

## **General Authority for Fees Payable to Medical Witnesses in Civil Cases**

The General Authority is as follows:

That general authority be given under Regulations 32, 37 and 44 of the Civil Legal Services (General) Regulations (NI) 2015, to solicitors acting under Civil Aid certificates for assisted persons in proceedings in the High Court, County Court and Magistrates' Courts for cases of Negligence, Personal Injury, Criminal Injury, High Court Bail applications, Industrial Disease and in Family matters for which Legal Aid may be given under Schedule 2 of the Access to Justice (NI) Order 2003, to obtain, where necessary and proper, medical examination and reports as follows:

- (a) Where the proceedings are in the High Court, either from
  - (i) one general medical practitioner and one medical consultant; or from
  - (ii) two medical consultants; and from
  - (iii) such additional medical consultants as may be directed in writing by Counsel.
  
- (b) Where the proceedings are in a County Court, either from
  - (i) one general medical practitioner and one medical consultant; or from
  - (ii) two medical consultants of different disciplines and updated report, if necessary, from either or both consultants.
  
- (c) Where the proceedings are in a Magistrate's Court, from one general medical practitioner.
  
- (d) Where the proceedings are in the High Court or in a County Court and if a medical consultant considers it necessary, any additional medical reports and to submit at the hearing the evidence of such witnesses to whom solicitors may pay for examination, reports and attendance fees, not exceeding the amounts contained in this Authority.

**GENERAL AUTHORITY FOR MEDICAL FEES – CIVIL CASES**

		<b>Medical Consultant</b>	<b>General Practitioner</b>
Fee for patient condition letter including copy of recent clinical report, <u>without</u> examination		<b>£55.00</b>	<b>£55.00</b>
Fee for long case history, specially prepared, <u>without</u> examination		<b>£71.50</b>	<b>£71.50</b>
Fee for first or second examination and report	First	<b>£145.20</b>	<b>£77.00</b>
	Second	<b>£145.20</b>	<b>£60.50</b>
Fee for Consultant Surgeon's Report		<b>£145.20</b>	
Fee for Medical Consultant Report in relation to Repetitive Strain Injury		<b>£242.00</b>	
MRI and CT Scans at cost not exceeding <b>(Authority granted when recommended as reasonably by Consultant Radiologist or Consultant)</b>		<b>£451.00</b>	
Fee for Dermatologist's, Psychiatrist's and Chest Consultant's Report and examination		<b>£181.50</b>	
Fee for attendance at Court:			
Morning or part thereof		<b>£203.50 (Note 1) (Note 5)</b>	<b>£165.00</b>
Morning and Afternoon or part thereof		<b>£297.00 (Note 1) (Note 5)</b>	<b>£253.00</b>
Fee for reading up on file and attendance at consultation on day of hearing or other than day of hearing. When two cases are dealt with on the same day at the same Court, an <b>additional fixed fee of £75.00</b> will be fixed for preparation and/or consultation in connection with that case		<b>£82.50</b>	<b>£68.20</b>
Fee for making arrangements to attend Court, on cancellation			
- with less than 2 days notice (excluding Saturday and Sunday)		<b>£66.00</b>	<b>£66.00</b>
- with between 2 days and 7 days notice		<b>£49.50</b>	<b>£49.50</b>

## NOTES:

1. Where a locum has had to be engaged and the cost is vouched, fees will be allowed as follows:

Surgery of 2 hours	<b>£66.00</b>
Surgery of 2 hours plus calls	<b>£71.50 plus £5.50 per call</b>
All day Surgery	<b>£143.00 plus £5.50 per call</b>
2. Where a General Practitioner produces a patient file, a fee of **£20.00** will be paid. For providing a photocopy of a patient file, the fee will be **£25.00**.
3. **In all other cases** the assisted person's Solicitor will be required to obtain and submit an estimate before authority is granted.
4. A sliding scale of allowances is payable to Solicitors to cover the costs of collection and returning patients files from and to General Practitioners, as follows:
  - (i) A flat fee of **£15.50** to cover the cost of collection if the journeys were up to 10 miles and, likewise for returning papers
  - (ii) **£26.00** if the journeys for collection were in excess of 10 miles and, likewise for returning papers
  - (iii) A payment exceeding **£26.00** in special cases if longer journeys were involved, the amount depending on the total distance necessarily travelled.
5. **Where a Medical Practitioner or Consultant has been engaged in attending the same Court on the same day on behalf of more than one client, he/she is required to divide the Court attendance fee and travel expenses proportionately among the number of clients on whose behalf he/she has attended. The Medical Practitioner/Consultant should certify his/her fee account accordingly.**
6. Travelling to attend Court is allowable at first class travel by train, or by private car at **35.7p** per mile.
7. Travel time is also allowable at **£33.50** per hour for a Consultant and **£24.50** per hour for a General Practitioner.