to complete the CUBS certificate from the time that your expert witness report or multiple choice exam is assessed.

Introduced in 2002, the CUBS Expert Witness Certificate is the first university accredited expert witness certificate in the UK and is seen as the gold standard. To date over 1000 experts have completed or are in the process of completing this Certificate.

*Experts producing reports should undertake recognised expert witness training. MLP Injury Lawyers will now only instruct an expert who can demonstrate an understanding of the law and the requirements of being an expert. I would be happy to recommend all experts to take Bond Solon training.*

**Kevin Walker**  
Partner

**Myers Lister Price Solicitors**

*I would urge all experts to receive training from either Bond Solon or a similar organisation. I think you will find it critical that you do so.*

**Lord Woolf**  
former Lord Chief Justice  
and Master of the Rolls

*The Association of Personal Injury Reporting Experts regards medico-legal training as mandatory. We recognise the Cardiff University Medico-Legal Foundation Certificate as the benchmark that all medical experts should undertake. This independent certification will become an essential element within our appraisal process of our licensed doctors who undertake medico-legal work, enabling them to evidence their continuing professional development and competence in acting as an expert witness.*

**Dr Rowland Whale**  
ASPIREX



*As a director of a medico-legal report writing company, I have written and overseen thousands of medico-legal reports. Having recently completed the Bond Solon Report Writing course I would thoroughly recommend this training for all GPs or Consultants looking to undertake instructions to provide expert legal reports, or to brush up their skills as part of their annual clinical appraisal.*

**Dr Chris Renfrew**  
Medical Director  
Pegasus Medical

*I write to congratulate you and Bond Solon for the excellent Bond Solon Civil Procedure Rules for Expert Witnesses web learning package. I found some parts quite tricky and underestimated the depth of reading required at first. This is my first real foray into personal online CPD. I can see what a powerful and convenient method of study it is. I enjoyed the variety of formats used in the package. I look forward to using this method of learning for future important updates in CPR and matters pertaining to expert witnesses.*

**Stephen Davies**  
Consultant Radiologist

## **Bond Solon Civil Procedure Rules (distance web learning)**

This web learning package provides medical experts with the background knowledge required to comply with the Civil Procedure Rules.

The web learning package consists of:

- Broadcast quality video interviews with informed specialist contributors
- Comprehensive source material
- Detailed explanatory notes
- Background reading
- Multiple choice tests to indicate progress

For ease of study, it is divided into 5 manageable modules. On successful completion of the study and tests, the expert is sent the Bond Solon Civil Procedure Rules for Expert Witnesses Certificate and logo to evidence the required awareness of the Rules.

This package includes extensive interviews with:

- The Right Honourable Lord Woolf of Barnes, author of the Civil Procedure Rules and the Access to Justice Reforms
- John Fordham, Head of Commercial Litigation, Stephenson Harwood
- Guy Henderson, partner, Allen & Overy
- Ben Holland, partner, CMS Cameron McKenna
- Jonathan Lux, partner, Ince & Co

This is an online training course, available at any time and from any computer via secure login.

## **Excellence in Report Writing (1 day)**

An medical expert's report is a vital element in litigation. It must be clear, succinct, independent and well presented.

Many medical experts create their own report writing style or adopt generalised formats, having rarely received constructive feedback from lawyers on what is required from their written evidence. This course explores what lawyers and the courts expect and require from an expert's report. Experts will be taught how to assess their own and other medical experts' reports.

Working with model formats and techniques received during the training, medical experts will be able to produce, quickly and consistently, reports that are court compliant.

### **KEY LEARNING POINTS**

- Identifying the issues to be addressed in your report
- A structured approach to preparation and writing
- Expressing an independent view and arguing your conclusion
- Dealing with supporting information
- The Expert's Declaration and other procedural requirements
- Developing an objective and critical eye in relation to your report



## Civil Law and Procedure (2 days)

Medical experts involved in civil proceedings in England and Wales need to understand the basics of law and legal procedure to work effectively and confidently and comply with various mandatory requirements.

The programme explains the principles of liability and quantum of damages through case studies. The practical implications of the Civil Procedure Rules, legislation, guidance and judicial comment on the roles and responsibilities of experts are studied.

