

Professor David Warwick

MD FRCS FRCS(Orth) European Diploma of Hand Surgery

Consultant in Hand and Wrist Conditions



Clinic Address

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Terms and Conditions

Personal Injury and Medical Negligence Reports

WHAT YOU CAN EXPECT FROM PROFESSOR WARWICK

Professor Warwick and Hand Clinic Medicolegal Limited aim to meet the following standards:

- ☞ Whenever possible, notwithstanding leave or illness or other unexpected events
 - Response to correspondence within 7 working days
 - Report dispatched by email within 10 days of interview with client &
 - receipt of all relevant medical records, xrays and scans
 - receipt of signed Terms and Conditions
- ☞ Flexible waiting time for appointments on request.
- ☞ Provision of an objective Expert Report addressed to the Court
- ☞ Many years of experience of medicolegal practice, with current high-level clinical experience, an exceptional academic practice and up-to-date training in both medicolegal and clinical aspects
- ☞ An appreciation of, and compliance with, cost & time pressures associated with the litigation process
- ☞ A sympathetic and respectful manner with clients
- ☞ Fair and unbiased advice to the legal parties and Court
- ☞ **DEFERRED payment terms available on request.**

WHAT DAVID WARWICK ASKS FROM THE INSTRUCTING PARTY

- ☞ Return of signed Terms and Conditions prior to David Warwick seeing the Client

- ☞ Provision of all relevant medical records, xrays and scans prior to my seeing the client

FEES

- ☞ A typical Personal Injury Report, is charged at £500-£1000 depending on the volume of records and the complexity of issues to be addressed.
- ☞ A typical Medical Negligence Report is likely to be considerably higher, usually £1000 to £2000. Screening reports are available at a lower fee.
- ☞ Professor Warwick's fees are otherwise based upon an hourly rate of £375 to include examination, perusal of medical records and preparation of the Report, charged in 10 minute aliquots.
- ☞ If the client cancels the appointment giving less than 48 hours notice or fails to attend, Professor Warwick will charge a cancellation fee of £125.
- ☞ All fees are subject to VAT at the present rate
- ☞ Professor Warwick's fees remain payable in full by the instructing party, regardless of assessment or taxation by Court and are not dependent upon the successful outcome of the case.
- ☞ In certain circumstances, fixed fee arrangements can be negotiated.
- ☞ David Warwick will **readily consider deferred payment** arrangements on request

COURT ATTENDANCE & ATTENDANCE WITH COUNSEL

- ☞ All reasonable expenses to be paid, including but not limited to: First Class Rail Travel, Air Travel, Hotel Expenses (4 Star), car mileage at 45 pence per mile, taxi fares. Travel time at £125 per hour.
- ☞ A rate of £375 per hour (charged in 10 minute aliquots) will apply to all other work to include Joint Statements, preparation for Court and case conferences.
- ☞ Court attendance is charged at £1500 per half day, £2750 per whole day
- ☞ NHS employment requires 6 weeks notice of cancellation of operating lists and clinics. Private clinics and lists require similar notice for rescheduling. Therefore, if having required Professor Warwick's attendance or asked that a case be entered in the diary, such attendance is cancelled with less than **6 weeks** notice, **25% fees** for the whole of the allotted time will be payable. If David Warwick receives less than **21 days** notice, then the **50% fee** for the allotted time will be payable; if less than **14 days** notice, **100%** is payable.

- ☞ In view of the requirement to keep costs reasonable and proportionate, conference by telephone or Skype is preferred.

PAYMENT TERMS

- ☞ David Warwick will ***readily consider deferred payment*** arrangements on request.
- ☞ Otherwise, all fee notes are payable within **28 days** of dispatch regardless of how the case is funded, unless Professor Warwick has a prior written agreement with your firm. Payment by the instructing party is not contingent upon the contents of, or opinions expressed within, the Report.
- ☞ Delayed payment will incur, at David Warwick's discretion, interest at the prevailing commercial rate
- ☞ In the event of delayed payment, David Warwick reserves the right to cease further work on a case until such time as the fees are settled and any accrued interest paid.
- ☞ In Single Joint Expert cases, in the event of non-payment of fee by one party, liability for the entire fee note lies with the instructing solicitor.
- ☞ The liability of David Warwick to instructing solicitors and/or their clients for negligence howsoever arising in respect of any loss or damage caused by an act or default of Professor Warwick shall be limited to the amount received by David Warwick for his services. David Warwick is indemnified by the Medical Defence Union.
- ☞ Instructing solicitors shall treat all information provided by David Warwick as confidential and shall not disclose indirectly or directly or otherwise use this information except for the purpose of the specified litigation without the prior consent of David Warwick.
- ☞ Intellectual property remains with David Warwick until full payment of fees.

www.handsurgery.co.uk

David Warwick

Updated January 2019

Agreement by Instructing Party

Name of Solicitor or representative

Name of Client

Name of Instructing Firm

Signature of Instructing Solicitor or representative

Date