

CLINICAL NEGLIGENCE CLAIMS

WHY CHOOSE LANYON BOWDLER?

Our specialist team will provide you with a comprehensive and personal service

- A good relationship with your lawyer is critical to enable effective communication. We will provide the personal touch and meet with you regularly to establish and build a relationship of trust.
- Your case will be conducted by a specialist solicitor carefully matched to the particular needs of your case.
- Your specialist solicitor will be supported by a team to ensure there will always be someone available to discuss your case. This means your case will be reviewed regularly.
- We offer home and hospital visits.
- We have a dedicated team of medical professionals including Nurses and an In House Doctor.
- The team consists of members of the Law Society's accredited Clinical Negligence panel and Action against Medical Accidents (AvMA) specialist panel, which means they are approved experts in their field.



Clinical Negligence Team

WE UNDERSTAND ALL THE PRACTICAL AND EMOTIONAL DIFFICULTIES INVOLVED IN SUFFERING A MEDICAL INJURY

We have a national reputation for achieving successful outcomes for clients with difficult and complex cases

- Lanyon Bowdler won the Clinical Negligence Team of the Year title at the national Eclipse Proclaim Personal Injury Awards 2018.
- Our success rate with clinical negligence claims is well above the national average.
- We are members of various associations reflecting our expertise in particular fields, these include the Law Society Clinical Negligence panel, Association of Personal Injury Lawyers (APIL), Headway - the brain injury association's Approved Solicitors List, Spinal Injury Association (SIA), Society of Clinical Injury Lawyers (SCIL), and Action Against Medical Accidents (AVMA).
- We work with a database of highly regarded and tried and tested medical experts and barristers.
- We have specific expertise in specialist areas such as birth injuries including cerebral palsy, spinal cord injury, delay in diagnosis of cancer, amputation and fatal cases.
- The department is recognised in the top tier for the West Midlands in the 2020 edition of The Legal 500. The directory states that "Lanyon Bowdler has a superb reputation across all areas of Clinical Negligence, with a particular proficiency in handling brain and spinal injury claims."
- Lanyon Bowdler's Clinical Negligence team is recognised in Band 1 in the Midlands (Shrewsbury & Surrounds) and Hereford, Worcester and Surrounds in the 2020 edition of Chambers UK. The directory states that "lawyers have a warm and approachable attitude which promotes good communication" and they "have a very good team dynamic and the lawyers are knowledgeable, friendly, efficient and conscientious".

We can offer you a choice as to how your claim is funded

There are a number of funding options available to suit your budget and needs. These include “No win no fee” agreements, Public Funding, “Before the event” Legal Expense Insurance and Hourly Rates. We shall give you a lot more detail about the funding choices and the pros and cons of each when we meet, and we will not proceed without your approval of your funding strategy.

Your case will be thoroughly investigated to obtain the best evidence possible and to achieve the maximum compensation for your injuries and losses

- Over the past four years, 100% of our clients who returned feedback forms said they were satisfied with our service or that it exceeded their expectations.
- We will investigate your case to its full potential and achieve the best results possible. We will not “under settle” claims.
- We are experienced in handling moderate value through to multi million pounds claims.
- We have a proven track record in taking over cases from other solicitors where we have been able to turn them around and achieve much better outcomes for clients.

It’s not just about the money...

- We can help establish care regimes, case management, therapies and help source adapted accommodation.
- We have long established links with local rehabilitation providers.
- We can introduce you to independent financial advisers and set up trusts to manage your compensation.
- We have a dedicated Court of Protection team who help to manage the affairs of clients who have lost their capacity.
- We can also assist with Powers of Attorney, wills and estate administration.

FREQUENTLY ASKED QUESTIONS

What makes Lanyon Bowdler different to other medical negligence solicitors?

Our Clinical Negligence team is recognised in the national legal directories as providing a first class, personal service to clients. We handle every type of medical claim and some common areas are birth injury, cancer misdiagnosis, gynaecological injury, surgical injuries and orthopaedic injuries. We focus on developing the best possible case for our clients and work at a detailed level ensuring that we maximise the damages. We have strong local links with independent experts and experienced Case Managers to provide a multi-disciplinary approach, offering maximum support to a client and their family at the time of crisis. With the right therapies and services, the correct care package, support and accommodation, those who have become carers can step back and return to their role of husband, wife, partner, mother or father enabling them to regain quality time with their loved one. The feedback we receive shows that this type of support can be priceless.

