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Members Information

All of The Academy's information is available for Members from the Member Resources page of the website.

This includes:

- Guidance
- Publications
- Reports
- Member's Handbook
- Model Terms of Engagement

This and past editions of 'update' are available from:
www.academyofexperts.org

Further information about anything contained in this publication may be obtained from The Academy of Experts

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From the Chairman



It now seems some time since the turn of the year, but I trust that all had a relaxing and enjoyable break over the Christmas and New Year period, as we all look forward to a prosperous and successful 2013.

Chairman's Lunch

The year commenced, as is the norm, with the Chairman's Lunch at the RAF club. Again it was a sell-out event and we are, as ever, grateful to those members and their guests who continue to support The Academy as well as Wilkins Kennedy for their sponsorship of the Lunch.

For those who were unable to attend, I reminded those present of the need to sell The Academy, not only as a centre of excellence for the benefit of those who require the services of experts, but also for the benefit of our members. This will be an enduring theme and I remind all our members to refer back to "From the Chairman" in May last year where I addressed the problems caused by inaccurate media reporting that there is no approved register of expert witnesses. Can I please ask all of you to assist where you can to dispel that misconception.

On that theme, we have a small Working Group (WG) considering strategic business development and marketing, both in the short and medium term. Areas under consideration are membership growth, mediation, training courses, events and registers, including the internet register, which has already been brought to your attention in earlier editions of 'update'.

It is likely that the WG will derive an action plan which will require assistance in the first instance from Council members but is likely to be rolled out to others; if anyone would like to be involved, no matter how little time you can offer, all volunteers are welcomed. Please get in touch with the Chief Executive or any Council member.

25th Anniversary

The Academy is continuing to plan its events for 2013. We have, on the immediate horizon on 5th March, the Construction lecture with Mr Justice Akenhead, who will be speaking

on the topic of "What the Court expects from Experts"; you should all have received a calling notice from The Academy and I fully expect it to be a sell-out, particularly as the **Jones v Kaney** case and Mr Justice Coulson's judgement relating to the performance of experts in the **Trebor Bassett** case seems to linger in our memories. Thereafter, a financial themed lecture will follow on 10th April and a medical themed lecture is in the pipeline for June/July.

In the meantime, our routine evening meetings continue and, as I write, we have just had our Council and Executive member, Dr Chris McArdle, speak to us on marketing one's expert practice, which provided a very

continued inside...



from the archive... Sir Vivian Ramsey addresses members as part of the 21st Anniversary Lecture series

From the Chairman continued

...continued from page 1

succinct reminder of the basics and some do's and don'ts.

Details of further evening meetings are posted in the online events calendar and will be notified to you.

Costs

As a reminder, the implementation date for Lord Justice Jackson's "Review of Civil Litigation Costs" is 1st April 2013, in particular new costs management rules which will apply to all multi-track cases in all courts except the Commercial Court, unless the court orders otherwise. This will clearly have an impact on experts, and I recommend that all experts research the requirements soon; a Google search for "Review of Civil Litigation Costs 1st April 2013" will provide a rich mine of information.

I managed to speak to a number of our members at the Chairman's lunch who

Quote of the Month:

"What's an expert? I read somewhere that the more a man knows, the more he knows, he doesn't know. So I suppose one definition of an expert would be someone who doesn't admit out loud that he knows enough about a subject to know he doesn't really know how much."

Malcolm Forbes, Publisher, 1919 - 1990

all reported that they were very busy in their lines of business, which is hugely encouraging; may it continue to be the case. All were grateful that The Academy has Council and, in particular, an Executive who are prepared to give of their time to ensure the continued success and progression of our organisation.

I also extend my thanks again to ARACS, our service provider for the

routine management of our affairs, for continuing to keep their eye on the ball of developments relating to experts; they are our eyes and ears and report very effectively through our publications, newsletters and through the Executive and Council.

**Richard Swan
Chairman
February 2013**

Membership Renewals

Membership subscription invoices were sent to all members at the end of January for payment at the beginning of March. Reminders will be sent to all members who have yet to pay shortly.

Bearing in mind the economic climate we have kept subscriptions as low as possible with only a small (less than 5 percent) increase on last year's rates.

This year the rate for individual members will be **£225+vat**.

Payment

Swift payment is always gratefully received as it reduces costs and helps us keep rates as low as possible. In addition to cheque, credit card etc we can accept payment in the following ways.

BACS: If you are paying by BACS/Bank Transfer please ensure that your membership number shows as a reference with the payment and send us your remittance advice to accounts@academy-experts.org.

Account: 71246550
Sort Code: 40-02-07
IBAN: GB35MIDL40020771246550
BIC: MIDLGB2105S

Please note that we may be unable to credit your account with your payment if we are not able to identify your payment.

Direct Debit: If you do not already pay by Direct Debit please consider doing so in the future. DD saves us a lot of time and expense.



To recognise this you will receive a £10 discount next year for DD forms (available from the website) received by TAE prior to the end of March.

Paypal: We can now accept payment via **PayPal**.

Send your subscription to paypal@academy-experts.org.

TAE ExpertSearch

Are you online yet?

- Bronze** £60
- Silver** £90
- Gold** £150



25th Anniversary Lectures

Commemorating the 25th Anniversary of The Academy will be a special series of lectures along the lines of the highly successful series that marked the 21st Anniversary in 2008.

So far three lectures have been confirmed and we are very grateful to sponsors Fairway, KPMG and 39 Essex Street for their support of The Academy.

