



PERSONAL INJURIES BAR ASSOCIATION

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Honorary Vice Presidents: The Rt Hon Dame Janet Smith, DBE
The Hon Sir Brian Langstaff
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PIBA response to the LSB's consultation on "Ongoing competence: Call for evidence"

1. This response addresses the consultation titled "**Ongoing competence: Call for evidence**" dated January 2020.
2. PIBA is the specialist bar association for over a 1,000 barristers who practise in the field of personal injuries and clinical negligence.
3. PIBA provides a forum for discussion on matters of common concern and interest to its members; to ascertain and represent the views of members on matters affecting their professional interests; and to further the study, understanding and development of the law relating to personal injuries.

EXECUTIVE SUMMARY

4. PIBA submits that there is no evidence to support new or revised ongoing competency measures for its members as there is no evidence to support them for "*the protection of consumers and recipients of services, and safeguarding the sound administration of justice*"¹.
5. In all events, consumers and recipients of PIBA's legal services are protected by the regulatory environment in which PIBA's members operate, the adversarial and court-room nature of personal injury litigation. Further, the administration of justice is safeguarded by PIBA's members' duties to the court, the obligation to further the

¹ R (on the application of Lumsdon & others) v Legal Services Board [2015] UKSC 41 para 106

Overriding Objective and judicial oversight and enforcement of the Civil Procedure Rules.

6. Without prejudice to the foregoing, PIBA opposes any additional layers of competency testing, monitoring, feed-back or any other proposals of any kind as being disproportionate considering the circumstances of personal injury practice generally, and the provision of legal services by PIBA's members in particular.

PIBA RESPONSE

7. PIBA is a specialist bar association with over 1,000 barristers from England and Wales who practise in personal injury law. The association has national reach with circuit representatives on its Executive Committee and includes both junior and senior barristers at all levels of call and experience, both as members and in its governance².
8. PIBA's members are barristers who provide specialist advice and advocacy in personal injury law. At the junior end of the spectrum, PIBA's members are in court on most days, and in many instances, every day. The more senior of PIBA's members are in court, generally, on a weekly basis.
9. When in court, PIBA's members carry out their instructions in a public forum and are subject to the scrutiny of professional and lay clients, witnesses, expert witnesses, the public and the press. Since the Covid-19 epidemic, civil hearings have been live-streamed or recorded for the public and press to watch.
10. As civil litigation in England and Wales is adversarial, one party's barrister is doing his or her best to identify arguments and tactical approaches advantageous to the instructing client, and consequently PIBA's members do not act in a vacuum but are subject to a uniquely competitive environment between experienced specialist practitioners.
11. Further, PIBA's members when in court are presenting their client's case before a judge who makes a determination on who 'wins' or 'loses'. In England and Wales

² www.piba.org.uk/committee

Judges are legal professionals (either solicitors or barristers) who have undergone rigorous selection undertaken by the Judicial Appointments Commission³.

12. Civil judges in England and Wales demonstrate judicial independence and provide a further level of quality assurance of outcomes in that they are capable of and do act independently of the barristers who appear in front of them.
13. The appellate structure (CPR⁴, r.52) provides an important measure of quality assurance of outcomes by providing those accessing legal services a further opportunity to present their case in the event of dissatisfaction with outcomes at first instance.
14. Civil cases heard in the courts of England and Wales at all levels are reported and transcripts of the judgments are available where the issues addressed are of significance or importance. At the High Court and Court of Appeal levels this applies to most personal injury cases and transcripts of the judgments are free-to-access and publicly available for scrutiny⁵ and analysis⁶.
15. Outside of the court-room context, PIBA's members provide advice on the prospects of success, evidence and other issues of relevance to their clients' cases, both in writing and in conference. Few personal injury cases are Public Access and consequently virtually all instructions received by barristers in England and Wales are referrals by personal injury specialist solicitors.
16. Consequently, as a referral profession the lay client has the professional input of a legally qualified and experienced solicitor in identifying a suitable barrister to instruct. This provides an important level of quality assurance as whilst a lay client may have no experience of who to instruct as a barrister, their personal injury specialist solicitor does, and has access to networks of experience within their firm.

