

Mr A C Howard FRCS (Orth)
Consultant Orthopaedic Spinal Surgeon
Thornbury Hospital
312 Fulwood Road
Sheffield S10 3BR

Medical Report On

Name of Claimant

Address:

Date of Birth:

Date of Report:

Status:

Date of Accident:

Occupation at the time of Accident:

Present Occupation

Time lost from work as a result of injury

Instructions received from :

Reference:

Our Reference:

Documents available:

MEDICAL REPORT ON

Name of Claimant

I, Mr. A.C. Howard, Consultant Orthopaedic Surgeon, declare that I understand that my primary duty in preparing this report and in giving evidence is to the Court rather than to the party that engaged me. I understand that my duty to the Court overrides any obligation to any person from whom I have received any instructions and by whom I am paid. In preparing this report I performed an independent view as to the patient's injuries and subsequent prognosis. I have endeavoured to include all matters of relevance within my knowledge and experience and, where appropriate, have included sources of recognised published opinion. In reaching my conclusions I have considered all aspects of the case that were available to me and have attempted to be as accurate as possible with regards the relevant issues. I fully understand that my report, subject to corrections as required, will form the basis of evidence given under oath. I also understand that I may be cross examined on my report and that should my report prove to be inaccurate then I would be open to criticism by the courts. I confirm that my fee for this report is based on work done and is not related in any way to the outcome of the case.

HISTORY OF INJURY

In this section the Claimant's stated chronology at consultation is recorded. This will include the patient's description of any injury, accident or incident that occurred. In addition the Claimant's reported symptomatology and clinical presentation subsequent to the index incident. I also record and summarise the clinical management of the patient since the index incident and record any other information the Claimant wants to share with me during the course of the interview.

PRESENT COMPLAINTS

In this section I summarise the symptoms that the Claimant still suffers as a result of the index incident.

PAST MEDICAL HISTORY

In this section I record what the Claimant tells me of their antecedent medical history prior to the index incident. In particular I will explore whether the Claimant may have had similar symptoms prior to any incident or indeed was symptom free prior to the index incident.

OCCUPATIONAL HISTORY

Here I record the occupation undertaken by the Claimant both at the time of the index incident and subsequently. Any disadvantages or periods of time off work are recorded. The reasons for any ongoing stated disadvantage in the workplace are explored.

SOCIAL HISTORY

The Claimant is asked to discuss their social and domestic circumstances and indeed any sporting or other activity that they undertake. In particular I will record those activities that the Claimant now feels they are unable to undertake as a result of the accident or any activity that is restricted in some way as a result of the accident.

DRUG HISTORY

Here I record the medication taken by the Claimant.

REVIEW OF MEDICAL RECORDS

Depending on how the records are presented, this section will contain a chronology of the patient's clinical care both prior to and subsequent to the index incident on the basis of the documentation provided at the time of the report.

Where possible, if discrepancies are identified between the Claimant's reported history and that contained within the medical record, this will be explored.

The documentation reviewed will appear as a list on the front sheet of the medical report.

RADIOLOGY

Any radiological images and/or reports will be summarised in this section where they are relevant to the index incident.

CLINICAL EXAMINATION

The clinical examination carried out at the time of consultation will be recorded in this section.

OPINION AND PROGNOSIS

On the basis of the evidence available at the time of consultation and recorded above, in this section I will offer an opinion with regards what of the Claimant's clinical presentation can be considered related to the index accident.

Each injury sustained by the Claimant will be identified and as far as possible a prognosis given.

I will endeavour to evaluate each injury in order to assist the Court in evaluating a claim.

Where further tests or investigations are required, they will be stated here.

If there is a range of opinions as to the effect of any accident or incident on the Claimant they will be stated here.

I will take into account the available evidence and endeavour to determine the reasonableness of any impairment or disability reported by the Claimant and where there may be more than one cause for the Claimant's clinical picture, I will endeavour to evaluate what of the Claimant's presentation can be considered related to the index accident and what cannot be related to the index accident/incident.

I Mr A C Howard DECLARE THAT:-

1. I understand that my duty in providing written reports and giving evidence is to help the Court, and that this duty overrides any obligation to the party by whom I am engaged or the person who has paid or is liable to pay me. I confirm that I have complied and will continue to comply with my duty.
2. I confirm that I have not entered into any arrangement where the amount or payment of my fees is in any way dependant on the outcome of the case.
3. I know of no conflict of interest of any kind, other than any which I have disclosed in my report.
4. I do not consider that any interest which I have disclosed affects my suitability as an expert witness on any issues on which I have given evidence.
5. I will advise the party by whom I am instructed if, between the date of my report and the trial, there is any change in circumstances which affect my answers to points 3 and 4 above.
6. I have shown the sources of all information I have used.
7. I have exercised reasonable care and skill in order to be accurate and complete in preparing this report.
8. I have endeavoured to include in my report those matters, of which I have knowledge or of which I have been made aware, that might adversely affect the validity of my opinion. I have clearly stated any qualifications to my opinion.
9. I have not, without forming an independent view, included or excluded anything which has been suggested to me by others, including my instructing lawyers.
10. I will notify those instructing me immediately and confirm in writing if, for any reason, my existing report requires any correction or qualification.
11. I understand that;
 - 11.1 my report will form the evidence to be given under oath or affirmation;
 - 11.2 questions may be put to me in writing for the purpose of clarifying my report and that my answers shall be treated as part of my report and covered by my statement of truth;
 - 11.3 the court may at any stage direct a discussion to take place between experts for the purpose of identifying and discussing the expert issues in the proceedings, where possible reaching an agreed opinion on those issues and identifying what action, if any, may be taken to resolve any of the outstanding issues between the parties;
 - 11.4 the court may direct that following a discussion between the experts that a statement should be prepared showing those issues which are agreed, and those issues which are not agreed, together with a summary of the reasons for disagreeing;
 - 11.5 I may be required to attend court to be cross-examined on my report by a cross-examiner assisted by an expert;
 - 11.6 I am likely to be the subject of public adverse criticism by the Judge if the Court concludes that I have not taken reasonable care in trying to meet the standards set out above.
12. I have read Part 35 of the Civil Procedure Rules and the accompanying practice direction including the "Protocol for Instruction of Experts to give Evidence in Civil Claims" and I have complied with their requirements.
13. I am aware of the practice direction on pre-action conduct. I have acted in accordance with the Code of Practice for Experts.

STATEMENT OF TRUTH

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

I confirm that I have verified with the claimant the facts as referred to in this report.

Report prepared by

**Mr A C Howard MB, ChB, FRCS (Orth)
Consultant Spinal Surgeon**