

SOMEK
AND ASSOCIATES

25

A CHANCE TO COME
TOGETHER AND CELEBRATE
OUR 25th ANNIVERSARY

annual conference | 17th June 2022 | Chesham

sponsored by





WELCOME



WELCOME TO THE
SOMEX & ASSOCIATES
ANNUAL CONFERENCE
JUNE 8TH 2018



When I wrote my first report back in the 80s, I had no idea that my interest in medico-legal work would grow and that it would become a key part of my life. Little did I know that by the 90s the demand would be too great to manage with a full-time job in the NHS, and that I would be persuaded to start a “business” providing expert witnesses to the clinical negligence and personal injury sectors.

Somek and Associates was born in 1997, and so this year is our 25-year anniversary!

I have seen many changes, but undoubtedly the most fundamental was the development of the Civil Procedure Rules in 1998, following the report by Lord Woolf who was tasked with modernising civil procedures.

One of the key components was, and still is, Part 35 and its Practice Direction. This clearly articulated, at Lord Woolf’s insistence, that expert witnesses must be independent, impartial, objective, knowledgeable (in their field and legally), truly expert in the area upon which they are opining and understand that their duty is to the court and not to the person paying their fees. I almost found this strange, because I had always believed that professional integrity dictated these attributes in any event! But what I learned over the years was

that not every expert understood this. I saw with my own eyes, the “hired guns”; I experienced unprofessional behaviour, both from clinicians and lawyers.

Part 35, the PD, and more latterly the Guidance, have improved the performance of expert witnesses enormously, underlining the need for expert witnesses to be properly trained and to understand the important role they play related to the outcome of “justice”. This conference aims to contribute to that process.

Somek and Associates has grown, from just me to 30 wonderful employees and over 200 amazing associates, handling many thousands of cases. The last 2 years of the pandemic have impacted on many people’s lives and changed many things, but sadly people continue to be injured, some through the fault of others; litigation continues and desperately requires excellent expert witnesses to assist with the process of justice. We are busier than ever.

We have always been, and will always be, passionate about professional integrity and quality of service. I thank you all for your contribution to sharing our passion and helping us to achieve our vision of being the organisation of choice for expert witness services.

Alison Somek, Chief Executive Officer



Jessica Thurston, Chairperson for the day



08:00

Registration - Tea, coffee and snacks available; opportunity to visit exhibition stands

09:00

Welcome, introduction, housekeeping and Somek and Associates update, *Alison Somek, Chief Executive Officer and Jessica Thurston, Chief Operating Officer, Somek and Associates*

09.20

Case Law Update and Implications for Practice, *Dr John Sorabji, Barrister, 9 St John Street Chambers; Lecturer, Faculty of Law-UCL*

10.05

Covid Update - Implications for Medico-Legal Work, *Ian Christian, Partner, Irwin Mitchell*

10.50

Gain Recognition and Support for Your Expert Witness Practice - How Can the Expert Witness Institute Support Your Expert Witness Practice? *Simon Berney-Edwards, Chief Executive Officer, The Expert Witness Institute*

11:05

Tea and coffee and opportunity to visit exhibition stands



PROGRAMME

11.35

The Role of NHS Resolution and Update on Their 5-Year Plan
Samantha Goward, Senior Associate (Solicitor Advocate), Kennedys

12.30 Main sponsor

Think Therapy First to Enable Your Clients to Work, Rest and Play, *Aimee Crane, Deputy Director of Operations and Emma Roddis, Deputy Head of Clinical Services, Think Therapy 1st*

12.50

Exhibitor 3-4 minute presentations

13:15

Lunch sitting 1 and 2 - opportunity to visit exhibition stands

14.15 Parallel Sessions - Occupational Therapy

Case Management - What Are the New Challenges in 2022? *Ellie Conway, HR Manager and Susie Quinlan, Operations Manager, ILS Case Management*

14.15 Parallel Sessions - Liability

Expert Reports in the Context of Court, *Lauren Sutherland, Queens Counsel, Ampersand Advocates*

