

Trusted expert witness reports for every case



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We were impressed with Ms Boothroyd's report which was detailed and wide ranging. She was great with the client and proved a balanced view overall. We would happily instruct her again.

Claimant Solicitor

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What a fantastic job Mr Wilson did for us at the trial, his evidence was extremely well delivered under some tough cross examination and was probably one of the best experts I have seen in the witness box; calm, measured and helpful to the court.

Defendant Solicitor

With a network of over 300 experts, Somek & Associates is one of the UK's largest and most trusted providers of independent expert witnesses. Our service provision includes both quantum and liability reports.

Securing the Future of Expert Evidence: Why Clients should begin Instructing New Experts Now

Catastrophic injury and high value claims demand the very best expert evidence. Lawyers naturally gravitate towards the experts they know, professionals whose judgment they trust, whose reports they understand, and whose courtroom performance has proven reliable. That instinct is entirely reasonable. In cases where the stakes are life changing, familiarity offers reassurance. However, relying exclusively on a small group of long standing experts creates a structural risk: the expert witnesses clients rely on today are approaching retirement, and the pipeline of new, well trained experts is far too thin, meaning waiting lists for experts in some specialities can exceed a year.

Unless we act now, the pool of credible experts will shrink, and the impact on future litigation could be significant. Lawyers therefore share a responsibility to ensure that this expertise remains available in the years ahead.

From Clinician to Expert Witness: A Significant Transition

Initial expert witness training (much of which is generic regardless of whether the expert is a healthcare professional, surveyor or working within the field of maritime safety), provides only the foundation. The true challenge lies in applying clinical expertise within a legal framework, and the real learning takes place upon case instruction.

The transition from highly experienced clinician to a **high calibre** expert witness **often takes many years**, whilst the expert develops the discipline of impartial reporting in an adversarial legal system and the confidence in case conferences, joint discussions and cross-examination.

For experts providing quantum reports, e.g. Care and OT experts, they must:

- Understand and apply legal principles such as *reasonable restitution*.
- Understand complex legal constructs such as those arising in *Reaney V University Hospital of North Staffordshire NHS Trust (2015)*: Occupational therapists are rarely required in clinical practice to separate needs arising from an index injury from those related to pre existing conditions, nor to project future care needs based on differing medical prognoses. Yet these distinctions are fundamental in medico legal work.
- Gather detailed lifestyle, vocational, and domestic information far beyond typical initial assessments.
- Quantify the commercial replacement value of lost abilities - an unfamiliar task for many clinicians.

For experts preparing breach of duty evidence, they must:

- Analyse compliance with professional standards.
- Understand and apply legal tests e.g. Bolam and Bolitho and Montgomery for consent.
- Distinguish between suboptimal practice and legally actionable breach of duty.
- Form a clear and reasoned opinion and avoid sitting on the fence.

These requirements demand additional training and a shift in mindset, particularly for those accustomed to working within the constraints of NHS or local authority provision.

How Specialist Medico-legal Consultancies can assist

A specialist consultancy can:

- **Identify promising professionals** with the right technical background and communication skills.
- **Provide structured training** in report writing, CPR compliance, and courtroom expectations.
- **Mentor new experts** alongside established practitioners: their role being not to shape the expert's conclusions but to support accuracy, internal consistency, completeness, and clarity.
- **Support experts administratively**, allowing them to focus on their core expertise.
- **Provide lawyers with confidence in a standardised level of quality:** having early reports reviewed by a seasoned expert provides reassurance and safeguards quality, regardless of an expert's level of experience. Through training, mentoring, and quality assurance, the consultancy ensures that every report meets the same high professional benchmark.



Somek & Associates provides a comprehensive and highly respected framework for developing and supporting expert witnesses across healthcare professions.

Led by a Care and Occupational Therapy Expert Witness and a Personal Injury Lawyer, Somek & Associates brings together one of the UK's most highly experienced teams of trainers, most of whom are still practising clinically and accepting expert witness instructions themselves. These are specialists whose insight is grounded in frontline practice, rigorous professional standards, and thousands of cases across a vast range of clinical disciplines. Their approach emphasises independence, competence, and integrity; values that align closely with the expectations of the courts.

By instructing emerging experts through a specialist consultancy such as Somek & Associates, lawyers gain the best of both worlds: continuity with the experts they rely on today, and confidence that the next generation will be ready when they are needed. This is not just a strategic advantage. It is a professional obligation and an investment in the future of justice.

Jessica Thurston

Managing Director, Somek & Associates

- + **Care/Occupational Therapists**
- + **Physiotherapists**
- + **Speech & Language Therapists**
- + **Nurses**
- + **Midwives**
- + **Paramedics**
- + **Orthotists & Prosthetists**
- + **Skin Camouflage Practitioners**



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