Law Society of Scotland

Expert Witness
Law Society of Scotland

Expert Witness Directory
2023
I am very pleased to introduce the 2023 published Expert Witness Directory.

I hope you will find it useful for finding experienced experts that will provide essential technical analysis and opinion evidence in court and reports.

All our listed individuals and companies have demonstrated experience and ability in providing expert witness services through an application process and professional references and have agreed to our code of practice. Many also have specific training in report writing and giving evidence in court.

If you need more in-depth information about any of the experts, you will be able to find their full profile detailing qualifications and experience in our recently improved online directory www.lawscot.org.uk/members/expert-witness-directory.

We welcome any suggestions you may have for areas of expertise that you would like to see represented in the directory, or indeed recommendations of experts that you have worked with who may benefit from joining it. My contact details are listed below.

Through our CPD programme, we will continue to provide training for solicitors when instructing expert witnesses, most notably at our annual Personal Injury Conference. If you want to know more about the training, please email CPD@lawscot.org.uk.

Angus Maclauchlan
Head of Marketing
Law Society of Scotland
The directory is comprised of expert witnesses who live and work in Scotland, and expert witnesses who are based in other areas but are willing to travel to Scotland to work. New experts applying to be listed are required to demonstrate experience and ability in providing expert witness services, normally by providing references from two solicitors holding practising certificates who have instructed them within the last three years.

The reference form asks the referee to rate from “very good” to “very poor” several aspects of the expert witness’s report: accuracy; understanding and analysis of the expert subject area; presentation; and adherence to timescale. Where the expert has presented evidence in court, referees are asked to rate their understanding of the court’s requirements, and the preparation, content and delivery of the expert’s evidence.

Referees are asked whether they have received any adverse comment from the judge or others which gives them cause to doubt the expert’s expertise and whether the referee would use the expert again or recommend the expert to other solicitors. Where any of the ratings fall below “good”, the references are carefully scrutinised. Other than in very exceptional cases, low ratings lead to the expert’s exclusion from the listing of checked experts. It is always the responsibility of the instructing practitioner to ensure any expert witness possesses the knowledge and experience required for each individual case.

**Individual expert witnesses and corporate expert firms**

All experts listed in a corporate entry must provide satisfactory references for their individual work as expert witnesses. In addition, all firms must supply the name of a main contact person.

**Other referees**

One reference must be from a solicitor from the same jurisdiction as the expert witness, who has instructed him/her within the last three years. The other reference, also pertaining to instruction as an expert within the last three years, may be given by:

- practising solicitors/lawyers from Scotland, England or Wales
- a lawyer from another jurisdiction
- an advocate in Scotland or barrister in England, Wales, Ireland or Northern Ireland
- a judge, sheriff or holder of other judicial office.

**Cases where references have not been required**

There are certain cases where our reference requirements have been superfluous because the expert has already passed through a rigorous accreditation process, which has included proven experience and understanding of expert witness work. In these cases, the Law Society of Scotland may accept experts who have worked for or been vetted by other organisations. The Law Society of Scotland will verify the procedures employed by other organisations to ensure that their procedures meet or exceed our requirements and will verify membership/employment where appropriate.
The Law Society of Scotland has published a Code of Practice to assist expert witnesses engaged by solicitors in effectively meeting their needs, so those solicitors can better serve their clients and the interests of justice.

The Code applies generally, but there may be additional requirements relating to cases in specialised areas of law. Experts must also comply with the code of conduct of any professional body to which they belong.

At the outset, experts should ensure they receive clear instructions, in writing. In addition to basic information such as names, contact details, dates of incidents, etc., these should cover the type of expertise called for, the questions to be addressed, history of the matter and details of any relevant documents. Experts should also be advised if proceedings have been commenced or if they may be required to give evidence.

When medical reports are involved, it must be highlighted whether the consent of the client or patient has been given, and in cases concerning children, that the paramountcy of the child’s welfare may override the legal professional privilege attached to the report and that disclosure might be required.

Instructions should only be accepted when the expert is fully qualified to speak on the matter and has the resources to complete the matter within an agreed timeframe.

Experts should provide terms of business for agreement prior to accepting instructions, including rates of payment or the agreed project fee, and travelling expenses, etc.

Solicitors must be notified, and their agreement obtained, if any part of the assignment will be undertaken by anyone other than the individual instructed.

Client confidentiality must be observed. Guidance is also given as to the content of the report prepared, which should be in plain English with any technical terms explained.

Independence and complaints

Once they have accepted instructions from a solicitor, experts are under a duty to provide an objective and independent opinion relating to the case.

The key to being an expert is maintaining independence. When giving evidence at court, the role is to assist the court. Any and all personal or professional relationships, business dealings and competing interests that might influence the expert’s work must be fully advised to the solicitors at the start of each project. Experts should immediately withdraw if a conflict of interest arises.

