Supplementary reading

The medicolegal expert and the consultation

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| Medicolegal expertise | *Director of Public Prosecutions v IG* [2021] IECA 91 |
| The role of the psychiatrist | *Director of Public Prosecutions v Abdi* [2022] IESC 24 |
| Reading the medical records before the consultation | *Palmer v Mantas* [2022] EWHC 90 (QB) |

The medicolegal report

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| Sufficient reasoning in expert opinion | *Director of Public Prosecutions v C* [2021] IESC 74 |
| Learning disability “within” or “outside BPS Guidance” | *TW v Middlesbrough Council* [2023] EWCOP 30 |
| Language | *Donovan v Grainmarket Asset Management LLP* [2020] EWHC 17 (Comm) |
| Glossary of medical terms | *SC (a child, suing by her mother and litigation friend, Ac) v University Hospital Southampton NHS Foundation Trust* [2020] EWHC 1610 (QB) |
| Social media evidence | *Palmer v Mantas* [2022] EWHC 90 (QB) |
| Draft Particulars of Claim in clinical negligence cases | *Magee v Willmott* [2020] EWHC 1378 (QB) |
| Expert declarations in Scotland | Law Society of Scotland's Expert Witness Code of Practice  *Reactec Limited v Curotec Team Limited* [2020]). |
| Draft defence reports for the criminal jurisdiction | ‘Instructions’ should include this paragraph:  I have been instructed to provide an initial expert advice that is, in itself, not a report. Rather, it is my expert opinion for the use of my instructing solicitors, as the Defendant’s legal advisers, obtained by them from me in connection with the criminal proceedings and for the purposes of those proceedings. As an expert advice, it will not be used for the purposes of disclosure.  It will be protected by litigation privilege (pursuant to section 10(1)(b) of the Police and Criminal Evidence Act 1984).  Also, on the front page, I change my default wording ‘**Report for, and addressed to, the Court, by …’** to read **‘Initial expert advice addressed to \*\*\*\*, Solicitors’** and instead of referring to the ‘Status’ of the report as **‘Provisional’** or **‘Final’** I substitute **‘Legally privileged (PACE, s 10(1)(b))’**; in the header zone I change ‘**Report of ..’** to **‘Initial expert advice by: …’** and I change ‘**Prepared for: \*\*\* Court’** to **‘Prepared under litigation privilege’**; and in the footer zone, I change **‘Report of Dr XXX concerning’** to **‘Initial expert advice of Dr XXX about the case of …’** |
| Declaration for reports in clinical negligence cases in Northern Ireland | The Clinical Negligence Practice Direction from the High Court of Northern Ireland, which can be accessed here:- [Practice Direction 02-21.pdf (judiciaryni.uk)](https://www.judiciaryni.uk/sites/judiciary/files/decisions/Practice%20Direction%2002-21.pdf) - see annex A pg 17-19 |

Reports for criminal proceedings and in prison cases

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| Appealing a diagnosis of ASD | *Roddis v The Queen* [2020] EWCA Crim 396 |
| Choosing between life imprisonment and a hospital order with restrictions | *R v Crerand* (Rev1) [2022] EWCA Crim 962 |
| Suspension of a custodial sentence | *Director of Public Prosecutions v RT* [2021] IECA 344 |
| Casual analysis | *CNZ v Royal Bath Hospitals NHS Foundation Trust* [2023] EWHC 19 (KB) |
| Risk assessment | *Baybasin, R (On the Application Of) v Secretary of State for Justice* [2022] EWHC 2781 (Admin)  *AB v Her Majesty’s Advocate* [2021] HCJAC 43 |
| Appeal cases where an applicant or appellant has already given evidence | *R v Dunleavy* [2021] EWCA Crim 39  *Gordon v Recommendation to the Secretary of State for Justice* [2021] EWHC 1423 (Admin) |

Personal injury cases

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| Prognosis | *Barry v Ministry of Defence* [2023] EWHC 459 (KB) |
| Life expectancy | *Toby Chaplin (by his mother and litigation friend, Diane Chaplin) v Ben Pistol* [2020] EWHC 1543 (QB) |

Mental capacity cases

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| Contact | *Re BU* [2021] EWCOP 54 |
| Sexual activity (including auto-erotic asphyxia) | *A Local Authority v JB* [2021] UKSC 52; *Hull City Council v KF* [2022] EWCOP 33; *A Local Authority v AA* [2020] EWCOP 66 |
| Marriage | *Sheffield City Council v E* [2004] EWHC 2808; *NB v MI* [2021] EWHC 224 (Family) |
| Civil partnership | *Re BU* [2021] EWCOP 54 |
| Caesarean section | *North Bristol NHS Trust v R* [2023] EWCOP 5; |
| Medical treatment | *Re Q* [2022] EWCOP 6 |
| Litigation | *F v Family Channel Ltd* [2020] EWCA Civ 824; *Lisle-Mainwaring v Charles Russell Speechlys LLP* [2020] EWHC 2617 (Ch), 2020;*An NHS Trust v P* [2021] EWCOP 27 |
| Litigation (child) | *AK v A London Borough Council* [2020] EWCA Civ 1755 |
| Litigation (disciplinary proceedings) | *Cannon v Bar Standards Board* [2023] EWCA Civ 278 |
| Separation, divorce, and dissolution of a civil partnership | *D v S* [2023] EWCOP 8; |
| Making a lasting power of attorney | *The Public Guardian v RI* [2022] EWCOP 22 |
| Making a will | *Re Baron Templeman of White Lackington (Deceased)* [2020] EWHC 632 (Ch) |
| Knowledge and approval of a will | *Skillett v Skillett* [2022] EWHC 233 (Ch); *Hughes v Pritchard* [2022] EWCA Civ 386 |

Going to court

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| Cross examination | *Tehrani v Hamilton Bonaduz AG* [2021] EWHC 3457 (IPEC) |
| Extradition proceedings in Ireland | *Nolan v Carrick* [2013] IEHC 523 |