

Personal Injury And Clinical Negligence Litigation

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Personal Injury Law Peter Barrie 2005 Now in its second edition, Personal Injury Law: Liability, Compensation and Procedure (previously known as Compensation for Personal Injuries in the 1st edition) is a uniquely convenient and reliable reference work, providing clear summaries of the law, and easy access to the key relevant claims, practice rules, statutes and materials across the whole range of modern personal injury practice. This edition has been fully updated and covers a number of new cases along with more practical advice. Each of the 64 chapters begins with a concise account of the main points of law followed by the relevant source material, annotated with case references and finer details The book also includes: DT All relevant statutory texts DT Relevant parts of the key Health and Safety Regulations DT Full text of the 2004 JSB Guidelines DT Extracts from the Ogden Tables DT The CICA scheme and MIB agreements DT Legal and medical glossaries DT Anatomical illustrations Whether concerned mainly with claimants or defendants, users of this book can rely on it as a sure guide in the complex area of personal injury law and practice. A companion website dedicated to developments in this area of the law, will keep the book up-to-date. This can be found at the following location:

<http://www.oup.com/uk/law/practitioner/cws>

APIL Clinical Negligence Paul Balen 2014-11-27 Written by a team of leading clinical negligence lawyers

and other professionals, this legal guide focuses on the key and developing areas of clinical negligence in the UK, including medical product claims. The book combines know-how about conducting these claims with the latest thinking on new and developing areas of practice. This second edition has been substantially revised to take account of: the UK's new Coroners Rules 2013 * funding post-Jackson * recent UK case-law, such as *AB v MoD* (limitation); *O'Byrne v Aventis Pasteur MSD* (medical products); and *Aintree University Hospitals NHS Trust v James* (medical treatment) * case management - new standard directions for clinical negligence * changes to CPR affecting chapters on Experts, Part 36 and Damages. The Appendices include a glossary of medical abbreviations, suggested model directions in clinical negligence cases, and a comprehensive list of useful UK contact addresses. The result is a highly practical work, offering detailed guidance and expert legal analysis that will be essential reading for all active and potential clinical negligence lawyers and should be of interest to those medical practitioners interested in the role of the expert witness in these cases. [Subject: Personal Injury Law, Medical Law]

A Practical Guide to Medical Negligence Litigation Michael Boylan 2016-01-01 *Medical Negligence: A Practitioner's Handbook* covers the lifetime of a High Court medical negligence action from first contact with a client through to plenary hearing, settlement and mediation including inquests. This practical guide to procedural steps that must be taken cites all relevant case law and statutes including the Rules of the Superior Courts, the Civil Liability and Courts Acts 2004, the various statutory instruments and Coroners Act. [Subject: Criminal Law, Medical Negligence Law]

Litigating Psychiatric Injury Claims David Marshall 2022-03-10 Provides guidance to the complexities of establishing liability, as well as assistance on running psychiatric claims. Such cases are technically challenging with regard to establishing liability and causation. The authors seek to provide an essential route map through the 'patchwork quilt' of the current law. This edition deals with the development of law and practice since the first edition, in particular: 1. Anticipating the implications of the litigation surrounding the Grenfell Tower disaster – revisiting primary and secondary victim categories and how the legal framework established following the Hillsborough disaster will be tested in a different social media age. 2. Include a discussion of the change in attitude towards mental health since 2012 (for example the Royal Family campaign, NHS initiatives, young male suicide rate campaign), a change with which the law has

not kept pace. 3. Discussion of *Marsh v Ministry of Justice* [2017] EWHC 1040 (QB) - David Marshall of Anthony Gold being the instructed solicitor in this case and this being the only reported successful high court case since the publication of the first edition. *Yapp -v- Foreign and Commonwealth Office* [2014] EWCA Civ 1512 to be distinguished and discussed. 4. Developments in secondary victim claims, in particular what constitutes a shocking event – *Re (a Minor) and Others -v- Calderdale & Huddersfield NHS Foundation Trust* [2017] EWHC 824 in which childbirth constituted a shocking event. To be discussed in the context of what is deemed to fall short of 'shocking' (*Liverpool Women's Hospital NHS Foundation Trust -v- Ronayne* [2015] EWCA Civ 588 – in which a husband failed as a secondary victim where the operation was a hysterectomy rather than childbirth). *Paul & Others -v- Royal Wolverhampton NHS Trust* [2019] EWHC 2893 (QB) regarding proximity to the negligent act. *YAH -v- Medway NHS Foundation Trust* [2018] EWHC 2964 (QB) regarding whether the victim is truly a secondary victim or if they are really a primary victim. 5. Update on material contribution – *BAE System (Operations) Ltd -v- Marion Konczak* [2017] EWCA Civ 1188 6. Update on any changes to the classification of psychiatric injury and how these are litigated, for eg *HHJ Gore QC* in *Liverpool Women's hospital* case rejecting diagnosis of PTSD but finding 'a frank psychiatric illness'.

