

A Day In The Life Of An Expert Witness

by Susie Boyle

◆ How did you get into this field of work?

Until I started working as an expert witness, my sum total of legal experience was half a law A-level back in the 1990's. During my nurse training, I was always very interested in the legal and fitness to practice elements, and the moral and ethical dilemmas we face daily. I qualified as an adult nurse in 2001 and had a long and successful career in the NHS, mostly in London and then latterly in the south west. I left full time work in the NHS in 2015, for a number of reasons, taking some time out to find what else I might want to do. As there is always demand for casual and flexible working in nursing, I joined a local staff bank and an agency...which gave me the space to explore new avenues. I came across an advertisement in the nursing press for Somek & Associates and expressed interest immediately. I had no idea that it would become quite such the backbone of my working life as it has.

◆ Is there a typical working day?

A very important part of the medicolegal process is to stay on top of your workload, so I will generally spend the first part of my day checking my deadlines, the requirements for each case, and making a plan. Things can change quite rapidly as more information arrives, and as a cog in a complex machine I need to make sure that I am communicating my needs to the other parties clearly, and in plenty of time. It may be that more information comes in and I realise that I am not the right expert for a particular case after all, and that needs to be dealt with immediately. Or the documents I have received are incomplete and I need to ask for the missing parts. Organisational skills are a must for this kind of work. The work itself is challenging, and I need to be entirely focussed on what I am doing, so I will block out several hours at a time for writing a report. We do short form and long form reports, and I will usually do the short ones in one sitting or do the reading first and then the writing. You get a feel for the case as you are reading the documents. Sometimes, it is hard to come to a decision around an opinion, so I might deliberately sleep on it, and come back to it in the morning. I take my responsibility as an expert witness very seriously, so it is vital that I am sure of my opinion.

◆ What are the highs and lows?

I find it immensely satisfying to come to an opinion, articulate it clearly, and to read back a report that answers the questions asked and will ultimately help my legal colleagues to do their job; it is a gratifying experience. The outcome of the case is not really

relevant to my work, as my overriding duty is to the court, and my opinion is objective, regardless of which 'side' I am instructed on. It is nice to get good feedback, and to be requested by solicitors with whom I have worked before. I am also an associate trainer, which means I help less experienced experts to learn the medico-legal process, which gives me pleasure in a different way.

The lows are that sometimes it can feel overwhelming, as Murphy's law dictates that further work will come in when you are exceptionally busy! The law is also very black and white, and sometimes nursing falls in the grey area, and that can be challenging.

◆ What advice would you give to aspiring Physio's/Nurses/OT's/SLTs/Midwives looking to enter the medico-legal profession?

I would recommend working with a consultancy such as Somek & Associates. The thought of trying to do this without that level of support fills me with dread! Ask questions and read up on what is actually required...what people generally know about this work is just the very tip of the iceberg. Once you are starting the work, the biggest piece of advice would be to stick with it. The learning curve is immense, and quite unique, as at first we are literally both novice and expert at the same time. This can be quite hard, as we generally have quite established careers by the time we come to this work. Respect the work, it is a big deal, but you don't have to be frightened of it. This work is not for everybody, and it takes quite a lot of up-front commitment, and a particular skill set. If you don't enjoy writing, or don't have much time, it is not likely to work for you.

Many thanks to Somek and Associates and Susie Boyle.

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Susie has been an expert witness with Somek and Associates since 2016 and has been an Associate Trainer since 2018, helping to train a range of new experts.

She accepts instructions from both Claimant and Defendant Solicitors and Insurers. Susie has undertaken formal training in the medico-legal process and is fully aware of her responsibilities under the Civil Procedure Rules (CPR) pertaining to Expert Witnesses.

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