

CONFIDENTIAL - FOR AvMA EXPERTS ONLY - Legal Aid - Responses 2015-16

Speciality	Willing to work for Legal Aid rates?	Comments/Concerns
Dermatology		
Rheumatology & General Medicine	No	I continue to charge £300/hr for all work.
Midwifery	No	Most solicitors will top-up this fee.
Bariatric Surgery	No	
Emergency Medicine (A+E), Intensive Care	Yes	
Paediatric Neurology	Yes	
Orthopaedics	No	
Paediatric Surgery		
Orthopaedics and Trauma		
Paediatric Respiratory Medicine	No	£200/hour only
Obstetrics & Gynaecology	Yes	But restricted to solicitors with which I have a good working relationship.
Hand Surgery (Orthopaedics)	No	
Clinical Psychology	Yes	
GP	No	Delay in payment has been an issue, but not so sure now - do not work for the Legal Aid rates - have not been asked to really!
Neuroradiology	Yes	
Anaesthesia	No	I have managed to negotiate higher rates with individual instructing solicitors in several cases, thus am happy to be approached with an offer of LAA rates.
Adult Psychiatry	No	
Orthopaedics	No	The reports [?] be of poorer quality.
General medicine, diabetes, life expectancy		
General practice	No	
GP	No	It is no longer worth my while to do so.
Cardiology	No	
Paediatric Cardiology	Yes	
Paediatric Orthopaedics	Yes	
General and Vascular Surgery	No	I do a certain amount of pro bono work but do not feel that legal aid rates are reasonable for experienced experts.
Anaesthesia	No	
Obstetrics & Gynaecology	Yes	I do a few just to share the load
Vascular Surgery	No	Happy to provide an outline opinion on a pro bono basis
Orthopaedics	Yes	
Anaesthesia	Yes	
Nursing	No	Apex Health Associates does not accept work on Legal Aid rates
Emergency Medicine	Yes	
Respiratory Medicine	Yes	
Orthopaedics	Yes	
Midwifery	Yes	No, except for the continuing issue of late payment
Paediatric neurology	Yes	The LSC has some flexibility for shortage specialities
Paediatrics		
Neurology	No	
Ophthalmology	No	
General Practice		

Vascular Surgery		
Breast Surgery	Yes	
Public Health	No	Rates set are too low
Gynaecology	Yes	
Oncology		
Plastic Surgery	No	
Psychiatry		
Orthopaedics	Yes	An incongruity between neurosurgical and orthopaedic spinal rates
Ophthalmology		
Midwifery	Yes	Annoying, waiting so long for payment
Speech therapy	Yes	Providing full hourly rate is paid for travelling time, otherwise no. The Legal Aid rate is less than hourly rate usually charged by private therapists for non specialist work
Orthopaedics		
Accommodation expert	No	
GP	Yes	I will consider on a case by case basis
Clinical Psychologist	No	Delays in getting paid
Orthopaedic Surgery	Yes	
Pharmacy	Yes	
GP	No	
Orthopaedic surgery	No	
Microbiology	No	
Neuropsychiatry	No	
Obstetrics & Gynaecology	No	Experienced cons ob/gyn are capable of providing medico-legal reports, practising surgery (sometimes complex) and engaging in private medical care. An experienced cons ob/gyn with a large clinical workload and proven expertise in education and training is far more likely to provide a robust medical report than someone who lacks these qualities. Increasing demand NHS for cons ob/gyn for out of hours - including NHS choose and book - £800-1000 over a four hour period. If taking on an operating theatre list, two major cases and two minor cases in four hours - £1800-2000. There is a danger that providing medical reports becomes financially unattractive, whereas carrying out NHS work or private medical practice becomes increasingly more attractive from a financial perspective. Take all of these factors into account.
Brain injury, neurological conditions	No	We continue to quote full rate and will not work for less. The rates quoted are less than charged when I commenced expert work in 1995.
Optometry, vision		
Nursing Oncology/IV therapy	Yes	
Neonatology	Yes	
Colorectal Surgery	Yes	
Obstetrics & Gynaecology		
Nursing, Paeds, Midwifery, Health visits	Yes	
Diagnostic Imaging	Yes	No
Immunisation	Yes	

