

EXPERT MEDICAL REPORT OF M.K. SOOD FOR THE COURT

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Claimant : XXXXXXXX

Dated : 17th May 2012

Specialist field : Hand and Plastic Surgery

On the instructions of : XXXXXX XXXXXX XXXX

Reference : XXXXXX

**Subject matter : This report concerns the injuries sustained by
XXXXXX on 2nd April 2011, the treatment that she
received, the present state and a prognosis.**

Examination conducted at : Spire Roding Hospital

Time of Commencement : 1800hrs

Time of Completion : 1830hrs

Accompanied By: : Unaccompanied

Proof of Identity : XXXXXXXX

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1. INTRODUCTION

1.01 The writer

I am Manu Sood. My specialist field is Plastic Surgery and Hand Surgery. I am a Consultant Plastic and Hand Surgeon at the St. Andrew's Centre for Plastic Surgery, Broomfield Hospital, Chelmsford, Essex.

St. Andrew's Centre is the Regional Centre for Plastic Surgery and Hand Surgery for Essex and treats approximately 4500 patients with injuries including facial lacerations, leg injuries and hand trauma surgery per year.

My qualifications are: MS (General Surgery), MCh (Plastic Surgery), FRCS (Plastic Surgery), Diplomate of the European Board of Hand Surgery. Full details of my qualifications and experience entitling me to give expert opinion and evidence are in Appendix 1.

I understand that my duty in preparing this report is to the Court and that I have complied with that duty. I am aware of the requirements of part 35 of the Civil Procedure Rules and the Practice Direction 35, the Protocol for Instruction of Experts to give Evidence in Civil Claims and the Practice Direction on Pre-action Conduct.

I understand that this duty overrides any obligation to the person from whom I have received instructions or by whom I am paid. I believe that the facts that I have stated in this report are true and the opinions I have expressed are correct.

1.02 Summary of my Conclusions:

As a result of the injuries that Xxxxxxxx sustained on 2nd April 2011, she has been left with visible and permanent scars on her back, right neck, hands and forehead. These scars are permanent and will not improve any further with time.

The scars are not painful and she does not experience any discomfort while using the hands and moving her neck, except for the scar on anterior hairline which is tender when it is pressed upon.

These scars will not improve with further surgery.

As a result of the injuries sustained on 2nd April 2011 and its sequelae she will not be at a disadvantage in the open labour market except if she chooses to work in the media or with the public when the scars on her neck and hands may be visible.

1.03 The parties involved:

1. XXXXXXXX
2. Carpenters Solicitors
3. Khana Khazana Restaurant, Green Street, Ilford

2. SUMMARY OF INSTRUCTIONS

I have been instructed by Doctors Chambers on behalf of Carpenters Solicitors to examine XXXXXX and to prepare a report which is compliant with the civil procedure rules regarding the injury that she sustained on 2nd April 2011.

I have been asked to deal with any relevant pre-injury medical history, the injuries sustained, the treatment received and present condition, dealing in particular with capacity for work and giving a prognosis.

I have been asked to establish the extent and duration of any continuing disability and to comment on any area of continuing complaint or disability on activities of daily living. I have been asked to comment upon the level of suffering or inconvenience caused and to give my view as to when or if the complaint or disability is likely to resolve.

3. THE ISSUES TO BE ADDRESSED

3.01 The extent and duration of any continuing disability and prognosis.

3.02 Whether or not she will need any surgery.

3.03 Whether or not the accident has affected her capacity for paid employment.

4. MY EXAMINATION OF THE FACTS

4.01 Documents

The following documents were available to me at the time of preparing the report:

1. Copies of the medical records held by her General Practitioner.

There is an entry in the GP records dated 8/4/11 when she was seen at the GP surgery by Dr. Shanthini Navaratnam with symptoms of neck sprain due to

bathroom tiles collapsing on her in a restaurant while she was using the toilet. There is an entry which states that she was seen in the Accident and Emergency Department one week prior to the visit to the general practitioner. She was noted to have bruising in the neck, ribs and thigh at the time.

4.02 INTERVIEW AND MEDICAL EXAMINATION

Xxxxxxxx was seen and examined at the Spire Roding Hospital on 17th May 2012. She was unaccompanied on this occasion. The examination lasted for thirty minutes.

OCCUPATION

She is not working at present.

MEDICAL HISTORY

She does not have a medical history which is of significance to the present injury.

HISTORY OF THE CASE

2nd April 2011 Xxxxxxxx was using the toilet in the restaurant when the tiles on the toilet walls collapsed on her. She sustained cuts and bruises to her back, neck, forehead and hands. She was taken to the Accident and Emergency Department of Newham General Hospital where her wounds were cleaned and she was given painkillers. Xxxxxxxx states that she had an open wound on her lower back which went on to form a scab. The scab separated three weeks later and the wound has gone on to heal since then.