Personal Injury and Clinical Negligence Litigation Julie Mardell 2013

Arguments and Tactics for Personal Injury and Clinical Negligence Claims Dorian Williams 2017 As the name implies, this book is intended to be a practical guide for those lawyers and non-lawyers who require a guide to pursuing (or defending) a claim for damages for personal injuries or clinical negligence. The key to success in all cases is preparation, so this involves knowing or researching the substantive law, knowing the procedure (the Civil Procedure Rules) and how to present cases on paper and orally before a court. The book covers these areas and provides helpful tips and tactics to improve chances of success. Worked examples include drafting interim applications and the evidence necessary, drafting skeleton arguments, making an opening and closing argument and how to appeal if things go wrong. Guidance is given on developing an advocacy style so as to persuade and influence the judge. The book will be useful for those embarking on their legal careers but will also be beneficial for more experienced practitioners who require a condensed summation in this specialist area. ABOUT THE AUTHOR Dorian Williams has

practised as a solicitor in private practice for over 22 years, acting almost exclusively for claimants in personal injury and clinical negligence claims. Initially he worked for clients referred from a major Trades Union, specialising in industrial disease and employers' liability claims. For the last 17 years, Dorian has received a broad spread of instructions whilst working in a general high street practice, Freeman Johnson. His caseload now mostly comprises clinical negligence cases which he has been privileged to receive, and thanks all his clients for developing his experience. When Dorian is not at work, he may be found climbing peaks in the Lake District, Peak District, Snowdonia or Majorca.

Personal Injury and Clinical Negligence Litigation 2018 Julie Mardell 2018-01-22 This guide provides a thorough and practical introduction to the large and complex area of personal injury and clinical negligence litigation.

Clinical Negligence in General Practice Michael Drury 2000 This, the second edition of a text which aims to assist in the identification of skin lesions, contains extra text, algorithms and colour illustrations. Topics covered include erythematous and non-erythematous rashes and lesions on the face, trunk and limbs.

Personal Injury Pleadings Patrick Curran 1995 This is a working guide to the preparation of pleadings in line with recent Rules of Court and judicial guidelines. It gives a thorough selection of pleadings, yet it gives in-depth coverage of this subject which goes far beyond the simple presentation of forms, providing many models, hints and research information for the preparation of pleadings. The industrial accident pleadings account for both old and new schemes to comply with the split application of the recent health and safety regulations.

Personal Injury and Clinical Negligence Litigation 2019 Julie Mardell 2019

Medical Malpractice and Compensation in Global Perspective Ken Oliphant 2013-10-29 The papers in this collection are drawn from a symposium held in Vienna in December 2010. Organised by the Institute for European Tort Law and the Chicago-Kent Law Review, in collaboration with the European Centre of Tort and Insurance Law, the conference drew together legal experts from 14 national or regional systems

across six continents. Medical malpractice and compensation for medical injuries are issues which regularly create tension and innovation in national legal systems but the analysis of these areas is often limited to national audiences. This study examines the issues in a uniquely global context, demonstrating the breadth of approaches currently taken around the world and revealing key areas of tension and the likely direction of future developments. Wherever possible, the analysis is supported by reference to empirical data. The 14 legal systems covered in the collection are Austria, Brazil, Canada, China, France, Germany, Italy, Japan, New Zealand, Poland, Scandinavia, South Africa, the United Kingdom and the United States. A general comparative introduction completes the collection.

