

PRESS RELEASE
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**Civil Justice Council announces a
successful conclusion to the mediation
in Woolard v Fowler**

- Medical Agency Fees

The Civil Justice Council announced today that it had successfully mediated a conclusion in the Court of Appeal case of Woolard v Fowler.

On 9th May 2007, ten major insurance companies and eight major medical reporting agencies signed an agreement that would put in place capped costs for obtaining medical reports in most personal injury cases under £15,000 in value.

The agreement establishes upper limits on the amounts recoverable for medical reports, where those reports are obtained from General Practitioners, Orthopaedic Consultants, and Accident and Emergency Consultants. Rates are specified for reports, obtaining medical records, and reviewing medical notes. The rates do not affect individual bi-lateral agreements between medical reporting organisations and liability insurers, who may agree figures different to those contained in this agreement.

Separate rates have been agreed for invoices that are paid promptly (within 90 days) and those where payment is delayed. Figures include administrative charges made by medical reporting organisations, where they are used to obtain reports.

The agreement applies to existing claims, and will remain in force until 1st April 2009.

Other liability insurers or medical report providers may also join the agreement.

The parties to Woolard v Fowler have applied to the court to withdraw the appeal.

Robert Musgrove, Chief Executive of the Civil Justice Council, said:

“This has been a very complex and difficult mediation, and the Civil Justice Council would wish to thank the parties for the high level of professionalism, and their willingness and determination to pursue a solution.

The Civil Justice Council has considerable experience in helping organisations resolve their problems, but this particular mediation was unique to us in that it will not lead to the Council making formal recommendations to Government. As such, the outcome of the mediation will not be made enforceable in rules of court, but has been made public at the request of the parties.”

Full details of the agreement may be found on the following websites:

<http://www.beachcroft.co.uk/beachcroft/index.cfm?70FC3F32-1372-5695-5E95-BF3D224D7132>
www.colmancoyle.com > News ,Latest cases and Agreements

<http://www.colmancoyle.com>

	Rate A Paid within 90 days of receipt of the Applicable Invoice and Required Information	Rate B Paid after 90 days of receipt of the Applicable Invoice and Required Information
General practitioner Report – No notes	£195	£220
Review notes by General Practitioner	£50	£55
Orthopaedic Report – Including review of notes	£425	£465
Accident and Emergency report – Including review of notes	£375	£410
Addendum	Cost + £25	Cost + £30
Cost of obtaining each set of medical records	Cost charged by data provider + £25	Cost charged by data provider + £30

Notes to Editors:

1. Chaired by the Master of the Rolls, Sir Anthony Clarke, the Civil Justice Council is an advisory non departmental public body established under the Civil Procedure Act 1997 to:
 - 1 Keep the civil justice system under review;
 - 2 Consider how to make the civil justice system more accessible, fair and efficient;
 - 3 Advise the Lord Chancellor and the judiciary on the development of the civil justice system;
 - 4 Refer proposals for changes in the civil justice system to the Lord Chancellor and the Civil Procedure Committee and make proposals for research.
2. The Civil Justice Council mediation team were: Michael Napier QC CBE and Robert Musgrove
3. For more information on the Civil Justice Council visit its website www.civiljusticecouncil.gov.uk.