Site visits or client meetings should first be discussed with the solicitor.

Experts should also provide a procedure for resolving any complaints, and respond quickly and appropriately if any complaint arises.

The Law Society of Scotland reserves the right to exclude any expert who has failed to adhere to the Code of Practice from any future edition of the Directory of Expert Witnesses.

This article provides only an overview of the Code of Practice. For a complete and comprehensive guide, please visit: www.lawscot.org.uk/members/business-support/expert-witness
EXPERT WITNESS CVS – WHAT TO INCLUDE?

Experts vouching their qualifications and experience to a court should provide crisp, clear information rather than a lengthy, unstructured document, as a senior English judge has recently commented.

The section on qualifications and experience in expert court reports often causes concern. While some experts worry that they don’t have enough material, others find it hard to cut material out.

Paragraph 16(h) of the Law Society of Scotland’s Code of Practice specifically states that the report should cover “a summary of the expert’s qualifications and experience”. The term “qualifications” is probably intended to be interpreted broadly, to include all relevant expertise, whether from academic qualifications or practical experience. In England & Wales, the procedural rules mandate the inclusion of qualifications.

How to approach this section of your report?
There are two principles to follow:

(i) Relevance
The court must know whether or not the expert is competent (or “qualified”) to give opinion evidence on the issue before it; this part of your report is where you demonstrate that competence and qualification.

Your focus must therefore be on the issues before the court. The court is not going to be interested in the entirety of your career to date, but only the relevant knowledge, skills, experience, training, or education you may have which can help the court reach a decision on those issues.

(ii) Clarity of information
Comments by the President of the Family Court, Sir Andrew McFarlane, in Re C [2023] EWHC 345 (Fam) related to the issue of an unregulated psychologist giving expert evidence, but the principles can be applied across the board by all expert witnesses. Although this is an England & Wales case, the comments can usefully be applied in Scotland too.

One lesson he draws, at para 97, is: “the need for clarity as to an expert’s qualification and/or experience. The more diffuse and unstructured a CV, the less effective it is likely to be in transmitting information crisply and clearly. In this regard, lawyers, magistrates and judges are lay readers. They need to be able to see with clarity, and in short form, the underlying basis for an individual’s expertise”.

Sir Andrew identifies registered membership of the relevant regulatory or professional body as a “reliable, one-stop, method of authentication” which can be taken as “sufficient qualification to offer an opinion within that field of practice”.

That is, of course, only the starting point and specific further knowledge may additionally be necessary.

Where such additional information is needed, it should be set out “shortly and clearly”, to identify any “formal qualifications, posts held and published work” (see para 102 of the judgment).

Do:
• Focus on the issues for the court.
• Tailor your CV accordingly.
• Set out relevant formal qualifications and registration status first.
• Think about other relevant experience:
  • authorship of relevant published papers or textbooks;
  • relevant training or teaching which you have delivered;
  • relevant studies you have carried out; and/or
  • relevant panels or committees you have sat on.
• Consider including a short narrative section, describing your current practice and how frequently you deal with the same issue which is now before the court.
• Include relevant qualifications as an expert witness, e.g. the Cardiff University Bond Solon Certificate or the Aberdeen University Bond Solon Certificate, once you have attained them.

Don’t:
• Include everything you have ever done.
• Include hobbies, interests and prizes.
• Run over more than one or maximum two pages.
• Include every publication ever written.
• State how many times you have given evidence as an expert witness.

Remember, there is a difference between a court report CV and a marketing CV to send out to instructing solicitors. Your marketing CV can certainly contain everything that you would put in the court version, and the following:

(i) CPD in your area of expertise.
(ii) CPD as an expert witness (particularly vital for healthcare experts in light of the requirement of the Academy of Medical Royal Colleges that those who carry out expert witness work “should” undertake expert witness training).
(iii) How many reports you have written for court.
(iv) How many times you have given evidence in court.
(v) Any positive comments from judges on your evidence.
(vi) The balance of instructions you receive from claimants or applicants or the prosecution and from the defence or respondents.

Above all, remember that you are aiming your report CV at the judge, to assure them that you are qualified to give your opinion on the issues before them.

If in doubt, keep it short, relevant, and clear.