Neuropsychological Aspects of Brain Injury Litigation Taylor & Francis Group 2021-12-23 This accessible handbook focuses on the importance of neuropsychological evidence and the role of the neuropsychologist as expert witness in brain injury litigation. This thorough, evidence-based resource fosters discussion between the legal profession and expert neuropsychological witnesses. The chapters reflect collaborations between leading personal injury lawyers and neuropsychologists in the UK. Key issues in brain injury litigation are addressed that are essential to an understanding of the role of the neuropsychologist as expert witness and of neuropsychological evidence for the courts. These include neuropsychological testing, assessment of quantum, vocational rehabilitation, mental capacity, forensic outcomes, the frontal paradox, mild TBI and more. Combining the scientific and legal background with practical tips and case examples, this book is valuable reading for legal professionals, particularly those working in personal injury and clinical negligence, as well as trainees, students and clinicians in the field of neuropsychology, neurorehabilitation and clinical psychology.

Personal Injury Limitation Law Andrew Roy 2019-12-19 How can you avoid the common pitfalls when navigating the complexities of personal injury limitation periods? This is a guide to the law of limitation periods in personal injury actions. Pitfalls and problems are highlighted and the limitation periods and service rules are clearly explained, ensuring that you never issue or serve proceedings outside the legal time limits. Each chapter is supplemented by summaries of the key cases for that topic and Part 2 contains all the relevant legislation. New coverage includes landmark cases, explaining and analysing their impact on practice: - *Collins v Secretary of State for Business, Innovation and Skills* (Court of

Appeal, 2014) – an asbestos-related lung cancer case of 'seminal importance in relation to long tail industrial disease claims' - Platt v BRB (Residuary) Ltd (Court of Appeal, 2014) – examination of constructive knowledge in the context of limitation in disease cases - RE v GE (2015) – consideration of the court's discretion, conferred by section 33 of the Limitation Act 1980 in the context of a sexual abuse case - Abela v Baadarani (Supreme Court, 2013) – highlights an important shift of emphasis away from the traditional approach to service out of the jurisdiction and considerations of national sovereignty, and towards a more practical and pragmatic approach - Barton v Wright Hassall (Supreme Court, 2018) – a crucial judgment regarding whether litigants in person should be granted a special status in civil litigation

A Practical Guide to Personal Injury Claims Involving Animals Jonathan Hand 2017-09-19 Claims for injuries caused by animals are often challenging for even the most experienced personal injury lawyer. This detailed and practical guide covers all aspects of this specialist area, including claims based on strict liability under the Animals Act 1971 and on the various causes of action at common law. It is aimed at lawyers and others whose work covers this field such as insurers and experts, and contains a wealth of guidance which will assist both the newcomer and the experienced practitioner alike. ABOUT THE AUTHOR Jonathan Hand has over 20 years' experience as a practising barrister in Personal Injury and Clinical Negligence work. He has a particular specialism in equine and other animal related litigation, and is well-known for his expertise in this area. He is regularly instructed on behalf of both claimant and defendant clients in claims arising out of personal injury caused by animals, and he has also written and presented extensively on this topic. Jonathan is ranked by Chambers & Partners and by The Legal 500 as a leading junior in both Personal Injury and Clinical Negligence.

Medical Negligence Litigation Denis Carey 1998 Medical negligence actions retain a number of unique features that distinguish them from other personal injury actions. The health care system in the UK, the governance and training of doctors, nurses and other health professionals and the complexity of the evidence - these are some of the difficult areas over which the practitioner must have command. Denis Carey has provided a distillation of these key features and set it within the context of the litigation process, in a book liberally illustrated with recent and fundamental cases.

Lawtel Offers current information on the latest developments affecting English personal injury law and practice. Provides full text of over 2,000 Quantum reports, dating back to 1980, and other reported and unreported personal injury cases, with links to relevant legislation. Also provides abstracts of legal articles, daily and weekly update bulletins, a transcripts express service, an events calendar, and links to related Websites. Includes selected procedural tools, such as the Lawtel court directory, Court fees guide, and up-to-date full text versions of the CPR Pre-action protocols for personal injury and clinical negligence claims, plus additional general and special damage tools. Includes access to Havers' companion to the bar.

