

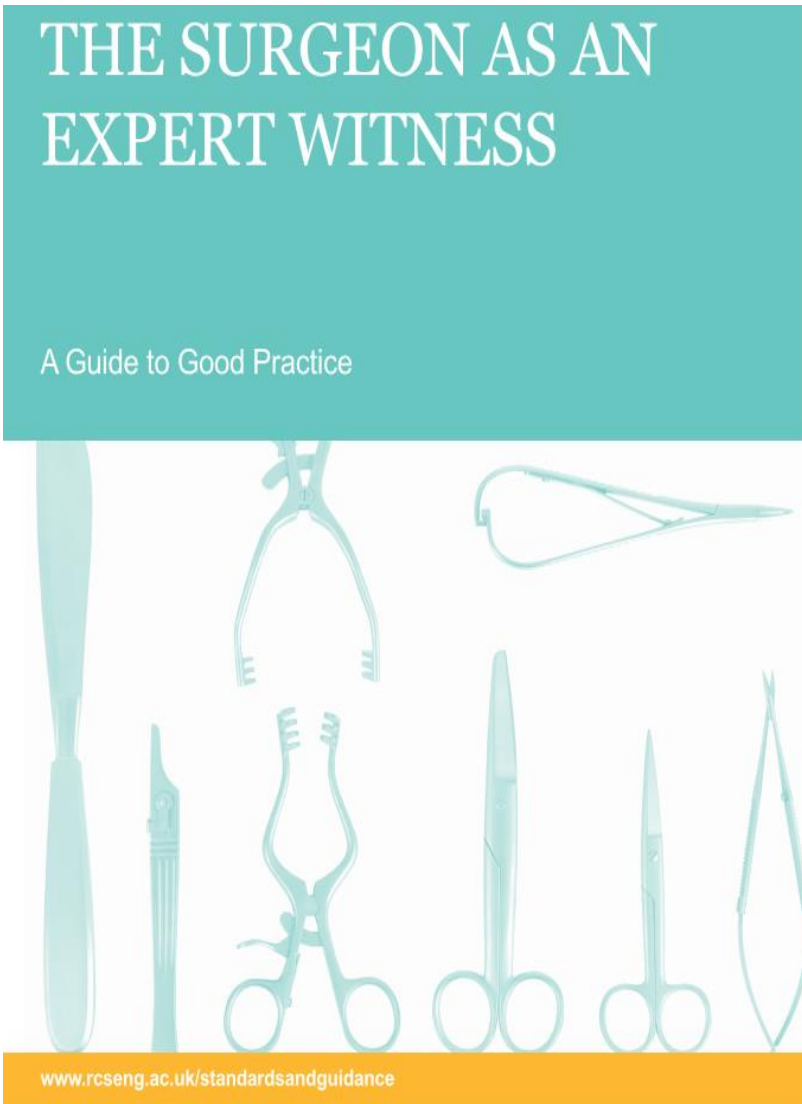
Thinking about doing Medico-Legal work?



1st Nov 2023

www.ricklinforth.com

Qualifications and Training



2019

Academy of
Medical Royal
Colleges

May 2019

Acting as an expert or professional witness Guidance for healthcare professionals

2019

You can find the latest version of this guidance on
our website at www.gmc-uk.org/guidance.

Published 25 March 2013 | Comes into effect 22 April 2013

Acting as a witness in legal proceedings

General
Medical
Council

- 1 In *Good medical practice*¹ we say:
- 11 You must be familiar with guidelines and developments that affect your work.
 - 12 You must keep up to date with, and follow, the law, our guidance and other regulations relevant to your work.
 - 14 You must recognise and work within the limits of your competence.
 - 72 You must be honest and trustworthy when giving evidence to courts or tribunals. You must make sure that any evidence you give or documents you write or sign are not false or misleading.
 - a You must take reasonable steps to check the information.
 - b You must not deliberately leave out relevant information.
 - 73 You must cooperate with formal inquiries and complaints procedures and must offer all relevant information while following the guidance in *Confidentiality*.
 - 74 You must make clear the limits of your competence and knowledge when giving evidence or acting as a witness.

2013

Qualifications and Training



1. A consultant Surgeon for over 5 years in active practice.
2. Academic publications (Thesis, papers, book chapters, research-PI).
3. Medico-legal training .