Nicholas Deal is a trainer and subject matter expert at Bond Solon
Accountants

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Chartered Accountants
Glasgow
Email: robin@christiegriffith.co.uk
Tel: 0141 225 8066 or 07831 632 449
Web: www.christiegriffith.co.uk
Specialisms: accountancy disputes, business valuation, forensic accounting

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Specialisms: accountancy disputes, accounting services, business valuation

GBRW Expert Witness Ltd
Financial Sector Expert Witnesses
London
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Specialisms: employment, banking, business valuation, insurance

Building and Construction

Mr Rodney Appleyard
Fenestration Consultant Surveyor
Bingley
Email: vassc@aol.com
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Specialisms: architectural design, building and construction problems

Alex Carmichael
Chartered Surveyor
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Email: alexcarmichael1630@btinternet.com
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Specialisms: building and construction works, construction works, surveying and valuation

Mrs Elizabeth Cattanach
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Glasgow
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DHKK Limited
Chartered Surveyors
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Specialisms: surveying and valuation

Mr Sean Gibbs
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Architects

Mr Peter Drummond
Chartered Architect
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Specialisms: architectural design, building and construction problems, construction works, town and country planning

The Hurd Rolland Partnership
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Web: www.hurdrolland.co.uk
Specialisms: architectural design, building and construction problems, construction works

Banking and Insurance

Expert Evidence International Ltd
Bankers, Property Financing Advisers, Investment Advisers, Regulators and Tax Advisers
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Specialisms: banking, fraud and money laundering, insider trading, taxation
Mr Donald Mackinnon  
Chartered Construction Manager/  
Chartered Surveyor  
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Specialisms: architectural design, building and construction problems, property management, surveying and valuation, industrial design, civil engineering, control engineering, energy engineering, mechanical engineering

Mrs Janey Milligan  
Construction Arbitrator and Adjudicator  
Glasgow  
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Specialisms: building and construction problems, building services engineering, property management, surveying and valuation, civil engineering

Mr Martin Richardson  
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Tel: 01577 864 057 or 07739 428 061  
Web: www.mpconsultants.scot

Specialisms: building and construction problems, construction works

Mr David Roberts  
Quantity Surveyor/Arbitrator  
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Specialisms: building and construction problems, construction works, surveying and valuation, renewable energy, energy engineering

Mr Colin Baird  
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Specialisms: disability

Mr Stephen Garven  
Diving Subject Matter Expert  
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Specialisms: diving, accidents, fire and explosions, environmental issues, oil and gas industry, industrial design, civil engineering, energy engineering

Mr Janusz Kneple  
Clinical Biochemist and Consultant Toxicologist  
Lochwinnoch  
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Tel: 01505 842 253 or 07801 819 169

Specialisms: pharmacology, alcohol, child abuse, drink/drug driving, sexual assault, toxicology

Dr Stephanie Sharp  
Forensic Pharmacologist  
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Tel: 07734 865 349

Specialisms: pharmacology, toxicology, drug abuse, alcohol, chemicals, drink/drug driving, sexual assault, children

Dr Sachin Jauhar  
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Tel: 0141 211 9857 or 07961 356 922

Specialisms: dentistry, restorative dentistry, prosthodontics, periodontics, endodontics

Digital Forensics

Professor Stephen Marshall  
Professor of Image Processing  
Glasgow  
Email: smcs_ltd@yahoo.co.uk  
Web: www.strath.ac.uk/staff/marshalphstephenprof

Specialisms: Image analysis, video analysis/CCTV

Disability

Mr Colin Baird  
Disability and Access Consultant  
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Web: www.cbairdconsultancy.com

Specialisms: disability

Diving

Mr Stephen Garven  
Diving Subject Matter Expert  
Glasgow  
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Tel: 0141 628 6218  
Web: www.diveexpertwitnes.com

Specialisms: diving, accidents, fire and explosions, environmental issues, oil and gas industry, industrial design, civil engineering, energy engineering

Drugs and Toxicology

Crew 2000 Scotland  
Drugs Information, Advice and Support  
Edinburgh  
Email: experts@crew2000.org.uk  
Tel: 0131 220 3404  
Web: www.crew.scot

Specialisms: drugs, toxicology, substance misuse, addiction and recovery

Professor Michael Eddleston  
Professor of Clinical Toxicology  
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Specialisms: pharmacology, drugs, toxicology

Dentistry and Odontology

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Mr Janusz Kneple  
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Specialisms: pharmacology, alcohol, child abuse, drink/drug driving, sexual assault, toxicology

Dr Stephanie Sharp  
Forensic Pharmacologist  
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Tel: 07734 865 349

Specialisms: pharmacology, toxicology, drug abuse, alcohol, chemicals, drink/drug driving, sexual assault, children

Employment

Mr Douglas Govan  
Employment Consultant  
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Tel: 07825 325 579  
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Specialisms: employment, career counselling and development, disability, schools and education

Mrs Katya Halsall  
Employment Expert, Work Capacity  
Evaluator and Vocational Consultant  
Wigan  
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Tel: 01842 375 880

Specialisms: employment, disability, accidents, road transport and vehicles, civil litigation

Keith Careers Ltd  
Employment Consultant and Careers Advisers  
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Tel: 01738 631 200 or 07762 650 721

Specialisms: employment, career guidance and development, schools and education, disability

Keith Carter & Associates  
Employment Consultants  
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Email: info@keithcarter.co.uk  
Tel: 020 8858 8955  
Web: www.keithcarter.co.uk