Spinal	No	It depends on the case and the work involved. The cost of the case is not [?]
Gastroenterology	Yes/No	Depending on complexity of the case
Ophthalmology		
General Dental Practice	Yes	
General & Colorectal Surgery	Yes	
Midwifery Maternity	Yes	Until the rate drops under £72 pr/hr
Physiotherapy		
Paediatrics/Neonatology	No	I have maintained my fees at the previous LAA rate of £135/hour. I am concerned that the cap on Legal Aid for families is not matched by a cap on fees paid by the NHSLA, which pays much higher fees.
Orthopaedics/Spine	No	Rates are derisory
General Practice/Vasectomy	No	Unless in very exceptional circumstances
Orthopaedics and Trauma	No	
Dental/Peridontal	No	No
General Practice		
Medical record collation and chronology	Yes	
Obstetrics & Fetal Medicine		
Orthopaedics (Hands)		Probably on a case by case basis
Psychiatry	No	
Obstetrics & Gynaecology	No	Attached letter RE: legal aid - too long for this spreadsheet.
Neurologist		
Midwifery	No	It is not fair that Defence will pay a reasonable rate compared to Legal Aid rates - which are an insult and less than 50% of my hourly rate which I have been charging for many years. Yes they are disadvantaged as they will not get all the opportunity to have the best experts as a result of fee rates.
Gastroenterology/Hepatology	No	No
Dental Practice - Restorative & Forensic		
Neurology	No	Not possible my practice marginal costs are more than allowed. People are being denied senior experienced opinion.
Psychologist/Nurse		
Physiotherapy		
Gastroenterology		
Paediatric Surgery	Yes	
Orthopaedic & Trauma Surgery		
Orthopaedic Surgery		
Otorhinolaryngology (ENT)	Yes	These rates (currently) are too low but clearly Claimants need to be supported in the contemplation of an assessment of their claims
Social Care	No	For independent social workers in adult care there is no fixed rate. I charge £70 p/h £40 p/h travel £00.45 p/p/m - the LAA accepts the rates.
Paed. Neurosurgery & Craniofacial Surgery		
ENT/Head & Neck Surgery	No	

Anaesthetics	Yes	
Dentistry General	Yes	
Upper & Lower Limb Prosthetics	Yes	
Anaesthetics	No	
Ophthalmology	No	Insulting fees for a skilled professional!
Pharmacy & Pharmacology		
Cardiac Surgery (Adult)	Yes	
General Practice	No	The rates are derisory. Very inexperienced experts give opinions not applying legal test resulting in false hope and ongoing claims which will fail.
Obstetrics & Gynaecology	No	
General Practice	No	
Plastic & Cosmetic Surgery & Pressure sores	Yes	But only simple cases. If it looks complex then I refuse. I resent having to work for half my normal remuneration.
Gynaecology	Yes	
General/Vascular Surgery	No	My understanding is that legal aid is no longer available in clinical negligence cases.
OT and Care	Possibly	But dependent on case by case basis. Length of time to payment of fees.
General Surgery/Colorectal	No	
General Medicine/Clinical Pharmacology	Yes	Only when the question is of specific interest to me
Clinical Psychologist		
General Surgery	No	No
Gynaecology	No	
Neuropsychology	Yes	
Orthopaedics		
Orthopaedics	No	If payment will be delayed until end of the case
Midwifery & Gynae Nursing	No	The claimants will not be able to secure an experienced expert
Respiratory Medicine	Yes	No
Paediatric Liver Disease		
Respiratory Medicine	No	It's not fair to run in two tier system of charging. With my overheads I can't afford to work at their rates. Why are rates out of London higher!! I dislike solicitors I work slower to charge the same!
No longer doing ML work		
GP	No	The pay is rubbish
Dentistry	No	
Paramedic & Ambulance	No	
Prosthetics	No	
Paediatrics		
Cardiology		
ENT - nose and sinuses		
Accommodation	No	
Obstetrics & Gynaecology		
Neuroradiology	Yes	
Accident & Emergency	Yes	
Paediatric & Adult Congenital Cardiology	No	Inadequate for time spent + plenty of work at my normal rate of £200 per hour available
Orthopaedics & Trauma	Yes	

GP, Minor Surgery, Lasers, Anaesthetics	No	No
ENT		
Audiology	No	
Orthopaedics	Yes	I will take instructions case by case
Vascular Surgeon	No	I have no objection to working for clients who are funded by Legal Aid.
Ophthalmic Surgeon		
Radiology	Yes	
Emergency Medicine		
General/Gastro-Intestinal Surgery	No	
ENT	No	
Paediatric Hepatology	Yes	
General Surgery	No	
Neuroradiology		
Dermatology	No	
Colorectal and General Surgery	No	
Neurology	No	
Obstetrics & Gynaecology	Yes	At £135/hr
Paediatric Urology	Yes	
Respiratory Medicine		
Gastroenterology		
Plastic and Hand Surgery		Only occasionally if the case is deserving. Basically I am not prepared to work for the very low hourly rates that the Min of Justice pays.
Pain medicine	No	
General Practice	Yes	I will not accept payment on deferred term and expect settlement in 6 months
Dental	Yes	
Diabetes		
Emergency Medicine (A+E)	Yes	
Oncology	No	My standard rate is £350/hr
Neurosurgery	Yes	
Orthopaedics	No	Their rates are insulting! The legal aid system is no longer ethical.
Clinical Psychologist	Yes	
Plastic, Reconstructive, Anesthetic/Cosmetic Surgery	Yes	Sometimes
Colorectal Surgery	No	
General Surgery - HPB surgery	No	
Urology	Yes	
Accident & Emergency	Yes	I am much more rigorous in time-keeping at these rates!
Anaesthesia/Critical Care	Yes	But selectively
Anaesthetics	No	
Endocrinology	No	No
Oncology	No	
GP Clinical Negligence	Yes	"what cannot be cured must be endured". Low rates reduce incentive. You pay peanuts and get monkeys. Legal aid should be reasonable rate.
Dental Surgery	Yes	