³ www.judiciary.uk/about-the-judiciary/the-judiciary-the-government-and-the-constitution/jud-acc-ind/jud-appts/

⁴ Civil Procedure Rules

⁵ including scrutiny of the barrister's performance in the conduct of the claim

⁶ free to access law reports are at ww.bailii.org

17. The personal injury specialist solicitor has a professional duty to identify a suitable barrister and has an aligned interest with the client to secure competent and able counsel.
18. In claimant personal injury claims where the solicitor is acting for the injured party, all cases apart from those supported by BTE⁷ and private instructions are funded by CFAs⁸. If the claim fails due to an absence of barrister competence, not only does the client not receive their compensation but the instructing solicitor is neither paid nor recovers the firm's outlay on disbursements. This provides a strong incentive aligned with the best interests of the client to only instruct competent and able counsel.
19. In defendant personal injury claims where the solicitor is acting for the party at fault, a significant majority of the claims are insurer backed. Insurers are themselves personal injury claims handling specialists who instruct solicitors and barristers through a competitive tendering process. Both insurers and defendant solicitors are highly discriminating in who of counsel they instruct to achieve the best outcomes for both the lay client alleged to be at fault, and the paying party insurer.
20. As both claimant and defendant solicitors are legal professionals who instruct counsel on a day-to-day basis they are well equipped to make judgments about barrister performance and competence, and should the person instructed not perform as expected, instructions are likely to be terminated and further instructions curtailed.
21. There is no shortage of supply of personal injury barristers and there is a large and diverse market of competent barristers to choose from, in London, Manchester, Liverpool, Birmingham, Cardiff, Bristol, Newcastle, and other major cities. Further, barristers from these locations travel and represent clients in all parts of England and Wales and consequently the market is national over the whole jurisdiction.
22. In addition to advocacy, advice on prospects and evidence, PIBA's members settle statements of case that include Particulars of Claim, Defences and Schedules of Loss. The foregoing are provided by counsel, in the first instance, to the instructing solicitor

⁷ Before the Event Insurance

⁸ Conditional Fee Agreement

who himself or herself as a legal professional is capable of making judgements as to the competence of the drafting.

23. Should notwithstanding statements of case not demonstrate a properly arguable or sustainable case, the claim or defence will be struck out in consequence of CPR, r.3.4 or summary judgment ordered pursuant to CPR, r.24. Further, the CPR in consequence of the civil procedure reforms in 2013/14 and the judgment of **Mitchell v News Group Newspapers Ltd** [2013] EWCA Civ 1537 is intolerant of procedural error committed by legal professionals.
24. Consequently, litigated cases that are not properly prepared are unlikely to be sustainable. Therefore, the CPR and the system of civil procedure itself is highly critical and intolerant of incompetence. This intolerance provides a powerful incentive to excel⁹.
25. From the personal injury barrister's standpoint there are other strong incentives aligned with clients' best interests to be competent and effective.
26. As mentioned above, almost all claimant personal injury litigation is CFA backed in which case if the claim is not successful, the barrister will not get paid. In the context of defendant instructions, an absence of competence and effectiveness will result in no further instructions from insurers or defendant solicitors.
27. For PIBA's members it is a highly competitive and '*brutal*' market where an absence of ability is met with no practice or clients. The '*brutality*' of the market can be exerted at any time during a barrister's career and is important in assuring ongoing competence.
28. A barrister is only as good as the last case he or she did; a professional relationship with an instructing solicitor whether for claimants or defendants takes many years to build and consolidate, and involves the establishment of trust and confidence in counsel to properly perform their instructions. One '*bad*' outcome can affect a

⁹ the CPR at r.46.8 also provides for personal liability of legal representatives for wasted costs

professional relationship and consequently maintaining the delivery of good outcomes for clients assures competence over time.

