

What if I am involved in a trial?

What is the civil court and who decides a case?

The civil court can be either the County Court or the High Court, and where your case will be heard will largely depend upon the value of that case. A civil case is heard before an individual judge, either a Circuit Judge in the County Court or a High Court Judge in the High Court.

What is an individual clinician's role in giving evidence in a case?

When a clinician is called as a witness in a case in which they have provided treatment, they are a factual witness (in other words, they are there to assist the court as to the factual background and not give an opinion on the quality of the treatment; that is for experts).

A witness statement will have been prepared and signed by you well in advance of the trial and will be adduced (used) as evidence in court, as your 'evidence in chief'. Following this, the other parties' barristers will be able to cross-examine you on that witness statement and the factual issues surrounding the case. Following cross-examination, your own barrister will have an opportunity to question you in re-examination, to clarify any points that may arise.

What is the role of experts in the case?

The experts are there to give opinion evidence. They would provide their opinion to the court after the giving of all factual evidence.

How should I prepare for trial if I'm asked to give evidence?

The giving of factual evidence at trial can be stressful and it is important that you prepare fully for it and know how to behave when answering questions.

Read your statement on a number of occasions prior to the trial and make sure you are also familiar with all the key documents, particularly those in the medical records.

The records and your written witness statement will be available at the trial (and in the trial 'bundle' of documents) but it is important you are well prepared.



FIND OUT MORE

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