14.15 Parallel Sessions - Speech and Language Therapy and Paediatric Occupational Therapy

The Decision-Making Process in Selecting AAC Devices for All Ages - A Collaborative Approach Between Assistive Technology, Speech and Language Therapy and Occupational Therapy, *Moira Stephens, Assistive Technology and Disability Consultant, SMA Legal*

14.15 Parallel Sessions - Physiotherapy and Orthotics

Osseointegration - The Story So Far: Recovery, Rehabilitation and the Return to Function, *Matthew Hughes, Managing Director, Prosthetist and Orthotist and Lauren Young, Clinical Specialist Physiotherapist, Dorset Orthopaedic*

15.00 Parallel Sessions - Occupational Therapy

Car Adaptations and Wheelchair Accessible Vehicles, *Chris Edwards, Mobility Specialist, Lewis Reed*

15.00 Parallel Sessions Liability

Courtroom Skills, *Lauren Sutherland, Queens Counsel, Ampersand Advocates*

15.00 Parallel Sessions - Speech and Language Therapy

The Journey So Far - Discussing the Development of the Somek and Associates SaLT Team as Expert Witnesses, *Sadia Hussain, Speech and Language Therapist, Associate Trainer, Somek and Associates*

15.00 Parallel Sessions - Physiotherapy, Orthotics and Amputee Occupational Therapy

Orthotics - An Introduction and Overview, Exploring How Prosthetic Technology Has Shaped and Influenced Recent Orthotic Advances, *Matthew Hughes, Managing Director, Prosthetist and Orthotist, Dorset Orthopaedic*

15.45

Tea and coffee and opportunity to visit exhibition stands

16.15 Gong Sessions

Coroners Court, *Barbara Franks, Occupational Therapist, Associate Trainer, Somek and Associates*

Court of Protection, *Lynn Hannon, Registered Nurse, Expert Witness, Somek and Associates*

My Own Clinician v Expert Witness Conflict When Applying Montgomery Principles, *Emily Whisker, Registered Nurse, Expert Witness, Somek and Associates*

16.45

Conclusion of conference, *Jessica Thurston, Chief Operating Officer, Somek and Associates*



SPEAKERS



9.20

Dr John Sorabji

Barister, 9 St John Street Chambers;
Lecturer, Faculty of Law-UCL

Dr John Sorabji is a barrister, practising from 9 St John Street Chambers. He is also a lecturer in the Faculty of Law at University College London, where he teaches Principles of Civil Justice, Alternative Dispute Resolution, Access to Justice and contract law courses on its LLB and LLM course. He is also a Visiting Professor at the University of Paris-II. He is the General Editor of the White Book. He is also the author of English Civil Justice after Woolf and Jackson (2014), and a contributing author of both Foskett on Compromise (2015) and Civil Litigation in a Comparative Context (2017). Previously he was the principal legal adviser to the Lord Chief Justice and the Master of the Rolls, as well as being a governor of the Expert Witness Institute.



10.05

Ian Christian

Partner, Irwin Mitchell

Ian is a Partner at Irwin Mitchell specialising in medical law. He is also head of the London Personal Injury department. His areas of specialism are in birth and neonatal cases including cerebral and Erb's palsy injuries, as well as still birth and wrongful birth cases. He also has significant experience in claims involving hypoglycaemia, hyperbilirubinaemia and retinopathy of prematurity.

Ian is a member of the Law Society's Clinical Negligence panel. He is a Fellow within APIL and is a board member for the Training and Accreditation committee. He co-authored the 1st and 2nd editions of the APIL Clinical Negligence guide.

Ian is also a leading sports lawyer. He represents players whose careers have been affected through substandard treatment provided by medical staff. He is a panel member for the Rugby Players Association and is currently representing several professional rugby players.