29. There is no evidence that the foregoing *adversely* affects the quality of professional services delivered by PIBA’s members to its lay clients, whether claimant or defendant. Core Duties under the BSB Handbook are to “*act in the best interests of each client*” (this is the lay client), “*act with honesty and with integrity*” and “*maintain your independence*”¹⁰. The barrister’s duty to the lay client *trumps* that to the professional client and this is fundamental to practice as a barrister.
30. The foregoing is without addressing the rigorous back-drop to practice as a barrister in England and Wales of which the LSC will be familiar, and that assures competence over time.
31. *Firstly*, the academic and vocational requirements to be achieved for access to the professional are demanding and high¹¹.
32. *Secondly*, the market for pupillage and tenancy is highly competitive and demand exceeds supply many times over¹²; only the highest quality of candidates in terms of ability and aptitude achieve pupillage and tenancy.
33. *Thirdly*, once in practice barristers are subject to the powerful regulatory control and professional duties and obligations of the profession contained in the BSB Handbook¹³ and can only continue in practice as a barrister by *annual* Authorisation to Practise¹⁴.
34. *Fourthly*, personal injury practice is the most regulated in terms of practice, procedure and costs of any area of litigation and the CPR comprehensively addresses these issues that safeguard consumers and lay clients’ interests¹⁵.

¹⁰ BSB Handbook CD2, CD3 & CD4

¹¹ www.barstandardsboard.org.uk/training-qualification/becoming-a-barrister.html

¹² BSB “*becoming a barrister is highly competitive. There are many more people who want to become barristers than places available*”

¹³ www.barstandardsboard.org.uk/for-barristers/compliance-with-your-obligations/the-core-duties.html

¹⁴ www.barstandardsboard.org.uk/for-barristers/authorisation-to-practise.html

¹⁵ e.g. Pre-Action Protocols in Personal Injury claims; Low value PI claims that relate to RTAs, PL and EL liability fees fixed by CPR Part 45; Fast Track counsel’s recoverable fees for trials regulated by CPR Part 45.38; no up-lifts on CFAs -

35. *Fifthly*, barristers are subject to the BSB's over-sight on the maintenance of professional competence¹⁶ that includes considering concerns about barristers¹⁷ and taking enforcement action where appropriate¹⁸.
36. *Sixthly*, barristers are subject to their Chamber's complaints and investigation procedures, and in the event of an unsatisfactory outcome, escalation of the complaint to the Legal Ombudsman.
37. *Finally*, PIBA's members are subject to the Bar Standard Board's requirements for CPD¹⁹. In this respect, PIBA take an active role in the continuing professional development and education of its members through the provision of seminars, lectures and conferences.
38. In the last three years, in summary:-
- 2017 - 5 seminars, 1 annual lecture (Lord Sumption), 3 conferences (Oxford, London & Northern);
 - 2018 - 6 seminars, 1 annual lecture (Irwin LJ), 3 conferences (Oxford, London & Northern);
 - 2019 - 6 seminars, 1 annual lecture (Turner J), 2 conferences (Oxford & Northern);
 - 2020 - 1 seminar, 14 webinars (to 2.7.20) (the annual conference at Oxford was cancelled due to Covid-19).
39. Baroness Hale provided the opening address at Oxford in 2019. Oxford is a residential conference starting on Friday evening and finishing on Sunday; the other conferences are single but full days of seminars. Details of the titles of the seminars, lectures and conferences are in Appendix 1.
40. Since Covid-19, PIBA has continued to provide an extensive programme of continuing professional development and education by the provision of 14 webinars (to 2.7.20), with further webinars to take place during 2020 whilst social distancing remains

Legal Aid, Sentencing and Punishment of Offenders Act 2012 s.44 that amended 58 of the Courts and Legal Services Act 1990 & The Conditional Fee Agreements Order 2013 No 689

¹⁶ www.barstandardsboard.org.uk/about-us/what-we-do/assuring-the-competence-of-barristers.html

¹⁷ www.barstandardsboard.org.uk/about-us/what-we-do/considering-reported-concerns-about-barristers.html

¹⁸ www.barstandardsboard.org.uk/about-us/what-we-do/taking-enforcement-action.html

¹⁹ www.barstandardsboard.org.uk/for-barristers/cpd.html

necessary, and with an intention to revert to face-to-face seminars, lectures and conferences as conditions allow.