Specialisms: employment, disability, schools and education

Find out more at www.lawscot.org.uk/members/expert-witness-directory
### Expert Witness Directory 2023

#### Engineering

**Mr Martin Mannion**  
Civil Engineer/Port Expert  
Winchester  
**Email:** martin@mannionmarine.com  
**Tel:** 01962 840 122 or 07920 258 007  
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**Specialisms:** ports engineering, marine transport, construction works, civil engineering

**Dr Calvert Stinton**  
Consulting Engineer  
Alness  
**Email:** calvert.stinton@outlook.com  
**Tel:** 07845 030 705  
**Web:** www.calvertstinton.co.uk  
**Specialisms:** road transport and vehicles, engineering machinery and materials, failure investigation and testing, vehicle forensic examination, fuels, lubricants, exhaust emissions

**Strange Strange & Gardner**  
Consulting Forensic Engineers  
Newcastle upon Tyne  
**Email:** jim.garry@ssandg.co.uk  
**Tel:** 0191 232 3987  
**Web:** www.ssandg.co.uk  
**Specialisms:** forensic engineering, civil engineering, energy engineering, mechanical engineering, chemicals, road transport and vehicles, event reconstruction

#### Fire Safety

**Mr Colin Todd**  
Fire Safety Consultant  
Rushmoor, Farnham  
**Email:** office@cstodd.co.uk  
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**Web:** www.cstodd.co.uk  
**Specialisms:** fire and explosions, building and construction problems, building services engineering

#### Forensic Science

**Dr Evelyn Gillies**  
Forensic Document Examiner  
Stonehaven  
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**Tel:** 07444 861 858  
**Web:** forensicdocumentsbureau.co.uk  
**Specialisms:** document examination, handwriting, human identification services

**Mr Alan Henderson**  
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Durham  
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**Specialisms:** physical evidence collection and analysis, event reconstruction, firearms and ballistics, road transport and vehicles, computer applications

#### Medical

**Dr Alistair Adams**  
Consultant Ophthalmic Surgeon (Retired)  
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**Specialisms:** ophthalmology, eye injuries

**Mr Christopher Adams**  
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**Specialisms:** musculo-skeletal injury/disease, health care management and disputes

**Dr Kashif Ali**  
General Practitioner  
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Consultant in Accident and Emergency Medicine and Surgery  
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Mr James Holmes
Consultant General and Colo-Rectal Surgeon
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Specialisms: colorectal, trauma

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Specialisms: obstetrics and gynaecology

Mr Paul Jenkins
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Specialisms: radiology

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Specialisms: radiology, emergency – intensive care, trauma, whiplash, disability, accidents, children and family

Dr Rayner Lazaro
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Specialisms: ophthalmology

Dr Colin Mumford
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Specialisms: neurology, head injury

Dr Martin Perry
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Specialisms: general medical practice, musculo-skeletal injury/disease

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Specialisms: oncology, psychology

Dr Turab Syed
Consultant Trauma and Orthopaedic Surgeon
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Specialisms: orthopaedics, musculo-skeletal injury/disease, trauma, whiplash

Mr Gavin Tait
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Dr Victoria Tallentire
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Meteorology

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Specialisms: meteorology, weather

Psychiatry

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Dr Khuram Khan
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Specialisms: psychiatry, trauma, family and child issues

Dr Douglas Patience
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Specialisms: psychiatry

Dr A Scott Wylie
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Specialisms: psychiatry, trauma,

Psychology

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Chartered Psychologist
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Specialisms: psychology, disability, immigration and asylum seekers, children, schools and education

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Specialisms: psychology, family and child issues

Find out more at www.lawscot.org.uk/members/expert-witness-directory
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Specialisms: psychology

Professor Gary Macpherson
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Web: www.garymacpherson.com
Specialisms: psychology, neuropsychology, psychiatry, trauma, family and child issues, immigration and asylum seekers, civil litigation

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Specialisms: psychology

OGB Consulting
Forensic Psychologist
Stirling
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Specialisms: psychology, family and child issues, trauma

Mrs Suzanne Roos
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Specialisms: psychology

Professor Craig White
Consultant Clinical Psychologist
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Specialisms: psychology, mental health assessment, trauma, historic abuse, clinical negligence, housing, equalities, immigration and asylum seekers, accidents, personal injury

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Specialisms: road transport and vehicles, event reconstruction, accidents, video analysis/CCTV

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Forensic Investigation Specialists
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Specialisms: pendulum slip testing, road and footway defects

Social Work
Jonathan Gray
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Specialisms: social work, mental health assessments

Ms Anna Ramsay
Social Worker
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Specialisms: social work, mental health assessment, children, disability

Solicitors
Professor Stewart Brymer, OBE
Solicitor
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