Who will I be up against:



Russel



Dodwell



Drew



Bundred



Fentimann



Price



Wishart



Rick Inforth

CONSULTANT BREAST SURGEON



LAWYER
MONTHLY
Expert Witness
Awards **2021**
WINNER



Expert Witness
Established 1996

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Training from 1 day and beyond



Inspire Law: <https://www.inspiremedilaw.co.uk/>

BMA: <https://www.bma.org.uk/events/medico-legal-expert-courtroom-skills-course>

Expert witness Institute <https://www.ewi.org.uk/coretraining>

Bond Solon <https://www.bondsolon.com/expert-witness/courses/>

1 Day courses cost £350-£500, tend to cover :Report writing/structure/
Practice direction and declarations.



<https://www.bondsolon.com/media/169522/expert-witness-training-brochure.pdf>

The Cardiff University Bond Solon (CUBS) Expert Witness Certificates

The Training

In order to qualify for a Certificate it is necessary to complete the following compulsory training days:

- Excellence in Report Writing (1 day)
- Courtroom Skills (1 day)
- Cross Examination Day (1 day)

Experts can then work toward one or more of the Certificates by completing the relevant two-day Law and Procedure days:

- Civil Law and Procedure
- Criminal Law and Procedure
- Family Law and Procedure

See page 23 for details of the assessment process.



Individual Delegate Rate - Public Courses

Cost: £2259 + VAT if the 5 days are booked separately (includes the £499 + VAT assessment marking and certification fee)

Cost: £2045 + VAT if the 5 days are booked together (includes the £499 + VAT assessment marking and certification fee)

Reports



1. Short reports e.g. screening reports, NHSLA advisory reports
4-5 pages , no long chronology. £300-500. Fix Fee (Not for the Court)
2. Breach of duty (Liability): Was the standard of care appropriate, or was there a breach of duty.
3. Causation : Did the breach of duty , lead to harm. (Usually combined with Liability as a single report. (Fees per hour £150-300) Average report £750-£2000.
4. Condition and Prognosis: Survival , compilations of breaches, remedial treatments includes
Clinical assessment/examination...Rooms
(Fees as in 3)

Legal Conferences



Barrister/solicitor/claimant or defendant and experts.

Zoom or Face to Face:- Barristers like to see how the expert copes with Cross examination

Fees as Per hour.

After:-

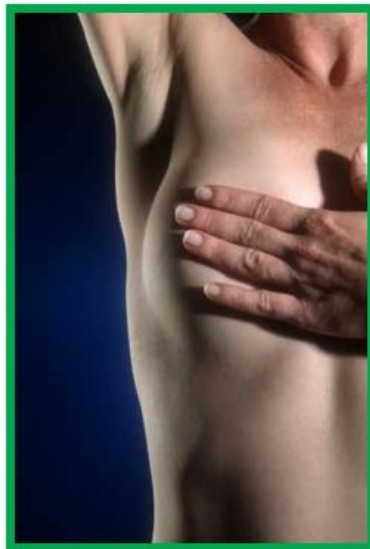
Report modifications , prior to exchange or if for claimant and no causation end of case.

Experts Conference: Ordered by the court to try and iron out differences and narrow opinions to limit court time.

Standard of Care:--What is it for Breast?



Best practice diagnostic guidelines for patients presenting with breast symptoms



ONCOPLASTIC BREAST RECONSTRUCTION Guidelines for Best Practice

Early and locally advanced breast cancer: diagnosis and management

NICE guideline
Published: 18 July 2018
[nice.org.uk/guidance/ng101](https://www.nice.org.uk/guidance/ng101)

Editors
Alexis M Willett, Michael J Michell, Martin J R Lee

Editors: Dick Rainsbury and Alexis Willett
November 2012

November 2010

ABC breast disease 94-2012,

Oncoplastic guidelines updated 2021

Prev Nice 2009

www.ricklinforth.com



Hilary Term
[2015] UKSC 11
On appeal from: [2013] CSIH 3; [2010] CSIH 104

JUDGMENT

**Montgomery (Appellant) v Lanarkshire Health
Board (Respondent) (Scotland)**

before

**Lord Neuberger, President
Lady Hale, Deputy President
Lord Kerr
Lord Clarke
Lord Wilson
Lord Reed
Lord Hodge**

JUDGMENT GIVEN ON

11 March 2015

Heard on 22 and 23 July 2014



Consent



CONSENT:
SUPPORTED
DECISION-MAKING

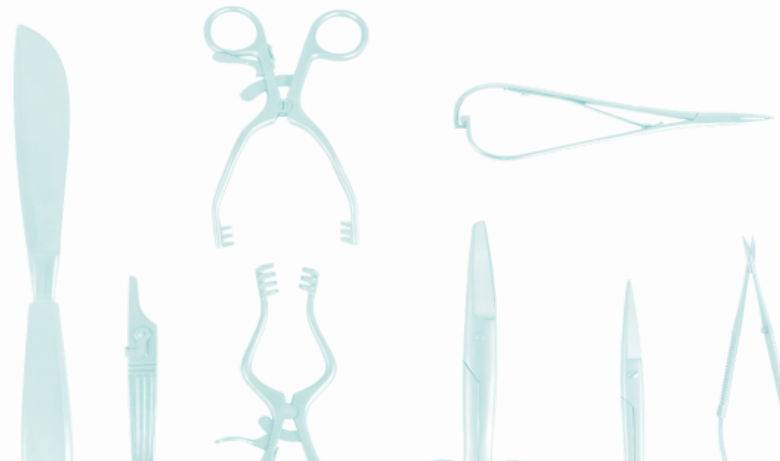


Royal College
of Surgeons
ADVANCING SURGICAL CARE



CONSENT: SUPPORTED DECISION-MAKING

A Guide to Good Practice



www.rcseng.ac.uk/standardsandguidance

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There is no clear consensus on the ideal biologic or synthetic mesh.