10.50

Simon Berney-Edwards

Chief Executive Officer,
The Expert Witness Institute

Since joining the organisation in May 2019, he has revised the Membership Journey, revised and implemented new organisational membership schemes, lead the successful implementation of a new CRM and Website, launched a new competency framework for the profession, and secured 10% growth in Membership. Simon's background is in Libraries, Regional Development, and Project and Change Management. He previously worked as a Director at the Chartered Institute of Library and Information Professionals leading the teams delivering frontline services to members. He also led high-profile projects including Mapping the Information Workforce, reengineering CILIP's Skills offer, delivering the approach to Member Networks, and a programme improving internal systems and cultures. He is a trustee of Twins Trust and is their Digital Transformation lead.



11.35

Samantha Goward

Senior Associate (Solicitor Advocate),
Kennedys

Samantha qualified as a solicitor in 2001 and a solicitor-advocate in 2007, and specialises in healthcare law. Samantha also sits as an Assistant Coroner in Cambridgeshire & Peterborough and in Norfolk.

She handles a wide range of matters for hospitals including cerebral palsy, paediatrics and spinal injury claims. She advises and represents Trusts at inquests, advises Trusts on issues of healthcare law and lectures to Trusts on various areas of law.

Samantha has also lectured at Cambridge University and for the charity Baby Lifeline. She has higher rights of audience enabling her to represent Trusts at hearings up to the Supreme Court and has previously appeared in the Court of Appeal. Samantha also represents Trusts at inquests, including before Juries.

Samantha has undertaken secondments to the Technical Claims Unit at NHS Resolution and for 10 months in a large mental health trust.



12.30

Aimee Crane

Deputy Director of Operations,
Think Therapy 1st

After qualifying as an Occupational Therapist in 2009, Aimee specialised in the field of adult physical disability and hails from a background in social care and housing.

In 2014, Aimee obtained her Post Graduate Diploma in Housing, before taking the leap into Independent Practice, widening the scope and diversity of her work.

Aimee joined Think Therapy 1st in 2018 as an Associate and has achieved excellent results in using therapeutic activity to restore her clients' function following serious and catastrophic injury.

Aimee also completes Expert Witness work (Quantum) for Somek and Associates and can therefore provide her first-hand experience around how the two roles complement one another.

Aimee joined Think Therapy 1st permanently in 2020 as Deputy Director of Operations.



12.30

Emma Roddis

Deputy Head of Clinical Services,
Think Therapy 1st

Since obtaining her 1st class honours degree in Occupational Therapy in 2005, Emma soon discovered her passion for neuro rehab and embarked on a journey of discovery working across acute, rehab and community settings nationwide, challenging and breaking down barriers along the way to advocate for and empower her clients. Emma brought her diverse wealth of knowledge and experience to Think Therapy 1st as an Associate in 2018 and found her niche working with clients with catastrophic head injuries, using fun activities therapeutically to regain their sense of identity, gaining a 100% track record in getting her clients back into meaningful education or employment. Emma joined Think Therapy 1st in 2020 as the Deputy Head of Clinical Services and Neuro Specialist OT.



14.15

Ellie Conway

HR Manager, ILS Case Management

Ellie joined ILS Case Management in November 2007 as a HR Administrator, over the years that followed she has been supported by ILS to develop her career and was promoted to Client HR Manager in 2014. Ellie heads up the Client HR team at ILS, providing a vital service to their Case Managers, clients and the clients Court Appointed Deputies.

Ellie is an Associate Member of the CIPD, with expertise in employment law, employee relations, and performance management. Her role encompasses managing a team of CIPD

qualified HR professionals, developing, and delivering the Client HR and recruitment strategy and ensuring compliance with employment legislation.



14.15

Susie Quinlan

Operations Manager, ILS Case
Management

Susie Quinlan joined ILS as a case manager in January 2007. She was a Case manager for many years and then became the Learning and Development Manager for the company. Since January 2020, she has been one of the Company's Operation Managers sharing responsibility for managing referrals, line managing the ILS professional mentor team and supporting our Case Management team with complex client issues. Since qualifying as an Occupational Therapist in 1994, she has worked predominantly with children, young people and their families in a variety of both statutory and independent settings. As a Case Manager, Susie has significant experience in managing a variety of different client care packages including 24-hour care teams. As well as having extensive case management experience Susie has significant experience in the planning and delivery of a wide range of training sessions to case managers, team leaders, carers, solicitors, OT students and healthcare professionals.