### KEY LEARNING POINTS

- The court structure and other means of dispute resolution
- Contract and Tort law essentials
- Relationship between the expert, court and solicitor
- The Civil Procedure Rules, Practice Directions and Protocols
- The role of the expert
- Disclosure

## Training dates - Autumn 2013

### London

16 Sept 2013 - Report Writing  
17-18 Oct 2013 - Civil Law and Procedure

### Birmingham

22 Oct 2013 - Report Writing  
27-28 Nov 2013 - Civil Law and Procedure

### Manchester

9 Sept 2013 - Report Writing  
24-25 Oct 2013 - Civil Law and Procedure

### Bristol

18 Oct 2013 - Report Writing  
18-19 Nov 2013 - Civil Law and Procedure

The Civil Procedure Rules is an online training programme which can be accessed from any computer, at any time.

We regularly add new training dates. Please call us for a full list.

## Training at your organisation

Alternatively, if you have a group of 4 or more colleagues interested in a course it may be more cost-effective to deliver the training in-house at your organisation. In-house training can be delivered anywhere in the UK. For more details call 020 7549 2549.

*The main benefit for me has been in 'seeing the medico-legal process from the other side' and in understanding more completely what instructing solicitors want and the language they use.*

**Andrew Quaile**  
Spinal Orthopaedic Surgeon

*As an independent psychiatrist looking to become an expert witness it was recommended by a colleague that I attend Bond Solon expert witness training. After enrolling on the Cardiff University Bond Solon Expert Witness Certificate I now fully understand the importance and implications of being an expert witness and am now confident in my ability to write a court-compliant report and to stand up against cross examination.*

**Richard J. Marshall**  
Clinical Psychologist

*With the recent changes in legislation, this training has become essential for GPs who are either already experienced in this field or who are considering entering the medico-legal arena. Having completed this training, I am able to demonstrate to interested parties that I have the requisite understanding of the role of an expert. This knowledge has also allowed me to be more confident when corresponding with my legal counterparts and consequently my practice has expanded considerably.*

**Dr Sandy Jackson**  
General Practitioner



## Frequently asked questions about the Medico-Legal Foundation Certificate

### Q: How long do I have to complete the certificate?

A: All assessments must be passed within 1 year of the date on which your first pass is achieved. The period may be extended in exceptional circumstances at the entire discretion of Cardiff University Law School. If you decide to do the more extensive CUBS certificate, you must complete this within 2 years.

### Q: Do I have to take the training in any particular order?

A: You may take the courses in the order you wish. We recommend that you complete the Civil Procedure Rules online training before the other modules.

### Q: When and where are the courses run?

Courses are held throughout the year in London, Manchester, Birmingham and Bristol. For more information, see page 5 or call us on 020 7549 2549.

Alternatively, if you have a group of 4 or more colleagues interested in a course it may be more cost-effective to deliver the training in-house at your organisation. In-house training can be delivered anywhere in the UK.

### Q: I have taken expert witness training courses with Bond Solon in the past. Do I get credit for these courses?

A: You may claim credit for attending the Bond Solon CPR, Cert MR, Excellence in Report Writing and/or Civil Law and Procedure courses if you have taken them within a year prior to the first day of the certificated training. You must still, however, submit a report for assessment as part of your overall assessment.

### Q: Is the certificate appropriate for new or more experienced medical expert witnesses?

A: The certificate is suitable to both new experts and those who have been undertaking this work for many years. Please note that new experts who are looking to undertake this programme will need to be able to provide a court compliant expert witness report for the assessment.

### Q: What happens if I fail any of the assessments?

A: You will be able to repeat the relevant modules and resubmit any of the assessments, subject to an additional course and marking fee. Alternatively, you can go through the Cardiff University Law School appeals process.

### Q: Can I use this course for CPD and will it assist in my GMC revalidation?

A: Yes. The Medico-Legal Foundation Certificate is eligible for 24 hours CPD. During revalidation, this programme will assist in demonstrating your continual professional development within your medico-legal practice and compliance with the GMC's guidance 'Acting as an expert witness - guidance for doctors'.

### Q: I have already completed the full Cardiff University Bond Solon Expert Witness Certificate. Am I eligible to be put on the National Register of Medico-Legal Experts?

A: Yes. Please contact us and we will arrange this for you.