Specific points for discussion are.

- The origin of the specific mesh should be discussed.
- Whether the mesh remains permanently or is expected to be absorbed.
- Patients should be informed of local and global experience with the mesh used including uncertainty regarding long term outcome.
- Knowledge and acceptance that the reconstruction involves a breast implant.
- Patients should be aware that revisional surgery is frequent in the early stages following reconstruction.
- That a drain may be left in-situ for up to two weeks.

Patients need to be aware of the risks of complications, local and personal complication rates. Complications are common in implant only mesh assisted or dermal sling procedures. By 3 months national rates are [68].

- Readmission - 18%.
- Infection - 25%.
- Reoperation - 18%.
- Implant loss - 9%.



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journal homepage: www.ejso.com



Oncoplastic breast surgery: A guide to good practice

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^j The Royal Wolverhampton NHS Trust, Wolverhampton, United Kingdom

2021

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Common legal cases:

Delayed Diagnosis/treatment . Relatively straight forward.

Lack of informed Consent.....becoming more common following the Montgomery ruling.

Implants and radiotherapy/ALCL

Poor Technical performance (Reconstruction)/ Involved margins/Aesthetic outcomes

Slightly more difficult due to bench marking standards.

Tools



<http://radclass.mudr.org/content/doubling-time-calculation-growth-rate-lesion-or-mass>

<https://nomograms.mskcc.org/breast/>

https://breast.predict.nhs.uk/predict_v2.0.html

<http://www.lifemath.net/cancer/breastcancer/therapy/index.php>

Getting work –known to solicitors



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RICK LINFORTH
CONSULTANT BREAST SURGEON

GODADDY
VERIFIED & SECURED
VERIFY SECURITY

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Mr Rick Linforth Medico-legal Expert in Breast Cancer



Medical Expert in Breast Surgery and Oncology, Breast Cancer Treatment.
Medico-legal reports on Breach of Duty, Causation, Condition and Prognosis, Delayed diagnosis, Tumour Doubling Times, Informed Consent-Montgomery compliance.



Click here for Expert Witness Profile.pdf



MEDICOLEGAL SERVICES

UNITED KINGDOM

LAWYER MONTHLY
EXPERT WITNESS AWARDS 2021

Richard Anthony Linforth
Rick Linforth is a UK trained Consultant Onco-plastic Breast surgeon specialising in breast surgical oncology and reconstruction.

He qualified with his degree in Medicine from Manchester University in 1992 and completed a higher degree as a Doctorate in Medicine (MD) in 2005 following a two year research period studying mechanisms of breast cancer metastasis under Professor Nigel Bundred.

He is a Consultant Breast Surgeon at Bradford Teaching Hospitals NHS trust in West Yorkshire, where he has held senior management posts including Divisional Clinical Director of All Surgical Specialities and Anaesthesia, Breast MDT lead and Breast Speciality lead.

He is a National Trainer in Breast Surgery for the Association of Breast Surgeons of Great Britain and Ireland, and the Royal College of Surgeons of England (RCS Eng). He holds dual Fellowships from both the RCS England and RCS Edinburgh. He has over 50 published papers or abstracts on breast disease and its management and has been an invited speaker at Breast Surgery and Cancer conferences at over 50 venues across Europe. His expertise is on implant- based reconstruction have pioneered matrix based-implant reconstruction along with delayed diagnosis, informed consent, causation, condition and prognosis.

Rick Linforth has undertaken medico-legal cases since 2014, writing expert witness reports for the court. He has received over 400 instructions, with a 60/40 split defence/claimant. He has attended court with appearances at; Civil (1) Coroners (1), and Criminal (1).

To support this work he has completed the 5-day Cardiff University-bond Solon (CUBS) course on Civil Law and Procedures.

Membership of Learned Societies

- Association of Breast Surgery Great Britain and Ireland,
- American Society of Breast Surgeons,
- Fellow Royal College of Surgeons of England,
- Fellow Royal College of Surgeons of Edinburgh,
- Medical Defence Union, General Medical Council.

Legal Training

- Cardiff University Bond Solon Expert Witness.

Richard A. Linforth
MD FRCS (Eng)(ED) FRCS (Gen Surg)
Consultant Breast Surgeon

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