41. In addition to PIBA's active role in the continuing professional development and education of its members, individual members of the association and their Chambers provide programmes of seminars, webinars and lectures to their solicitor and insurer clients, examples of which can be seen on Chambers' websites²⁰.
42. PIBA submits that when considering on-going competence a comparison with that adopted by healthcare professionals such as doctors, nurses and midwives is misconceived considering the nature and circumstances of barristers' practice. Further, the "*Case Study*" by the GMC titled "*Revalidation requirements*" is of no relevance to barristers, and to the provision of services by PIBA's members in particular.
43. A significant distinguishing feature from medical professionals is that PIBA's members are instructed by legal professionals who retain oversight of the lay client's case throughout, are often present in court, and are present in conferences. Further, barrister's work in litigated cases and in court is adversarial and subject to judicial determination, none of which applies to the medical profession in their day-to-day practice.
44. Whatever the validity of the SRA and BSB "*Judicial Perceptions of Advocacy*" (that is challenged for the reasons addressed by the Bar Council in its response to this consultation²¹), this "*Case Study*" is of *no* relevance to PIBA's members who exclusively practice in the civil courts before civil judges, and not in the criminal courts.

²⁰ e.g. www.12kbw.co.uk/webinars; www.farrarsbuilding.co.uk/category/webinars; www.stjohnschambers.co.uk/events-and-seminars/current-seminars; www.parklaneplowden.co.uk/news/search/event

²¹ "The Bar Council's Response to the LSB's Call for evidence on Ongoing Competence"

45. PIBA submits that a “*Case Study*” by the SRA on “*Residential conveyancing*” is of no relevance to personal injury practice and procedure, and the on-going competence of legal professionals undertaking personal injury work, by analogy or otherwise. The same point applies to a “*Case Study*” titled “*Consumer Panel: Regulating will-writing*”. PIBA’s members are *litigators* (contentious work) and *not* concerned with *non-contentious* work.
46. Similarly, there is no comparison or analogy between the services provided by PIBA’s members and that of teachers, and consequently the “*Case Study*” by Ofsted “*Inspection framework*”. Teachers provide services to *children*, in contradistinction to PIBA’s members providing services to *legal professionals* to support the cases of their lay clients and in circumstances so wholly different from education to provide no useful comparison or insights.
47. PIBA submits that there is *no evidential basis* presented by the BSB to support any imposition or recommendation of competence assurance in excess of or to supplement that already in place and as described and summarized above.
48. The LSB is reminded of the Supreme Court’s decision in **R (on the application of Lumsdon and others) v Legal Services Board** [2015] UKSC 41 and of the need to act only the basis of evidence that additional measures were *proportionate* for “*the protection of consumers and recipients of services, and safeguarding the sound administration of justice*”²².
49. PIBA submits that there is no evidence to support any additional measures, and in any event consumers and recipients of its legal services are protected by the regulatory environment in which PIBA’s members operate, the adversarial and court-room nature of personal injury litigation, and the administration of justice is safeguarded by legal professionals’ duties to the court, the obligation to further the Overriding Objective and judicial oversight and enforcement of the Civil Procedure Rules.

²² R (on the application of Lumsdon & others) v Legal Services Board [2015] UKSC 41 para 106

LIST OF ISSUES

ISSUE 1: Defining competence and competence assurance

Understanding what it means to be a competent legal professional and how competence can be maintained and assured over time is a core objective of this work.

We would welcome your views on what you think is needed to demonstrate competence, whether competence needs to be tested throughout the career of a legal professional and how it could be assessed. This may cover areas such as:

- *the characteristics or skills that should be part of a competency framework*
- *the types of competence particular to different types or work or legal disciplines (e.g. barristers, legal executives)*
- *different models for competence assurance that you use or are aware of*

We would welcome qualitative and quantitative evidence in particular on: determining the components of professional competence; approaches to competence assurance; the effectiveness of CPD and other methods of assurance.