*Solicitors now have to be much more careful when instructing a medical expert. Medical Experts must be able to demonstrate that they have a complete understanding of Practice Direction 35, Pre-Action Protocols and of CPR Part 35, are able to produce court compliant reports and give evidence in court. The Cardiff University Law School Medico-Legal Foundation Certificate will enable all medical experts to demonstrate to instructing parties that they have both the requisite knowledge and competencies to undertake expert witness work.*

**Robert Fielding**  
CEO  
Quindell Legal Services

*I have just completed the final module of the CUBS training course, and I can truthfully say that I found it an extremely beneficial experience. The trainer for each module was excellent, and I found myself understanding and appreciating large aspects of Expert Witness work, that would have remained a mystery had I not invested in the course. For those Experts in any doubt, I can thoroughly recommend doing it.*

**Geoffrey Sagor ChM FRCS**  
Consultant Surgeon



## A selection of our clients...

### LAW FIRMS

Addleshaw Goddard, Allen & Overy, Ashurst, Baker & McKenzie, Berwin Leighton Paisner, Bird & Bird, Browne Jacobson, Burges Salmon, Charles Russell, Clifford Chance, Clyde & Co, CMS Cameron McKenna, DAC Beachcroft, Denton Wilde Sapte, DLA Piper, Elborne Mitchell, Eversheds, Herbert Smith, Hill Dickinson, Hogan Lovells, Holman Fenwick Willan, Lewis Silkin, S J Berwin, Slaughter and May, Withers

### COMPANIES

Argos, Aviva, AXA, B&Q, Barclays, Betfair, Biffa, British Gas, BSKyB, BT, CCL Forensics, Ernst & Young, Deloitte, First Great Western, G4S Cash Solutions, GAP, Gatwick Airport, HBOS, HSBC, KPMG, Microsoft, Mothercare, National Grid, National Express Group, PricewaterhouseCoopers, O2, Royal Bank of Scotland, South West Trains, Tesco, Veolia Water, Virgin Trains, Vodafone, Welcome Break

### CENTRAL GOVERNMENT

Civil Aviation Authority, Environment Agency, Health Protection Agency, HM Revenue and Customs, Home Office, Insolvency Service, MOD, Office of Fair Trading, OFSTED, Parliamentary & Health Service Ombudsman, Public Service Ombudsman for Wales, Rural Payments Agency, Scottish Legal Complaints Commission, Scottish Public Service Ombudsman, Serious Fraud Office, SOCA, Transport for London

### HEALTH

Abertawe Bro Morgannwg University Health Board, Basildon & Thurrock General Hospitals NHS Trust, Betsi Cadwaladr University Health Board, Bexley Care Trust, Croydon Health Services NHS Trust, Department of Health, NHS Dumfries & Galloway, Norfolk and Suffolk NHS Foundation Trust, Northern Devon Healthcare NHS Trust, RDaSH NHS Foundation Trust, South Central Ambulance Service

### PROFESSIONAL BODIES/INSTITUTES/ASSOCIATIONS

ACCA, Association of Accounting Technicians, CIEH, CIPFA, City and Guilds, Federation Against Copyright Theft, F3, IMarEST, IMechE, Insurance Fraud Investigators' Group, Keep Britain Tidy, LAIOG, North East Fraud Forum, RICS, Society of Operation Engineers, Solicitors Regulatory Authority, Telecommunications Fraud Forum, The Law Society

### POLICE

Avon and Somerset, British Transport Police, Cambridgeshire, Central Scotland, Cheshire, City of London, Devon and Cornwall, Dorset, Durham, Dyfed-Powys, Essex, Greater Manchester, Guernsey, Hampshire, Hertfordshire, Humberside, Kent, Lancashire, Leicestershire, Merseyside, Metropolitan Police, Norfolk, Northumbria, North Yorkshire, Nottinghamshire, College of Policing, PSNI, National Crime Agency

## About Cardiff University Law School

Cardiff Law School has a vibrant research culture and is recognised as a leading legal research institute. In the 2008 Research Assessment Exercise nearly all of the School's research activity was classed as world leading or internationally excellent, and Cardiff was ranked 7th out of the 100 Law Schools in the United Kingdom.

The Medico Legal Foundation Certificate is assessed by the Centre for Professional Legal Studies, which is part of Cardiff University Law School. All of the Centre's staff are qualified as either solicitors or barristers, ensuring the highest standards of assessment for candidates undertaking the Medico Legal Foundation Certificate.

## About Bond Solon

Bond Solon is the UK's leading expert witness and evidence training company specialising in training non-lawyers in legal matters. Bond Solon was established in 1992 and since then has trained in excess of 250,000 delegates on its training programmes. Bond Solon has been at the forefront of designing and delivering training to expert witnesses and improving the standards of expert witnesses in the UK.

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020 7549 2549  
[www.bondsolon.com](http://www.bondsolon.com)

Bond Solon Training  
6-14 Underwood St.  
London N1 7JQ

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