4.03 CURRENT PROBLEMS ON DATE OF REPORT

1. Appearance

She is self-conscious about the scars on her hands and on the nape of the neck. She finds it difficult to tie her hair up as her scars are visible.

2. Sensation

She feels that she gets episodes of numbness and tingling in her right hand and that this has come on since her injury.

3. Pain

She does not experience pain at rest. She finds that the scars are tender in cold weather and have a reddish discolouration.

4. Function

She does not have a functional deficit while using her hand, while turning her neck or while using her arms.

4.04 EXAMINATION FINDINGS ON THE DATE OF REPORT

1. Appearance

- (a) Anterior Hairline scar: She has a small scar measuring 5x5mm in size which is slightly lumpy and tender.
- (b) Back: She has two scars on the upper back overlying the shoulder blades on each side. Each of these scars measures 0.8x0.8cms in size, the scars are flat, well healed, mature and not adherent to deeper structures. The scars are no tender. She also has a scar in the left lower back (in the lumbar region) which measures 1.2x0.8cms in size. This scar is well healed but has stretched slightly. It was lighter in colour than the surrounding skin, is not tender and is not adherent to deeper structures.
- (c) Neck: She has four visible scars on her neck on the right side. There are two linear scars measuring 2x0.2cms and 1.8x0.2cms. In addition there are two smaller scars in the upper part of the neck measuring 4mm in diameter.

These scars are well healed, mature, are not tender and are not adherent to the underlying structures. They are visible at a conversational distance.

- (d) Right Hand: She has a linear scar just distal to the wrist joint on the dorsum of the hand which measures 2x0.2cms in length. In addition she has two other scars just proximal to the metacarpophalangeal joints of the index and middle fingers and on the dorso-ulnar aspect of the hand which measure 1.5x0.3cms and 0.8x0.8cms in size respectively. All three scars are well healed, slightly stretched, not tender and not adherent to deeper structures.
- (e) Left Knee: On the anterior aspect of the left knee there is a scar measuring 0.5x0.5cms in size. This scar is darker than the surrounding skin. It is not tender and is not adherent to deeper structures.

2. Sensation

She has normal sensation over the scalp, over the skin on her neck and back and on her hand.

3. Function

There is no functional deficit in the muscles of the forehead, neck or hand.

5.0 MY OPINION

5.01 The extent and duration of any continuing disability and prognosis.

In this section each of the issues which are listed on page 5 will be addressed.

1. Appearance

As a result of the injuries sustained by Xxxxxxxx on 2nd April 2011 she has been left with visible and permanent scars on her right hand, right neck, back and left knee. These scars will not improve any further with time.

2. Cold Sensitivity

She has symptoms of cold sensitivity in her scars in the form of tenderness, redness and discomfort in cold weather or when subjected to low temperatures. Symptoms of cold sensitivity tend to improve gradually over a period of time but may not disappear completely in the long term.

3. Pain

She does not suffer from pain in the scars.

4. Function

She does not have a functional deficit in her hand, neck or back.

5.02 Whether or not he will need any further surgery.

She will not need any further surgery for these scars.

5.03 Whether or not the injury has affected his capacity for paid employment.

This injury and its sequelae have not affected her capacity for paid employment unless she chooses to work with the public or the media when the scars on her neck and hand are likely to be visible.

6.0 Statement of truth

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions that I have expressed represent my true and complete professional opinions on the matters to which they refer.

7.0 Statement to the Court

I understand that my overriding duty is to the Court, both in preparing reports and in giving oral evidence. I have complied, and will continue to comply with the duty. I have set out in my report what I understand from those instructing me to be the questions in respect of which my opinion as an expert are required.

I have done my best, in preparing this report, to be accurate and complete. I have mentioned all matters which I regard as relevant to the opinions I have expressed. All of the matters on which I have expressed an opinion lie within my field of expertise.

I have drawn to the attention of the Court all matters, of which I am aware, which might adversely affect my opinion.

Wherever I have no personal knowledge, I have indicated the source of factual information.

I have not included anything in this report which has been suggested to me by anyone, including the lawyers instructing me, without forming my own independent view of the matter.

Where, in my view, there is a range of reasonable opinion, I have indicated the extent of that range in the report.

At the time of signing the report I consider it to be complete and accurate. I will notify those instructing me if, for any reason, I subsequently consider that the report requires any correction or qualification.

I understand that this report will be the evidence that I give under oath, subject to any correction or qualification I may make before swearing to its veracity.

I have attached to this report a statement setting out the substance of all facts and instructions given to me which are material to the opinions expressed in this report or upon which those opinions are based.

That I know of no conflict of interest or any kind, other than any which I have disclosed in my report.

That I do not consider that any interest which I have disclosed affects my suitability as an expert witness on any issues on which I have given evidence.

That I will advise the party by whom I am instructed if, between the date of my report and the trial, there is any change in circumstances which affect my answers to either of the above two points.

M.K.Sood M.S., M.Ch.(Plast)