14.15

15.00

Lauren Sutherland

Queens Counsel, Ampersand
Advocates

Lauren was called to the bar in 1996 and took silk in 2016. Prior to this she was a Solicitor in private practice specialising in Personal Injury, Professional and Clinical Negligence.

She is ranked in Chambers UK (Band 1) and The Legal 500 for Clinical Negligence. She has vast experience in catastrophic injury claims including children with cerebral palsy and has conducted many complex Fatal Accident Inquiries into hospital deaths. She was part of the legal team for the claimant in the landmark case of *Montgomery v Lanarkshire Health Board* and presented the first argument for the claimant in the Appeal Court in Scotland. In 2009 she was one of two Counsel appointed by the Scottish Government to lead the Vale of Leven Hospital Inquiry into the outbreak of *C difficile* at the hospital.

She has lectured extensively to lawyers and doctors on clinical negligence and personal injury.



14.15

Moira Stephens

Assistive Technology and Disability
Consultant, SMA Legal

With over 34 years' experience of working in the field of special education, Moira's specialist areas and qualifications are in the fields of cerebral palsy with profound and multiple sensory impairments, learning difficulties and alternative and augmentative communication. She has significant experience with children and adults with acquired brain injuries working across education and home environments being a specialist foster carer for 25 years and has a stepson with complex brain injuries.

As a Specialist Advisor for Assistive Technology (AT) and Augmentative and Alternative Communication (AAC), Moira assesses children and young people with complex disabilities. She is passionate about overcoming barriers to learning and a good quality of life by harnessing technologies to make the difference.

Moira advises local disability charities and assists their staff and volunteering disability awareness training. She moderates the

National Association of Special Education, SENCO forums. Currently undertaking a master's degree in Educational Assistive Technology in Dundee University.



14.15

15.00

Matthew Hughes

Managing Director, Prosthetist and
Orthotist, Dorset Orthopaedic

Matthew joined Dorset Orthopaedic in 2001 after graduating from the University of Salford with a degree in prosthetics and orthotics. He began his career with Dorset as a clinician treating both prosthetic and orthotic clients, developing a particular interest in limb salvage, paediatric and osseo integration cases. More recently he took over the role of Managing Director in 2019.



14.15

Lauren Young

Clinical Specialist Physiotherapist,
Dorset Orthopaedic

Since qualifying from the University of East Anglia in 2008 with a BSc in Physiotherapy, Lauren has been fortunate enough to carve out a career working in amputee rehabilitation and vascular surgery. It was whilst undertaking her junior physiotherapy rotations at Broomfield Hospital, Chelmsford that she first gained exposure to amputee rehabilitation and prosthetic rehabilitation, helping to run the mixed inpatient/outpatient amputee classes. She was then inspired to undertake a dual specialism in amputee rehabilitation and critical care at Frimley Park hospital, which progressed into a Clinical Specialism in Amputee Rehabilitation and Vascular Surgery.

At the beginning of 2021, she commenced work as a Specialist Physiotherapist in Amputee and Prosthetic Rehabilitation at the Dorset Orthopaedic London Clinic and remains in this role to date.

She has also recently completed her MSc in Amputee Rehabilitation at the University of Southampton, undertaken guest lecturing roles at the University of Southampton and University of Winchester and been part of the working party for the BACPAR Guidelines Group, helping to update the pre prosthetic and prosthetic guidelines.

She has worked as an expert witness with Somek and Associates for a number of years and has a special interest in upper limb amputation rehabilitation, primary amputee rehabilitation and the management of phantom limb pain.



15.00

Chris Edwards

Mobility Specialist, Lewis Reed

As a wheelchair user himself, Chris is passionate about personal independence and mental health. He believes that access to a bespoke driving or passenger solution that is comfortable, beautiful and a joy to be in, is the cornerstone to this.