What do I need to prove to be successful in a Clinical Negligence claim?

To be successful you need to prove two things:

- That the standard of care you received fell below that of a reasonably competent health care professional in that specific area of medicine.
- That the negligence/error made a difference and caused you physical or psychiatric injury.

What are my chances of winning my case?

We will make an initial assessment of the merits of your case when we first see you. We will continue to review the merits of your case as it progresses. Our assessment will be based upon your own evidence, our research and the significant experience

we have in clinical negligence cases. We assess the prospects of success throughout the conduct of the case and if at any stage we receive evidence that alters our view of the prospects, we shall advise you immediately.

How long will my claim take?

The average claim takes three years, but settlement may be possible within twelve months on smaller straightforward cases. This is because we need to obtain your medical records and instruct independent medical experts to produce reports. One of the main factors in the length of the claim is the attitude of the Defendant towards settlement. We shall minimise the time taken to settle your claim by setting out your claim to the Defendants clearly and robustly.

How will I avoid a large bill that I was not expecting at the end of the case?

We appreciate the importance of transparency and certainty in relation to costs. We shall agree a funding strategy tailored to your particular circumstances. We will keep you regularly updated with regards to your costs position. Our feedback reflects our client's satisfaction with our approach to funding.

How can I ensure my solicitor has the expertise to run my case?

We will only match you with a solicitor we believe has the right skills and track record to give you the best possible chance of a successful outcome. All cases are conducted by solicitors who specialise in clinical negligence claims, under the leadership of Law Society Accredited Panel Members or AvMA Panel Members.

Will bringing a claim affect my medical care?

In our experience pursuing a clinical negligence claim should not affect your future medical care at all. Some clients prefer not to continue receiving treatment from a GP or hospital Doctor whom they consider caused them injury. In these circumstances they can be asked to be treated by a different doctor or consider registering at an alternative GP practice.

EXAMPLE CLAIMS

Claim A

H suffered permanent brain damage during his birth as a result of the misapplication of forceps by the obstetrician. H's injuries were such that he would never be able to work, deal with his own affairs and would always be reliant upon the care of others. On the basis of the medical records alone we originally received an independent expert's report stating that it was impossible to establish negligence. However, by enlarging photographs taken of H at birth we were able to prove that it was the misapplication of the forceps that had caused the damage. The Hospital Trust admitted negligence and made a formal apology to H's mother and have paid compensation that will provide H with the lifetime care, therapies, accommodation and support that he needs to enhance his abilities and quality of life. The case was funded by Legal Aid and H's family were not required to pay anything.

Case B

B sought representation from Lanyon Bowdler on behalf of his wife who sadly died as a result of an overdose of intravenous paracetamol whilst being treated for a fractured hip in hospital. At the end of the inquest we persuaded the Coroner to write to the Chief Medical Officer to take steps to avoid the same mistake happening again in the UK. We went on to successfully obtain compensation for B arising out of the circumstances of his wife's death. We acted for B under a "No Win no Fee" agreement so we carried the financial risk of the claim being unsuccessful.

“ Impressive practice group with a growing presence across the West Midlands. Offers specialist advice across the full gamut of clinical negligence mandates, with particular experience in cases of surgical error, delayed diagnosis and failure to supervise those at risk of suicide. Additionally skilled in cases relating to post-surgical negligence, brain injury and fatal claims.

Chambers UK

The UK has a good reputation for providing a high standard of health care, however, injury through negligence does happen and the consequences can be life changing. Choose us.

“ Kind and caring. Making us feel at ease.

Mrs Lewis Shrewsbury

“ Very professional and approachable, you really cared and wanted the best possible outcome for our son. The personal touch makes you head and shoulders above the rest. Thank you!

Mr & Mrs Abernethy Cheshire

“ My family and I felt supported and cared for during a very distressing time.

Mrs Caroline Blanford Hereford



Lanyon Bowdler won the **Clinical Negligence Team of the Year** title at the national **Eclipse Proclaim Personal Injury Awards 2018**.



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