

REMINDER

The current version of the Practice Directions relating to Personal Injury cases PD 18.1 has been in effect since 1 February 2001.

The Practice Directions are there to be followed.

1. *Documents & Checklists*

Checklists should be *filed*, and Bundles for Check List Reviews should be *lodged* at least 7 clear days prior to the Checklist Review Hearing. Non-compliance with PD 18.1 (10.8 & 10.9) will result in the Checklist Review Hearing being adjourned with costs implications personally against the solicitor, unless good reasons are shown.

The outside of the document itself should bear the words "*To be filed*" or "*To be lodged*" as the case may be. (See Guidance Notes to PD18.1 paragraph 14 page 17).

2. *Attendance by the Handling Solicitor*

PD 18.1 (10.13) is *mandatory*. Handling solicitors must attend CLR's.

3. *Reports*

Please refer to page 4 of the Guidance Note. Solicitors for the Plaintiffs "should invite the defendants to take part in a joint examination by respective experts, or to a joint instruction to an agreed expert" instead of "front loading" on experts reports. Failure to heed this may result in costs implications.

The questions of whether there should be :-

- (a) joint experts' reports, or joint examinations; and
- (b) whether experts reports can be *adduced without oral evidence* at trial will be considered at Check List Review Hearings.

4. *PD 18.1 (10.12)*

Take note of the other Orders that the PI Master may order on his/her own motion at CLR Hearings pursuant to PD 18.1 (10.12) so there is no excuse for being unprepared. In other words the PI Master may enter judgment on liability, make an Order for Interim Payment, or make any other Order listed under that paragraph of Practice Direction 18.1 at Check List Review Hearings.

Master Kwan
2 November 2001