Medicine, Malpractice and Misapprehensions Vivienne Harpwood 2007 Analyzing the level of claims for clinical negligence in the light of the most recent trends and discovering whether there is indeed a litigation crisis in healthcare, this book is a topical and compelling exploration of healthcare and doctor-patient relationships. The author: identifies and analyzes the growing pressures on doctors in modern society, placing their role in context explores some of the myths surrounding media claims about malpractice considers the practice of 'defensive medicine' and the difference between defensive practices and sensible risk management examines external pressures, such as political interference with clinical practice in the form of target-setting and what might be described as a culture of creeping privatization of healthcare. Covering the topics of medicine and the media and the causes of occupational stress among doctors, this volume is a must read for all students of medical law and medical ethics.

PERSONAL INJURY AND CLINICAL NEGLIGENCE LITIGATION 2020 KATE. MARDELL SERFOZO (JULIE.) 2020

Personal Injury and Clinical Negligence Litigation Julie Mardell 2012

Clinical Negligence in General Practice Michael Drury 2016-12-31 This, the second edition of a text which aims to assist in the identification of skin lesions, contains extra text, algorithms and colour illustrations. Topics covered include erythematous and non-erythematous rashes and lesions on the face, trunk and limbs.

Clinical Negligence Michael Powers 2015-01-01 Clinical Negligence, Fifth Edition remains the only text of its kind to cover both medical and legal aspects of medical negligence. Written by a team of 54 experts, it continues to provide the most comprehensive and authoritative guidance on all aspects of clinical negligence claims from bringing an action for damages to presenting expert evidence in court. It also includes detailed consideration of funding and cost implications. Those needing clear updated guidance to make the best possible preparations for an action will find all they need here. Updates in the fifth edition Some of the key developments covered in the new edition are: New funding regime under Legal Aid, Punishment and Sentencing of Offenders Act 2012 *Montgomery v Lanarkshire The Mid Staffordshire NHS Foundation Trust Public Inquiry ("Francis Report")* *Sienkiewicz v Greif* *Bailey v Ministry of Defence* on causation *Whetstone v MPS* and *Woodland v Essex County Council* on liability of practices Privatisation of funding access to justice in clinical negligence New costs regime (QOWCS) under Civil Procedure Rules Coroners and Justice Act 2009 and secondary legislation Easy-to-access structure The new edition maintains its easy-to-access, two-part structure. The first part, set out in 17 chapters, deals with legal aspects of medical malpractice, including complaints procedures, poor performance and medical professional governance, preparation of medical evidence, settlements and trial. The final 25 chapters in the second part cover the risks associated with particular areas of specialist medical practice. Previous print edition ISBN: 9781847660756

Professional Negligence Litigation in Practice City Law School 2010 Professional Negligence Litigation in Practice has been specifically written to provide students with a detailed introduction to the complex legal issues surrounding professional negligence disputes. Concentrating on two specific areas of professional negligence; clinical negligence and solicitors' negligence, this manual examines and provides practical guidance on how such a case might be most effectively prepared and presented. Split into five distinct parts; the first part of the manual covers selected areas of the substantive law as it relates to professional negligence cases, building on students' existing knowledge of the Civil Procedural Rules and examining the pre-action protocols and the role of the case management conference. Part III reflects the pragmatic approach adopted by the manual, and has been specifically designed to develop students' drafting skills to the advanced level required in professional negligence cases. The final part of the manual focuses on providing students with an introduction to the key people and bodies whom they will commonly encounter

in this area of practice. It also provides consideration of the availability and impact of funding arrangements on professional negligence cases and alternative dispute resolution. This manual will be an invaluable guide for students wishing to practice in civil common law chambers, particularly in the areas of professional negligence or personal injury.

Personal Injury and Clinical Negligence Litigation David Dow 2003 Major Phil Ashby already had a reputation for surviving scrapes, where others would - and did - break bones and worse. His strength, resourcefulness and luck had been tested to the full during his career in the Royal Marines' elite Mountain and Arctic Warfare Cadre and various adventurous expeditions. That luck, however, appeared to have run out in May 2000 when he was working for the UN, disarming brutalized rebels in war-ravaged Sierra Leone.

