



# The Facilitate Factor

**Welcome To Our Monthly Newsletter**  
April 2020

Featuring articles by Jonathan Hobson MA  
BM BCh FRCS ENT Surgeon Manchester  
University Hospital Trust & Emeritus Professor  
Gus Baker, Clinical Neuropsychologist.

Facilitate Expert Solutions Ltd looks after the  
needs of a number of Clinical Neuro-Psychologists  
throughout the UK together with other Medico-  
Legal Experts in different fields.

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## Covid-19

Dear All,

My team and I are focussed on ensuring all of our experts feel supported during these uncertain times. Many law firms are working at home and so we are still able to communicate with them in relation to your outstanding fees.

Some of you have joined the fight against Covid-19. This newsletter features an article from Jonathan Hobson, ENT surgeon in Manchester. Jonathan is now on the front line helping to tackle the problem and we couldn't be more proud of him.

For those working at home this may be a time of reflection. It may also be a great time to grasp the reins of your practice and finances and take the decision to bring us in to help you manage it! All details can be found on our website [www.facilitateexpertsolutions.co.uk](http://www.facilitateexpertsolutions.co.uk) but we basically tailor our fees to your needs. There is nothing to pay upfront as we only send you a bill once you receive payment for fees we have chased for you. We can help with everything from initial invoicing, to chasing down aged debt, liaising with your accountants and VAT returns. We also offer full practice management for those in need. Fees start at 8%.

Some of you will know I run a Barrister Practice Management business alongside Facilitate. We have been using Zoom for conferences ensuring our work can carry on as normal. This is a time where we will inevitably see unusual and interesting new ways of working. I'd love to hear from any of you with tales on how you are managing your practices whilst unable to see patients or clients face to face. I also need a volunteer to draft an article for May's Newsletter! Please email me on [claire@facilitateexpertsolutions.co.uk](mailto:claire@facilitateexpertsolutions.co.uk)

I hope this newsletter provides some light reading. I have resurrected an article Professor Gus Baker drafted for me a while ago as his enthusiasm makes me smile.

Stay safe everyone.

Claire

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## Social Media - Which platform is right for you?

Jonathan Hobson | @HobsonENT

MA BM BCh FRCS ENT Surgeon Manchester University Hospital Trust

So the story goes that it sometimes feels as a medicolegal expert that we are busy working 9 to 5 during the day and then get home to be busy working boys and working girls in the evenings. We have faith in our technical and medical abilities and I'm not sure about you, but thinking about the other aspects of a medicolegal practice often drives me crazy. There's the invoicing and chasing to get money paid in after the gold rush - luckily Helen at Facilitate Expert makes that effortless. There are the agents to deal with and it sometimes feels as if they are telling me lies with respect to timelines and deadlines. Luckily Emma takes away the heartbreak of having to deal with that. Sometimes it feels as if all I can do is to see claimants and write reports. Claire has been excellent at marketing and getting our names out to agencies and solicitors and I really got the feeling that I'm in good hands with Facilitate Expert. I've always enjoyed being fairly hands on with my own marketing and a large part of this involves my social media feed. There are so many platforms to choose from though, LinkedIn, Facebook, Instagram not to mention Snapchat and TikTok.

In January 2020, Dolly Parton posted a collage of four pictures, each of which correlated to a certain social media site with a suited Parton for LinkedIn, wholesome Christmas jumper Parton for Facebook, a moody black and white portrait for Instagram and a Playboy bunny Parton for Tinder. Under the collage was a caption "Get you a woman who can do it all." She instantly created a meme with multiple copies. My own #dollypartonchallenge photo is attached to this article. I think this sums up some of the differences between the sites but what are the differences and pros and cons of each platform and when should you use them?

**Facebook.** This is the biggie. The majority of people on the planet are now on Facebook and so its reach is enormous. It is perhaps more socially and friends based than company or professionally oriented. I tend to use it to post and repost pertinent ENT related news stories.

**Twitter** is a great place to go for news stories although with the twin events of Brexit and Coronavirus it can sometimes seem a little overwhelming. I use twitter as a platform to post

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short snippets of information and it is a great platform to engage with a variety of colleagues and companies.

**LinkedIn** is really great for experts to link with experts. Most agencies and solicitors have a LinkedIn presence and it is a great platform to engage with to get your name out there

**Instagram** is wonderfully visual. It allows pictures and a minimum of text to be posted. It is great for experts who work in a very visual field, dermatology or radiology for example. I love posting ENT related content on Instagram particularly from overseas and holidays. The more you look the more you see your speciality elsewhere and I am convinced that #ENTiseverywhere

**Snapchat** - I have literally no idea about this one other than you can post self-destructing snaps that disappear after a short length of time. It seems to be used mostly by my kids to communicate incognito and if anyone under the age of 40 knows how to use Snapchat I'd be grateful for lesson.

**TikTok** is probably the newest social media platform. It allows users to share short videos, often with stickers, filters and augmented reality. There is an increasing amount of health related TikToks available and quite a lot of short patient related information and content. It is not as polished as YouTube or Facebook video but quite fun to watch in general.

**Tinder** - Please note that this is outside of HobsonENT's area of expertise and enquiring parties may wish to instruct another expert.

