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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](http://www.academyofexperts.org)

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

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# 'update'

## From the Chairman



Ask not what the Academy can do for you, but what you can do for the Academy. This misquote of JFK could not be more apt at this stage of the Academy's year. Yes – it is election time again.

Apart from the hard work of our permanent staff at Gray's Inn, the Academy relies heavily on its elected officers to make the organisation work and bring the benefits of membership to our members. I would like to ask all members to consider whether they can bring their own talents to the assistance of the Academy by standing as a potential member of Council.

From my own experience I can say that the work involved as a Council member need not be arduous but can be very rewarding and is an excellent opportunity to influence the direction of the Academy and to meet a wide range of our members. It is an excellent networking opportunity. The Academy is never short of people saying, "What you ought to do is...". What we need are people prepared to say, "What I am prepared to do is...". Details of how to stand are contained elsewhere in this edition.

But, returning to what the Academy can do for you, we have been working recently on

improving the services offered to our mediators and expert determiners. While looking at our services, it has emerged that very few people in these specialties are using the Academy's help line. Experts frequently use this service, which provides telephone support for a wide range of issues that arise in the day to day running of an expert practice. Fortunately, we have at Gray's Inn a wealth of experience that is able to provide informed help to members who require it. I would encourage our mediators and determiners to take advantage of this unique service too. The number to call is +44 (0)20 7430 0333.

On the subject of continuous improvement, we are also looking at what improvements might be made to our website. We did a major revamp of the site about 18 months ago, but are looking for ways to make it even better. If you have any ideas, please let me know, or, better still, stand for Council and become a member of the website working group!

**Dr Chris McArdle**  
Chairman  
August 2014

The President's Dinner  
5th November  
Call 020 7430 0333



## Government Imposes price cap on Whiplash Reports

In January 2014 Ministers hosted a series of roundtable discussions with key representatives following the publication of the Government's whiplash reform programme. Following this, the Ministry of Justice formed a core steering group - with medical and legal sub groups - to provide further assistance with the implementation of these reforms.

On 4th August Lord Faulks QC wrote a letter to all stakeholders setting out the results of the consultation. In it he said:

*Fixing the costs for medical reports in whiplash cases is an integral step in controlling the costs of civil litigation, and it is vitally important that the Government engages with stakeholders to ensure we get this step right. This first tranche of measures will provide certainty as to the cost of obtaining medical reports and to the experts who can be used to provide them.*

Attached to the letter is an Annex setting out the details of the proposals which are due to come into force on 1st October 2014. Full details may be found on the MoJ website.

*11. The fee for the first report is fixed at £180 (except in exceptional circumstances where another type of report is justified). In line with the intention to introduce accreditation for medical experts, the rules do not limit the type of expert permitted to provide the initial report.*

*12. It will be explicit that a secondary report (if justified) should only be commissioned on the recommendation of the expert completing the initial report. Fixed costs will apply where secondary reports are provided by orthopaedic consultants (£420); accident and emergency consultants (£360); and GPs/physiotherapists (£180).*

*13. Secondary reports may be sourced from other experts, but the need and cost for such a report must be justified.*



[www.justice.gov.uk/civil-justice-reforms/personal-injury-claims](http://www.justice.gov.uk/civil-justice-reforms/personal-injury-claims)

## You're an Expert.... Prove it

### Are you qualified?

It is always important to ensure that the contact details that we hold for you are up to date (see opposite) but it is also essential that you keep us informed of any changes to your professional qualifications and registrations.

The quality and integrity of TAE's accreditation process and the esteem in which it is held by the legal profession is central to our activities.

When members appear on the website TAE is effectively confirming the qualifications that they are shown to hold. It is because of this that to maintain compliance with your TAE Member record and your original vetting/accreditation there is some information which may not be edited directly by members. These are:

- Name
- Principal Occupation
- Expert Witness Fields of Experience
- Qualifications

Should you wish to amend any of these please email TAE with your request giving reasons and including any appropriate documentation (eg certificates).

### Address & Contact Details are important too.

We recently had a report from a member that his instructing solicitors were delaying payment because they were unable to verify his contact details from a third party website.

Naturally the website in question was the TAE register and the member's address was discovered to be a year out of date.

### Accounts Address

For members in large firms we offer the choice of a separate 'Accounts' address - this can be added from the website and will enable us to send invoices and accounting notices directly to an assistant or 'accounts payable'.

**CHANGE OF  
QUALIFICATIONS OR  
REGISTRATION?  
LET US KNOW**

## Notice of Annual General Meeting

Notice is hereby given that the Annual General Meeting will be held on Wednesday 8th October 2014 at, 3 Gray's Inn Square, Gray's Inn, London.

### Agenda

- 1 Apologies for absence
- 2 To approve the minutes of the AGM held on 9th October 2013 – published in 'update' Volume 21 Issue No 4
- 3 Matters arising
- 4 Chairman's Report
- 5 Treasurer's Report including adoption of accounts for the year ending February 2014.
- 6 To appoint the Auditors for the year 2014-2015
- 7 Election of Officers
  - Chairman
  - Deputy Chairman
  - Vice Chairmen
  - Secretary
  - Treasurer
- 8 Election of Council Members
  - Six Vacancies
- 9 To approve 2015-2016 subscription levels
- 10 Any other Business

### TAE Events Calendar

Do you check the online Events Calendar?