50. Competence is derived from the rigour of the academic and vocational requirements for the profession, and that applied at the pupillage and tenancy stages. The latter process is two stages, *firstly* with applicants applying for pupillage, and *secondly* with selection for tenancy after a year's pupillage that includes six months of court room experience and feedback.
51. Once in practice, competence over time is assured by the strict regulatory environment in which PIBA's members operate, the adversarial and court-room nature of personal injury litigation, and the very basis upon which PIBA's members are instructed (by other legal professionals) to act for lay clients and as described above.
52. In addition, the profession's most senior practitioners are subject to the award of Queen's Council that is only granted in certain limited circumstances and most particularly where the level and standard of work undertaken demonstrably supports a practice as leading counsel²³.

²³ <https://qcappointments.org> "The award of Queen's Counsel is for excellence in advocacy in the higher courts. It is made to advocates who have rights of audience in the higher courts of England and Wales and have demonstrated the competencies in the Competency Framework to a standard of excellence"

ISSUE 2: Consumer expectations of competence

Understanding consumers' perspectives on, and expectations of, competence in the legal services sector is crucial to our work in this area.

We would welcome your views on what ways consumers can have greater confidence that they have a competent advisor. This may cover areas such as:

- the ways consumers can make judgements on the quality of the advice or service that they have received*
- what role consumer feedback could or should play in helping legal professionals to build their competence and helping to foster trust*
- the frequency of competence checks that would reassure consumers*
- different types of consumers, consumer problems or legal activities that are more likely to experience quality issues, or be vulnerable to greater harm from quality issues*

We would welcome qualitative and quantitative evidence in particular on: meaningful ways to demonstrate competence to consumers; how professions can provide information to consumers on the quality they should expect; the relative risk and impact of poor quality advice on consumers.

If you have suggestions for alternative approaches please provide details and, in particular, how they would work in practice.

53. Consumers of PIBA's members' services have the benefit of the insight and experience of their solicitor in identifying and instructing competent counsel to act on behalf of the lay client. The lay client has the on-going benefit of their solicitor in judging the competence and ability of the instructed barrister throughout the case's course.
54. Once a barrister is instructed in a case the lay client can decide *at any stage* that another barrister should be appointed to act on his or her behalf. PIBA's members are skilled and experienced in acting in such circumstances whatever the reason for changing from one barrister to another, and at short notice, and there is little or no disadvantage in doing so considering the large pool of skilled and able personal injury barristers.
55. As claimant personal injury practice is almost entirely funded by CFAs for solicitor and counsel, where the consumer incurs *no up-front legal costs*, and where disbursements (experts fees etc.), court fees *are usually funded by the solicitor*, and the

consumer has a wide choice of experienced and expert personal injury counsel across England and Wales. If the consumer should change counsel for whatever reason, the foregoing method of funding is not a bar to instructing other counsel.

56. Care should be exercised in promoting “*customer feedback*” as a reliable source of competence – every case involves a “*winner*” and a “*loser*”, and there are no “*draws*” in personal injury litigation. PIBA opposes mandatory or advisory customer feedback or publication of such material, and insofar as consumers’ interests need protecting, they are protected by the regulatory environment, the structure of personal injury practice and the publication of complaints up-held by the BSB and Legal Ombudsman.
57. Throughout a barrister’s career, and those of PIBA’s members, they are subject to continual scrutiny of their professional clients and instructing solicitors, and the ‘*brutality*’ of the market. Performance is everything. PIBA’s members are subject to *annual* Authorisation to Practise and the BSB’s CPD requirements.
58. In terms of “*competency checks*” throughout a barrister’s career in practice, and in particular with regard to PIBA’s members considering the nature of their practices, every new instruction and counsel’s performance in that case, is under the scrutiny of the professional client and when in court in *public view* and subject to the adversarial nature of litigation and before a judge, and is *thus* an on-going process of “*competency checks*”.

ISSUE 3: Competence assurance in the legal services sector

Understanding the current competence assurance frameworks adopted by regulators and the profession is important, as is confirming, qualifying and quantifying any examples of poor-quality services or suggested risk areas.