He has worked within the mobility industry for over 20 years. Firstly, starting with a bespoke wheelchair manufacturer visiting individuals and assessing their needs. More recently he worked 17 years for Motability Operations travelling around the UK meeting individuals and groups providing guidance and advice whilst building awareness of travel and driving with a disability.

He has recently taken on the position of Mobility Specialist at Lewis Reed with the primary aim to contact solicitors, health professionals, case managers and occupational therapists to demonstrate wheelchair accessible vehicles and explain how

Lewis Reed can take responsibility for all mobility issues in a project you manage.



15.00

Sadia Hussain

Speech and Language Therapist, Associate Trainer, Somek and Associates

Sadia qualified as a speech and language therapist in 2003 from UCL, her specialist interest is treating communication and swallow difficulties arising from brain injury, stroke and spinal cord injury.

Sadia has worked in both the NHS and independent sector, holding specialist posts at Barnet and Chase Farm Hospital as the lead for dysphagia (swallow disorders), lead clinician for neuro-rehabilitation at the Alderbourne Rehab Unit and lead therapist for Stroke in the community for Surrey and Buckinghamshire. At present, she works as the Clinical Specialist and Service Development Lead at a private rehabilitation hospital (Royal Buckinghamshire Hospital) treating individuals with complex neurological and spinal cord injuries. This involves managing complex cognitive-communication difficulties, tracheostomy swallow needs and assistive technology to support communication.

Sadia is a member of the International Brain Injury Association, the UK Acquired Brain Injury Forum and the Dysphagia Research Society. She is also an active member of the AAC (Alternative Augmentative Communication) clinical group and regularly presents at conferences promoting technology to support communication. Sadia has also had several articles published in the Expert Witness Journal promoting important issues related to cognitive-communication difficulties and using technology to deliver assessments.



16:15

Barbara Franks

Occupational Therapist, Associate
Trainer, Somek and Associates

Barbara has significant experience in the assessment and treatment of clients with conditions including multiple sclerosis, Parkinson's disease, cerebrovascular accident, motor neurone disease, chronic obstructive pulmonary disease, falls, joint replacements, fibromyalgia and arthritic conditions.



16:25

Lynn Hannon

Registered Nurse, Expert Witness,
Somek and Associates

Lynn has experience of working with people in all age groups, and with individuals with a wide range of complex physical and mental health needs. In Lynn's work as a case manager, she has undertaken many independent needs assessments, and has an extensive understanding of the real costs of rehabilitations, care and case managements.



16:35

Emily Whisker

Registered Nurse, Expert Witness,
Somek and Associates

Emily's main expertise for medico-legal work remains in critical care, as she continues to work regularly via hospital locum work within the Intensive care unit (ITU) and High dependency unit (HDU). Emily also works as an advance practitioner for the neurology department performing lumbar punctures for diagnostic testing.



GONG SESSIONS



EXHIBITORS



1 main sponsor

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-  Jackie Gree
-  administrator@thinktherapy1st.co.uk
-  www.ttlst.co.uk



2 sponsor

Pain in your arm, shoulder or neck? Mousetrapperr is the mouse alternative that prevents RSI and other problems that can occur when you use a conventional mouse. Because

Mousetrapper is positioned centrally in front of the keyboard it encourages an ergonomically healthy position that keeps your arms close to your body and your hands near the keyboard.

This helps you avoid and in many cases relieve strain injuries that can arise from over-stretching your arm, as you do with a conventional mouse. You no longer have to reach beyond the keyboard while using the mouse. The wide, cushioned wrist supports also relieve strain on your neck, shoulders, arms and wrists.

 Paul Worsley
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3

'Strive for Better'. It's not just our slogan; it's our way of seeing the world. It's the driving force behind our history, philosophy and innovation and is why we have achieved a worldwide reputation for excellence.

As an independent provider of prosthetic, orthotic, silicone and rehabilitation services, we pride ourselves in providing total rehabilitation for our patients. It's this bespoke service and attention to detail that has gained us our reputation for quality and personalised service for almost 30 years.