Details of all TAE events, training dates and external events that TAE supports are published online with full booking information:

[www.academyofexperts.org](http://www.academyofexperts.org)

## Elections for TAE Council

This year there are six places open for election to TAE's Council. Council is the body that runs The Academy and we are always keen to have as wide a representation as possible to reflect the multi-disciplinary nature of our organisation. Unlike other organisations with an appointed board TAE's Council and Officers are all drawn from and elected by the membership.

Members of Council are elected annually for a three year term. Members may hold office for no more than two consecutive terms.

Member of Council (*see Standing Orders Section 6 - Council*)

The following are eligible to stand as candidates for election as Elected Members, and to propose or second any candidate:

- (a) Fellows
- (b) Full Members
- (c) Qualified Dispute Resolvers
- (d) Legal Members

(e) Associate members entitled to use AMAE

(f) Companions

(g) The nominated representatives of a Corporate Member.

Council Members are elected by a postal ballot of all members.

Only Members entitled to vote at General meetings are entitled to vote in the ballot for Council Members.

All nominations for Elected Member must be in writing and must be signed by the proposer and seconder and counter-signed by the candidate expressing his willingness to stand for election.

The completed nomination must be submitted to the Secretary at least 42 days before the date of the Annual General Meeting. Council may from time to time impose voting restrictions in order to ensure the multi-disciplinary nature of TAE is reflected in the governing body.

## TAE ExpertSearch

### Are you online yet?

**Bronze** £60

**Silver** £90

**Gold** £150





# DIARY, NEWS & ANNOUNCEMENTS

## Update to CrPR

The Criminal Procedure Rules (CrPR) which come into effect in October 2014 have now been published and are available from the [legislation.gov.uk](http://legislation.gov.uk) website.

There are two specific changes that Expert Witnesses should be aware of:

A requirement CrPR 33.3(3)(c) for each party to disclose any information which could significantly detract from the credibility of an expert witness it proposes to rely on.

A requirement CrPR 33.4.h that the expert's statement provides information to assist the court in determining whether the evidence should be admissible. This requirement will be supported by the provisions of the Criminal Practice Directions (CPD). To support this the new rules contain a new Criminal Practice Direction on Expert Evidence - CPD V Evidence Part 33A.

The new CPD is shown on page three.

## New Forensic Regulator

Dr Gillian Tully will replace Andrew Rennison as the next Forensic Science Regulator with her three year term of appointment commencing later this year on 17th November.



Dr Tully has been involved in forensic science since 1989, her career has spanned research & development, validation and implementation, casework, quality, senior leadership and commercial aspects of forensic science, as well as training and consultancy.

## TAE Events and Meetings

We will be resuming our regular programme of events and meetings after the summer break.

- ❑ First up on 10th September will be **Mr Justice Ramsey** who will be talking about "The Impact of the Jackson Reforms on Expert Evidence".
- ❑ Mr Justice Ramsey will be followed on 8th October by a talk from **Clive Freedman**, a barrister at 3 Verulam Buildings, who will be making a presentation to members about Expert Determination.

## Online Information

All members who are on the TAE online register of Experts will have recently received their renewal notices.

Please do take the time to go online and have a look at your record to ensure that all of your information is up to date - it could be a more valuable use of your time than you might think.

For more details see page 2...

## President's Dinner

### Butchers' Hall

**Wednesday 5th November 2014**

*"Remember, remember the 5th November"*

The Academy's most formal function of the year - The President's Dinner - is in November.

We will be returning, again, to Butchers' Hall.

Put the date in your diary - this is always extremely popular so book early to claim your place.



## September

- Wednesday 10 ↗ TAE Executive Meeting
- Wednesday 10 ↗ Evening Meeting
- Wednesday - 17- ↗ Foundation Course
- Thursday 18

## October

- Wednesday 8 ↗ Evening Meeting
- Friday 10 ↗ Into Court
- Wednesday 15 ↗ Law for Experts
- Thursday 16 ↗ Procedure Rules
- Thursday - 30- ↗ Expert Determination
- Friday 31

## November

- Monday - 3-4 ↗ Foundation Course
- Tuesday
- Wednesday 5 ↗ TAE Council
- Wednesday 5 ↗ President's Dinner
- Monday 10 ↗ ICAEW Forensic Conference
- Wednesday 12 ↗ Evening Meeting
- Thursday 20 ↗ Into Court
- Monday 24 ↗ Role & Responsibilities Hong Kong
- Tuesday 25 ↗ The Expert's Report Hong Kong

## December

- Monday 1 ↗ Going Into Court Hong Kong
- Tuesday 9 ↗ Evening Meeting
- Tuesday - 16- ↗ Foundation Course
- Wednesday 17

## January

- Friday 30 ↗ Chairman's Lunch

Unless otherwise shown all courses/meetings will be held in London  
TAE dates are published in the **Events Calendar** - [www.academyofexperts.org](http://www.academyofexperts.org)

### Key to events:

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

**CAN'T WAIT FOR THE NEWS?**

[www.academyofexperts.org/news](http://www.academyofexperts.org/news)