**Bonus round - spot the number of Dolly Parton songs titles in the strangely written copy above. Answers below!**

Answer = 9  
the story goes, 9 to 5, faith, drives me  
crazy, after the gold rush, telling me  
lies, heartbreak, as if all I can do,  
I really got the feeling



This month our guest author  
is Professor Gus A Baker

*M Clin Psychol, C Clin Psychol, PhD, FBPSS*

## When is an opinion, an expert opinion?

The last three decades has seen a proliferation in the use of Clinical Neuropsychologists as expert witnesses in the legal medical setting, particularly in the areas of medical negligence or personal injury compensation.

Clinical Neuropsychologists are being recognised as having an expertise regarding brain and behaviour relationships. It is this expertise that has been recognised as being important in these areas.

This development raises two important issues: [1] How does the court determine expert neuropsychological opinion? [2] What are the attributes of an expert in the field of Clinical Neuropsychology? In this short article I will try to draw out what I believe are the critical issues to address the above questions.

### Defining expertise

In the US "a witness who is qualified as an expert by knowledge, skill, experience, training or education may testify in the form of an opinion or otherwise if: [a] the expert's scientific, technical or other specialised knowledge will help the trier of fact to understand the evidence or to determine a fact or an issue; [b] The testimony is based on sufficient fact or data; [c] The testimony is the product of reliable principles and methods; [d] The expert has reliably applied the principle and methods to the facts of the case.

Importantly in the US, the testimony provided by the Clinical Neuropsychologist [CN] has to be sufficiently valid and reliable and generally accepted in the profession.

The recent BPS Guidelines (2018) point out the following:

"When lawyers seek to introduce expert psychological evidence, it is the judge in the case who decides whether an individual has the requisite expertise to give evidence with the potential to be relevant to the case. The judge also decides whether what the expert asserts is relevant and therefore admissible in law. There will be instances where the judge accepts the expert as such, but ultimately excludes the expert's evidence in part or in full."

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### Attributes of an Expert Clinical Neuropsychologist

In UK the list of attributes that are necessary for an individual to be deemed a psychological expert are as follows:

- Qualifications and/or degree(s) in the area(s) in question;
- A number of years of post-doctoral/post-qualification experience;
- Academic, professional and scientific publications in relevant areas;
- Demonstrations of professional practice, competence, specialist knowledge and expertise with a bearing upon the issues in the case; and
- Current experience in applying psychology in the area of claimed expertise.

In respect of Clinical Neuropsychology, there are very specific attributes and these include the following:

- That the CN practices scientific and ethical neuropsychology
- That the CN utilises specialist knowledge
- That the CN avoids jargon in their evidence
- That the CN is knowledgeable about neuropsychological methods.

## HAVE YOUR SAY

Seeking articles for the next edition.  
Wide ranging topics, share your experiences.

Email [support@facilitateexpertsolutions.co.uk](mailto:support@facilitateexpertsolutions.co.uk)



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*M Clin Psychol, C Clin Psychol, PhD, FBPSS*

## When is an opinion, an expert opinion?

### The Neuropsychological report

The preparation of the Neuropsychological report can be challenging and complex and usually requires a significant amount of work, particularly in high value cases. The report should contain multiple sources of data including clinical observation, history prior to the index event, collateral sources, results of formal testing using a battery of standardised tests, consideration of the impact of the index event and importantly a clinical formulation.

The opinion section should take consideration of all relevant sources of information. There should be awareness of minimising bias. Care should be taken when making diagnosis. The CN should be aware of the rates of relevant symptoms and all possible etiological considerations when developing differential diagnosis. The CN has also to be aware of the limits of their own competencies.

### Challenges and Pitfalls to providing expert opinion

There are several challenges and pitfalls to providing expert CN opinion and I have addressed them as questions to be considered:

[1] Are you familiar with the minimum standards necessary to provide expert opinion?

[2] Are you familiar with the court rules relating to the content and scope of reports and the duties of an expert generally?

[2] Have you kept abreast of developments in the fields relevant to the report?

[3] Do you have the relevant experience and qualifications?

[4] Would you be considered an expert by your peers?

[5] Have you got indemnity insurance?

[6] Have you undergone specific training or do you have specific experience in presenting evidence in court, participating in joint statements and attending case conferences.

Unfortunately there are no specific training programmes in the UK in relation to being recognised as an expert witness in CN. The most appropriate path is gaining supervision by those already recognised in the field. There is another challenge!

**Do you have an idea for  
an event or seminar?  
Drop us a line and  
we can help you facilitate it!**

**Are you VAT registered?  
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Do you need help with your monthly VAT returns, recording of invoices and chasing of outstanding fees? Are you coming under pressure from your workplace to stop using the Company/Trust supplied Secretary for your Medico-Legal work? Do you require typing support?

**If your answer to any of the above questions is YES then we can help you!**



We also run a **Barrister Practice Management** business. This links together nicely with Facilitate as we use some of our experts for **Seminars, Mock Inquests, Trials** etc. If you would like to be considered please contact us > [claire.labio@completecounsel.co.uk](mailto:claire.labio@completecounsel.co.uk)

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