We would welcome your views on this, and it may cover areas such as:

- *practice areas which do or could impose greater competency risks*
- *legal professionals that may be more at risk of competency challenges*
- *existing competency assurance methods used in the sector and their effectiveness*
- *the respective roles of regulators, providers and individuals to assure ongoing competence*

- *any potential barriers to assuring the competence of legal professionals*

We would welcome qualitative and quantitative evidence in particular on: competence or quality issues for particular types of work; service and non-service-related issues experienced by consumers; the effectiveness of current competence assurance practices.

We would also welcome identification of potential evidence sources that are not readily available but that we could seek access to.

We would also welcome any evidence of competence assurance practices used in legal services sectors in other jurisdictions.

59. PIBA repeats the points above in response to Issue 3. Further, in terms of evidence to support an absence of an issue with on-going competency PIBA relies on the Bar Council's response to this consultation in which it inter alia analyses the Bar Mutual's letter dated 10 June 2020²⁴.

ISSUE 4: Competence assurance in other sectors

Understanding what other sectors do to assure ongoing competence is useful because it helps us to learn what has worked well in other professional services sectors and identify any opportunities to adapt the approach in legal services.

We would welcome your views on what ways the legal services sector can learn from the competence assurance approaches adopted in other professional sectors. This may cover areas such as:

- *methods to gain competence assurance that have been tailored to different professional environments*
- *the benefits to consumers and the profession of different competence assurance schemes e.g. revalidation, observation or simulation*
- *how assurance data is collected, recorded and made accessible to consumers*

We would welcome qualitative and quantitative evidence in particular on: consumer views on the benefits of competence assurance schemes; the robustness of different methods for competence assurance; the competence assurance systems which produce the most reliable assessments.

We welcome evidence from the sectors provided as examples above as well as other sectors not specified in this paper.

²⁴ Appendix 1 to "The Bar Council's Response to the LSB's Call for evidence on Ongoing Competence"

60. For the reasons stated above, other sectors neither inform nor provide insights into how the ongoing competence of PIBA's members should be addressed. No other profession faces the level of scrutiny of barristers in independent practice, their work being conducted in public and in plain sight, subject to the adversarial nature of the process, and outcomes that are determined by an independent arbiter namely a judge.
61. In the context of personal injury litigation, consumers face no financial disadvantage from the layered approach to the instruction of barristers, their claims being almost exclusively funded by CFAs or BTE. Consumers only benefit from this structure *with no drawbacks or disadvantages* that provides flexibility and choice, both with regard to the initial instruction of a barrister, as well as changing "*on a whim*", or for no reason if that is the consumer's choice.
62. The assurance of competence is the very structure in which PIBA's members operate and as described above, and any interference with this is likely to have the unintended consequence of reversing the many advantages to personal injury consumers that the present system provides.

Steven Snowden QC, Chair of the Personal Injuries Bar Association

Sarah Crowther QC, Vice-Chair of the Personal Injuries Bar Association

John Meredith-Hardy

(Executive Committee Personal Injury Bar Association)

APPENDIX 1

2017

London Seminars

01/02/17 Back Injury Claims
01/03/17 It's All Counsel's fault (key problem areas and how to manage your practice to avoid them)
02/05/17 Quantum Key Principles
13/06/17 Understanding Brain Injuries
08/11/17 Duty of Care in Sport

Annual Lecture

16/11/17 **Lord Sumption: Abolishing Personal Injuries Law - A project**

Annual Conference

1/2 April 2017
Contributory Negligence: the case for guideline discounts
View from the bench from Langstaff J
Amputation - differing perspectives
Number crunching: getting Ogden by the throat (for juniors)
Current Costs Issues: Budgets, Assessments and Assignments
Low exposure asbestos claims from the claimant's and defendant's perspectives
Musculoskeletal Pain: Is it all in the head?
Written and oral advocacy before the District Judge (for Juniors)
Medicolegal aspects of Pain Medicine
Psychitrist v Psychologist - who needs them anyway? (for juniors)
Fraud: the lie of the law - from Anti-surveillance to Zurich v Hayward (for seniors)
Advanced RTA fraud: advocacy, deceit and experts (for juniors)
Expert Evidence and how to survive it! - A junior's Guide
Rehabilitation after Traumatic Brain Injuries
Causation: Material Contribution - Where are we no?
Wellbeing at the Bar
Working with clients
Liability update
Quantum update
Procedural Q&A including a look at experiences with the discount rate