 Matthew Hughes
 enquiries@dorset-ortho.com
 www.dorset-ortho.com



DIFFERENT BY DESIGN®

4

FIRST FOR MOBILITY SOLUTIONS. Lewis Reed is the leading UK vehicle supplier specialising in the conversion of vehicles to aid the mobility of wheelchair users. We sell new and used specialist and adapted vehicles for the disabled and wheelchair user, delivering outstanding service to our customers each and every day.

We are well equipped to deal with the assessment and delivery of a wide range of wheelchair accessible vehicles (WAVs) turning your problems into ideal solutions – Nationwide. Whether that be private purchase or advanced payment through Motability, let us do the work as we're here to help you.

 Chris Edwards
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5

Discover a new way of moving, Triride is a power assisted attachment device for your wheelchair. Lightweight, compact and packed full of market leading Triride technology. Simply and quick to attach to your existing wheelchair Triride provides a new freedom for manual wheelchair users.

All Triride models are available with versatile control options allow functional usage for most users even with restricted hand function.

 Nathan Milgate
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6

Bennett Workplace are a UK wide dealer for VELA activity seating for children and adults. The VELA Tango activity chair promotes independence for all ages and provides stability, mobility and growth/adjustability. Our team of highly trained assessors conduct assessments UK wide and are focused on finding the right chair to meet the persons individual requirements. The chairs are used in a variety of ways and in many different environments whether at home, work or school.

At the heart of every VELA Tango chair is the same unique braking system, designed to inspire greater confidence for those in need of greater stability when the chair is in use. A 4-point base allows the user to 'walk' the chair, whilst eliminating potential trip hazards posed by a regular 5-star base. With a choice of manual gas lift or electric Hi-Lo actuator, users can gain additional help with standing or transferring from manual/powerd wheelchairs.

We run a prize draw so that anyone who signs in on our contact sheet gets entered into a prize draw to win £50 Amazon voucher.

 Matt Teed
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12



7

Active Hands sell a wide range of products to give those with reduced hand function independent access to a range of activities. Our products are suitable for anyone who's hand function has been affected through spinal cord injury, brain injury, loss of fingers or through illness such as Stroke.

Our gripping aid can help your clients get back to physical activity and are vital for rehab and therapy. We have a range of products for daily living to help with personal care, dressing, cooking, eating and leisure activities. We also have products to enable those with hand function disabilities to work and access technology.

 Rob Smith
 info@activehands.com
 www.activehands.com



8

Freedom is a brand of the Symphony Group plc. Symphony is the UK's largest privately owned manufacturer of fitted kitchen, bedroom and bathroom furniture with a turnover of £300 million and 1800 employees. Freedom is our brand of multi-generational accessible kitchens and was created

because everyone should be able to enjoy their kitchen. Our kitchens can be designed to suit various access requirements, whilst also being ideal for households where there are multiple generations. Working in partnership with Adam Thomas, the UK's leading designer of accessible kitchens, we have incorporated Adam's design principles to develop a collection of kitchens that are both attractive, accessible, safe and empowering, to enable people to cook independently. Freedom is available through retail partners around the UK and for contract work via housebuilders and housing providers.



Stewart Marshall



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9

The Expert Witness Institute is the voice of the Expert Witness community; championing experts from all professional disciplines and the lawyers who use their services. Our mission is to support the proper administration of justice and the early resolution of disputes through high-quality expert evidence from specialists. We offer different levels of membership to support expert witnesses whether you have extensive experience or are just starting out. As an Associate of Somek & Associates you can benefit from reduced membership costs. Come and speak to us to find out how you can benefit.



Wiebke Morgan



membership@ewi.org.uk



www.ewi.org.uk



Please watch this space for details of the next Somek and Associates conference.

This is a key event in the Somek and Associates calendar and we would like you to be there.





CELEBRATING 25 YEARS
AS THE LEADING EXPERT WITNESS
PROVIDER OF CHOICE

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