

Letters to the Editor

Dear Editor

I read with interest Darren Moore's article in the December issue on the question of lawyers accompanying their Clients for defendant medical examinations.

Such a practice is not possible in the United Kingdom, unless the defendant doctor agrees, which normally they would not.

An interesting practice seems to have grown up in the United States however, whereby instead of a lawyer accompanying a plaintiff, someone with medical qualifications or experience is sent merely to observe and take notes. Normally someone with nursing qualifications would be ideal.

The purpose of the exercise is obviously to record the length of the physical examination (notoriously short with some defendant doctors) and to record any odd questions that might be asked. Anecdotal evidence seems to suggest that evidence from such observers is often quite effective in countering some of the more extreme findings and conclusions of the more obnoxious of the defendant medical advisors.

Whether this is a more effective tactic, rather than attendance by a lawyer, is perhaps a matter for debate, but is perhaps something which might be worth considering.

Yours sincerely

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The APLA Executive would like to welcome all those members who have joined since the last Issue of the Update.

If you have any questions about the services available please contact the Executive Officer, Anne Purcell at:

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