18/11/17

London Winter Conference

Autonomous Vehicles Technology, Testing & Regulation
Personal Injury after Brexit
Data Protection IT issues and Solutions
Accommodation and Adaptations

18/11/17

Northern Conference

Illegality in Personal Injury Claims: A New Test?
Making Sense of Psychiatric Evidence
Vicarious Liability and Non-Delegable Duties post *Woodland* and *Armes*
Contempt and Surveillance
Accident Reconstruction Expert Evidence

2018

London Seminars

- 18/01/18 London Hoist by their own petard - recent developments in the law relating to illegality etc.
07/03/18 Overseas Claims
31/05/18 GDPR
28/06/18 Pension Loss Calculations
03/07/18 Ethical dilemmas for PI practitioners
19/11/18 Serious Injury Work

15/11/18

Annual Lecture

Irwin LJ Can compensation bring satisfaction?

Annual Conference

- 24/25 March 2018 HHJ Lucraft QC (Chief Coroner)
Ethical Issues in Practice
Occupational Asthma & HAVS
Different forms of ADR: Mediation, ENE and arbitration
Accommodation claims
Limits of scanning & what to ask from a radiologist
PI into clinical negligence
Treatment modalities for CRPS
Lower limb pathology
Acquired brain injuries
pension loss for juniors
Support that brain injured children need
View from the Bench for juniors
PPOs v Lump Sums
PPOs for beginners
Introduction to future loss claims
Vicarious Liability
Motor insurance update
Costs update
Financial Management
Liability Update
Quantum Update

17/11/18

London Winter Conference

- Ethical issues in practice
Advocacy before the Coroner
Data Protection. IT issues and Solutions

10/11/18

Northern Conference

- Ogden Tables and Loss of Earnings
Discount Rate Update
Motor Insurance Update
Handling Foreign Claims
Limb Reconstruction after Severe Lower Limb Injuries
ICYMI: Civil Procedure Update

2019

London Seminars

17/01/19 Quantum Schedules
02/05/19 Disease Claims
15/05/19 Developments in Causation
23/05/19 Costs
12/06/19 Electric cars, bikes and the future
17/09/19 Pension loss claims

10/10/19

Annual Lecture

Compensating Criminals. The Decline and Fall of the Defence of Illegality
Mr Justice Turner

23/24 March 2019

Annual Conference

Baroness Hale - Opening Address
BMIF talk
Interpreting the various neuropsychology tests
Shoulders
Court of Protection
Animals Act claims
Wheelchair treatment & equipment - seating needs
Introduction to fatal accident claims
Sex and fertility after spinal cord injury
Brexit/travel
Committals and contempt
Enterprise Act
Costs
wellbeing at the Bar
Special Educational Needs - a practical guide for PI Practitioners
Ethical issues in practice
Law surrounding driverless vehicles
Liability update
Quantum update

09/11/19

Northern Conference

Clinical Negligence for Personal Injury Practitioners
Brain Injury Rehabilitation
Life expectancy in Personal Injury Claims; The use of Medico Legal Expert Evidence
Portal Combat: Problems with the Low-Value Protocols and Beyond
Vicarious Liability

2020

02/03/20

London Seminar

Amputation Claims and Prosthetics

Webinars

01/04/20

Wellbeing in the time of COVID-19

08/04/20

Back and Neck Injury Claims for Juniors

15/04/20

Portal Combat: Problems with the Low Value Protocols and Beyond

07/05/20

Quantum Update

30/04/20

Mainstream Technology: The benefits to people who have disabilities

06/05/20

View from the Bench

13/05/20

Experts: fro instruction to cross examination

09/04/20

Paperless Working

20/05/20

Fundamental Dishonesty

27/05/20

Learning to love Ogden: a Workshop

03/06/20

Provisional Damages

17/06/20

Remote Negotiations and Hearings - Developments and Tips

02/07/20

Liability Update