General Surgery	Yes	
Orthopaedic & Trauma Surgery	No	My fees are based on £200/hr + VAT
Obstetrics & Gynaecology		
General Surgery	No	
Obstetrics & Gynaecology	Yes	Yes. Deferred payment is a problem.
Neonatal Paediatrics	Yes	I would not wish a family to have [?] because of reduced hourly rates. In my experience, solicitors have been able to justify higher rates when there is a case to answer.
Community sexual and reproductive health; General practice	No	
Paediatric Neurology	No	
General Surgery		Not on a fixed fee basis. This will invariably reflect in the quality of the report. This should <u>not</u> be the case as often such reports may require significant detail and guidance.
Orthopaedic & Trauma Surgery	No	The rates are too low for orthopaedics. The differences in rates between medical specialities appear to have no logical basis.
ENT	No	
Ophthalmology		
Radiology		Not sure
Urology	Yes	
Paediatric Respiratory medicine	Yes	
Medical Microbiology	Yes	
Paediatrics	No - as particularly low for those experts, such as me, who live in London	
Urology		
Brain and spinal injury/case management		
Medical Records Pagination		
General Surgery		
General Practice	Yes	On case basis. Slow payment.
Plastic Surgery		
Geriatrics & General Medicine	No	The rates fall far short of professional fees.
ENT/Head and Neck Consultant		
Paediatric Endocrinologist	Yes	No
General surgery & Surgical Oncology		Pleased to discuss.
Paediatric Oncology		
Urology	Yes	Only a limited number per year
Ophthalmology	Yes	
Orthopaedic & Trauma Surgery	Yes	Delays in payment by some solicitors until they are "in funds"
Clinical Oncology	Yes	No
Child, Adolescent & Family Psychiatry	Yes	
Practice Nurse	No	
Neurology		

Cardiothoracic anaesthesia & intensive care		I have more work than I can cope with working at my advertised rates. I do not seek to work at legal aid rates except for patients who have got a really bad deal out of the system. A proportion of my work is performed without charge pro bono publico. Getting paid promptly by lawyers after working at legal aid rates is usually difficult. It can also be difficult however they are funded.
Intensive Care	Yes	
Neuroradiologist; paediatric neuroradiology		
OT/Care/Rehab	No	
Oncology		
Respiratory Medicine	Yes	No
Gastroenterology Clinical Nutrition		My fees are £225/hr for all cases. I would like my invoices settled within 1 yr.
Paediatric Neuropsychology	Yes	
Foot & Ankle Surgery		
Psychiatry	Yes	
General Practice		
Mental Health Nursing, Intellectual Disability Nursing	Yes	I will consider such cases
Plastic Surgery	Yes	
General Surgery	No	
Paediatric Cardiology	Yes	
Dentistry		
Neurosurgery and spinal surgery	No	
Paediatric Nephrology		
Psychology/Neuropsychology	Yes	None.
Obstetrics	No	I chase £200/hr and am about to increase to £220/hr from August.
Paediatric Surgery (Urology)	Yes	
Paediatrics	No	No
Oral & Maxillofacial Surgeon	Yes	
General Adult Psychiatry	Yes	
Neuropsychologist		
Endocrinology, diabetes, lipids, metabolic medicine.	No	
Gynaecology	No	
Nephrology/General Medicine	Yes	Long delays in being paid by solicitors.
Psychiatry		
Endocrinology and diabetes	No	
Neonatal & Paediatric Surgery	No	
Spinal Surgery		
Dietics, bariatric surgery, obesity, nutrition	No	
Plastic Surgery		
Clinical Pharmacology and General Medicine	No	
Nursing and care	No - I will make a few exceptions	No

Trauma & Orthopaedic Surgery	No - As a consultant of 28 years experience, I set my fees at the same level as a senior barrister.	No
Neurology		
Collation of records and case preparation		
Radiology	Yes	
Virology	Yes	
Hand & Wrist	No	No
Physiotherapy	No	
Oncology		
Gen Surgery	No	
Obstetrician & Gynaecology	No	Not a level playing field. NHSLA is also funded from public money yet there are no restrictions on fees.
Podiatric Consultant	No	Not only pay is low but also a lot of beurocracy is arduous
Neonatology	Yes	The fees need to be paid to the expert within a defined time (eg 3 months) not whenever the case is concluded.
Radiology	No - Unclear why rates are different according to speciality?	No
Plastic Surgery	Yes	
SALT	No	
Oral & Maxillofacial Surgeon	No	
ENT	No	No otor problems with this - only the fee cap!
Psychiatry	Yes	
Breast cancer and delay in diagnosis	No	
Obstetrician & Gynaecology		
General Practice	No	£122/hr
A&E	No	No