Clinical Negligence Made Clear Nigel Poole QC 2019-10-31 Clinical Negligence claims currently cost the NHS over £2 billion every year. Litigation is time-consuming, expensive and stressful for all involved. For those whose lives have been changed dramatically as a result of negligent medical treatment, bringing a claim may be the only means of obtaining redress for the harm done to them. But the process of litigation can be a bewildering and sometimes hostile experience. For many healthcare professionals the fear of litigation is a real concern and there is deep anxiety that litigation contributes to an unhealthy, even dangerous culture of blame. Clinical Negligence Made Clear: A Guide for Patients and Professionals is an attempt by one of the country's leading clinical negligence practitioners to help all those who might be affected by such cases to understand what is involved and thereby to reduce the cost and emotional impact of clinical negligence litigation. In concise, accessible language Nigel Poole QC charts how clinical negligence has evolved, its place within the justice system and how compensation is assessed explains ten core legal principles of clinical negligence such as the doctor's duty of care and the standards expected of healthcare professionals sets out how a claim proceeds and what happens before and during a trial focuses on specific common areas of clinical negligence claims such as wrongful birth, delays in cancer treatment and cosmetic surgery looks to the future and asks whether the current system is sustainable The aim is to provide an intelligent but accessible guide for patients, doctors, nurses, therapists, expert witnesses, and healthcare managers so that those caught up in legal proceedings have

a realistic view of the impact they will have and a clearer understanding of when a dispute might be best resolved early. No doubt it will also provide a lively introduction to the subject for students, trainees and lawyers looking to move into clinical negligence work.

Litigating Psychiatric Injury Claims Jenny Kennedy 2012-01-31 Litigating Psychiatric Injury Claims is a practical guide to dealing with the complex legal issues arising from psychiatric injury in the UK. It deals with the development of UK law and practice over the last 10 years, particularly in the area of 'stress at work' and the growing role of rehabilitation. Contents include: liability and compensation for psychiatric injury: an overview * primary victims of negligence: shock cases, as well as non-shock cases * secondary victims of negligence * intentional acts and other liability * the illness * compensation * practical steps * capacity * the future. The book provides clear guidance to the complexities of establishing liability, as well as practical assistance on running psychiatric claims. As such, it is an essential book for solicitors and barristers acting for defendants and claimants in UK personal injury cases, as well as for medical experts and witnesses.

Personal Injury and Clinical Negligence Litigation 2020 Julie Mardell 2020-02-01 This guide provides a thorough and practical introduction to the large and complex area of personal injury and clinical negligence litigation.

Personal Injury and Clinical Negligence Litigation 2016 Kate Serfozo 2016-01-05 This guide provides a thorough and practical introduction to the large and complex area of personal injury and clinical negligence litigation. The text sets out the substantive law governing the legal duties owed by road users, employers and members of the medical profession, and explores topics such as limitation and psychiatric illness, so that the procedural law governing personal injury and clinical negligence claims may be understood in context.

Personal Injury and Clinical Negligence Litigation 2021 Marriott 2021

Advanced Litigation David Dow 2000

Medical Negligence during the COVID-19 Pandemic Outbreak is a Paramount Dispute of Healthcare System Nasima Talukder Monmoon 2020-10-06 Research Paper (postgraduate) from the year 2020 in the subject Law - Miscellaneous, grade: A +, , language: English, abstract: The contemporary COVID-19 pandemic brings life and death exceedingly closer. The precariousness of carrying contamination of coronavirus and survive is still an exposure of jeopardy due to delay of trial of vaccine. Every life is most precious and not a single life could drop out for medical negligence. Each of the death caused due to medical malpractice must be trialled under the existing legislation although the pandemic situation demands for legislative reform. Any unnatural death due to medical malpractice should keep apart from trial and it is the parameter of human rights standard of a society. The UK doctors are pleading for indemnity for the medical malpractices occurred during the pandemic, the doctors of Bangladesh has no headache in this regards due to weakness of legal framework. Finding explored that the trend of ignoring the medical malpractice cases by the regularity bodies of medical professionals and absence of scope for lower judiciary to handle medical negligence cases have generated severe threats of violence on medical professionals and feeble death of doctor by the disappointed patient parties. Grounded with a qualitative research method, this study focused a new array of recommendation that enrich the law legends with action plan to reform legal framework and incorporate new tort liability into practice.