The first lecture takes place at the beginning of March. It will be given by The Hon Mr Justice Akenhead (pictured opposite) entitled 'What the Court expects from Experts'. This is certain to be a fascinating glimpse into the mind of the judge and was full within a matter of hours of being advertised.

The second lecture 'The Expert Witness in 2013' will be given by Sir Peter Cresswell in April. As the judge that gave Experts the **Ikarian Reefer** rules this will be another event not to be missed.

Details of the third and other lectures will be sent to members as they are confirmed.

These lectures are very popular and places are limited. In order to maximise the total number of members who are able to attend precedence will be given for each lecture to those members who have not previously attended.

5th March 2013

Construction Lecture

"What the Court expects from Experts"

The Hon Mr Justice Akenhead

Sponsored by Fairway

10th April 2013

Accounting Lecture

"The Expert Witness in 2013"

Sir Peter Cresswell

Sponsored by KPMG



 Fairway

 KPMG
cutting through complexity™

 ThirtyNine
ESSEX STREET

CPR is Changing

As a result of the Jackson Reforms there will be many changes which come into force on 1st April 2013. Most of them will only have an indirect effect on Experts but there is one which will have direct consequences for all Experts practising under CPR.

The wording change is simple. P35.4(2) will be amended to read:

"When a party applies for permission they must provide an estimate of the costs of the proposed expert evidence and identify -

(a) the field in which expert evidence is required and the issues which the expert evidence will address; and

(b) where practicable, the name of the proposed expert.

(3) If permission is granted it shall only be in relation to the expert named or the field identified under paragraph (2). The order granting permission may specify the issues which the expert evidence should address."

The effect of this change is that Experts will have to be very careful in discussing before accepting an appointment exactly what they are to do. They are also going to be required to give a fee and expenses estimate. Judging by the recent Pilot it does not seem likely that departure (i.e. increase of fees or expenses) from the submitted budget will be easily approved by the court.

There will be further information coming and when the full changes (including the outcome of the Civil Justice Council's submission to the Rules Committee on The Protocol) are known an Expert's Seminar will be announced.

DIARY, NEWS & ANNOUNCEMENTS

Family Procedure Rules

Practice Direction 15B (Adults who may be protected parties and children who may become protected parties in family proceedings) has now been finalised and took effect on 31 January 2013. In addition changes to Part 25 and its associated Practice Direction have also come into effect.

Once in force, details of all of the changes relating to experts will be available on the MoJ website.

www.justice.gov.uk/courts/procedure-rules/family

President's Dinner

The date for the President's Dinner has now been confirmed as Wednesday 6th November. Keep the date free in your diary - booking details will be available in the next edition of 'update'.

ICAEW Training

Since January 2012 TAE has been in partnership with ICAEW producing the Register of Accredited Accountant Expert Witnesses. To compliment this TAE is going to be running a series of Expert Witness training courses for ICAEW. Three courses have been agreed so far:



- Foundation Course
- Into Court
- Expert Determination

Evening Meetings

As well as the special 25th Anniversary Lectures TAE's normal schedule of Evening Meetings continues to run. The first meeting on Marketing by Dr Chris McArdle was well attended and demand is already high for the meetings in March and May.

13th March

Discipline - Tips from Counsel

Philip Newman

'How to Avoid it Happening to you and If it happens ... How to Deal with it.'



8th May

Abuse & Use of Experts in the Family Court

Jo Delahunty QC

More meetings will be announced shortly but remember that all TAE events are published first in the online events calendar.



Forensic Science Regulator

The Forensic Science Regulator has developed a paper which considers the various obligations that those acting as expert witnesses within the Criminal Justice System should be familiar with.

The paper can be found on their website:

www.homeoffice.gov.uk/publications/agencies-public-bodies/fsr/legal-obligations/legal-obligations-issue-1

Tax Relief

Members in the UK are reminded that their subscriptions are allowable against tax.



The Academy of Experts was approved as a Learned Society by the Board of Inland Revenue under Section 201 Income and Corporation Taxes Act 1988, with effect from 6th April, 1992.

The reference number to quote is: SAPP/T/1644/43/1922

Unless otherwise shown all courses/meetings will be held in London

March

- Tuesday 5 Anniversary Lecture - Construction
- Wednesday 13 Executive Committee
- Wednesday 13 Evening Meeting
- Monday 18 Role & Responsibilities - Hong Kong
- Tuesday 19 The Expert's Report - Hong Kong
- Monday 20 Going Into Court - Hong Kong
- Friday 29 Expert Determination Assessment Deadline
- Friday 29 Good Friday

April

- Monday 1 Easter Monday
- Wednesday 10 Anniversary Lecture - Accounting
- Thursday - 11- Foundation Course ICAEW
- Friday 12
- Tuesday 16 Into Court Course
- Wednesday - 17- Mediation Training - Module 1
- Thursday 18
- Friday 19 Mediation Training - Module 2
- Monday 29 Mediation Training - Module 3
- Tuesday 30 Mediation Training - Module 4

May

- Wednesday 1 Mediation Training - Module 5
- Thursday 2 CMC Conference
- Monday 6 Bank Holiday
- Wednesday 8 Evening Meeting
- Wednesday 8 Evening Meeting
- Thursday - 16- Law & Procedure Course
- Friday 17

TAE dates are published in the **Events Calendar** - www.academyofexperts.org

Key to events:

- Academy Courses
- Academy Events & Meetings
- External/Joint/Supported Events