Clinical Negligence Made Clear Nigel Poole 2019-10-24

Personal Injury and Clinical Negligence Litigation [electronic Resourc

Personal Injury and Clinical Negligence Litigation Julie Mardell 2010 This guide provides a thorough and practical introduction to the large and complex area of personal injury and clinical negligence litigation. The text sets out the substantive law governing the legal duties owed by road users, employers and members of the medical profession, and explores topics such as limitation and psychiatric illness, so that the procedural law governing personal injury and clinical negligence claims may be understood in context. In a clear and concise way, it demonstrates how such claims are conducted under the Civil Procedure Rules, from the first interview through to the quantification of damages. The appendices include pre-action protocols for personal injury claims, disease and illness claims and for the resolution of clinical disputes, in

addition to extracts from the Ogden tables. There is also a personal injury case study which includes key documentation.

Personal Injury and Clinical Negligence Litigation David Dow (LLB, solicitor.) 2006 Explains how pi and clinical negligence claims are conducted under civil procedure rules. This book covers how to conduct a case from first interview to quantification of damages.

Personal Injury Practice Andrew Buchan 2014-02-28 Now in its sixth edition, *Personal Injury Practice* is a complete step-by-step guide to UK personal injury litigation practice. Written by a highly respected team of authors, the book provides everything needed to conduct efficient and successful personal injury litigation for claimants in the UK, and it sets out authoritative guidance at every stage of proceeding, from first interview with a client to the end of an appeal. The book covers the numerous developments in the field of personal injury and includes new chapters on accidents abroad and group actions. Additionally, it looks at the new computer portal system for claims up to £25,000, which is very topical at the moment with its proposed introduction in April 2013, causing much concern within the profession.

Personal Injury and Clinical Negligence Litigation 2021 Marriott 2021-01-18 This guide provides a thorough and practical introduction to the large and complex area of personal injury and clinical negligence litigation. The text sets out the substantive law governing the legal duties owed by road users, employers and members of the medical profession, and explores topics such as limitation and psychiatric illness, so that the procedural law governing personal injury and clinical negligence claims may be understood in context. In a clear and concise way, it demonstrates how such claims are conducted under the Civil Procedure Rules (CPR), from the first interview through to the quantification of damages. The appendices include the 2015 Rehabilitation Code, pre-action protocols for personal injury claims, the resolution of clinical disputes and low value EL and PL claims, as well as extracts from the latest Ogden tables. There is also a personal injury case study which includes key documentation. This new edition has been updated to include relevant recent developments. These include an update on the Civil Liability Act 2018, the Fatal Accidents Act 1976 (Remedial) Order 2020, as well as notes relating to the 8th edition of the Ogden tables. Key recent case law is covered, including *Swift v Carpenter* [2020] EWCA Civ 1295,

2020.

Clinical Negligence and Personal Injury Litigation 1996

[Guidelines for the Assessment of General Damages in Personal Injury Cases](#) Judicial College 2012-09-20

This is the standard reference work for general damages in personal injury claims, and essential reading for all those involved in the area of personal injury. The Guidelines are designed to provide a clear and logical framework for the assessment of general damages while leaving the discretion of the assessor unfettered, since every case must depend to a degree on its own facts. They provide an invaluable guide to all those involved in personal injury litigation. As with previous editions, all judges involved in hearing personal injury cases will automatically receive a copy of the book. This eleventh edition has been fully updated to take account of inflation and decisions made in the two years since the previous edition and includes a foreword written by The Right Honourable Dame Janet Smith DBE.

Personal Injury and Clinical Negligence Litigation 2022 Louise Marriott 2022

Personal Injury and Clinical Negligence Litigation 2013 Julie Mardell 2013-01-01 This guide provides a thorough and practical introduction to the large and complex area of personal injury and clinical negligence litigation. The text sets out the substantive law governing the legal duties owed by road users, employers and members of the medical profession, and explores topics such as limitation and psychiatric illness, so that the procedural law governing personal injury and clinical negligence claims may be understood in context. In a clear and concise way, it demonstrates how such claims are conducted under the Civil Procedure Rules (CPR), from the first interview through to the quantification of damages. The appendices include pre-action protocols for personal injury claims, disease and illness claims and for the resolution of clinical disputes, in addition to extracts from the Ogden tables. There is also a personal injury case study which includes key documentation.