

Recent cases

Clare Langford

Wuttipong Sumsard v Leeds Teaching Hospitals NHS Trust

The claimant suffered permanent loss of vision as a result of the negligent prescribing of ethambutol to treat tuberculosis. Liability was strongly contested by the hospital but through obtaining expert evidence and presenting a strong case, the Trust accepted full liability for the claimant's loss of vision a few weeks before trial. I helped to secure a capitalised settlement of £5.6 million pay-out for a client. The claimant originated from Thailand and spoke little English, which added to his vulnerability. I recovered damages to employ a Thai-speaking personal assistant as part of the settlement. Large interim payments were obtained during the case to enable the claimant to receive rehabilitation, care and the purchase of aids to improve his independence. The settlement enabled the claimant to purchase a bungalow and employ carers to improve his quality of life.

B v D

The claimant, a 42 years old lady suffered serious brain injury following negligent medical treatment. The claimant lost capacity as a result of the injury and was being cared for in a nursing home. After presenting a strong claim to the hospital, the NHS accepted they were at fault. An interim payment of £740,000 has been obtained to enable the claimant to:

- move into her own adapted accommodation
- employ a team of private carers to provide 24/7 individual care
- purchase a motor vehicle able to accommodate her wheelchair
- employ a case manager to oversee and manage the private care and rehabilitation package
- have access to private physiotherapy, occupational therapy, neuro psychology and speech and language therapy.
- go on holiday with her team of carers

As a result of the private treatment put in place the claimant has made fantastic progress and is no longer reliant on her wheelchair and is able to engage in her hobbies of swimming, art and attending the ballet.

The claim is working towards a settlement which will be multi million pounds to give the claimant the lifetime financial security to provide for all her care needs.

S v T

I represented a young man who suffered a back injury whilst playing rugby. Sadly there was a delay in the hospital recognising the spinal injury was causing spinal cord compression. As a result of the delay the claimant developed cauda equina syndrome and was sadly left with permanent back pain, neuropathic pain and bladder impairment. The claimant had previously been pursuing a successful career as a chartered surveyor but was left unable to return to this position due to the physical nature of the work. I worked to secure £2.5 million in damages which the claimant used to purchase:

- a specially adapted car
- a suitable house,
- private physiotherapy treatment,
- fund further university degree to facilitate a change of career

The settlement provided financial security for the claimant and a means by which to train for a new and fulfilling career that could accommodate his disability.

R v D

The claimant was a 52 year old lady who suffered a delay in diagnosing meningitis causing a severe brain injury. The case was further complicated by the claimant later developing a spinal abscess which required surgery and resulted in permanent loss of sensation from the waist down. After undertaking extensive investigations and consulting with a number of leading medics, I was able to prove that the hospital's delay in diagnosing the meningitis was negligent and this caused or materially contributed to the later development of the spinal abscess. Negligence was accepted by the NHS and a large interim payment was obtained to facilitate ongoing treatment and ease the financial burden placed on the claimant and her husband by them both being unable to return to work, as her husband was her primary carer.

The NHS contested the amount of damages that should be paid, but after extensive negotiations the case settled shortly before trial for a lump sum of £1.5 million plus payment of £150,000 every year for the rest of the claimant's life.

This compensation has significantly improved the claimant's quality of life and has enabled:

- the purchase of an adapted bungalow
- the employment of the claimant's husband and daughter as paid carers for the claimant
- the purchase of a large vehicle and hoist to accommodate the claimant's wheelchair
- the claimant to go on holidays to locations with accommodation and provision for the disabled
- private physiotherapy, occupational therapy and neuro psychology.

B v D

The claimant was 36 year old lady, who as a result of hospital negligence suffered a hypoxic brain injury. The injury was of the utmost severity and caused the claimant to be completely reliant on others for all of her care needs. NHS rehabilitation made little progress and it was thought the claimant's prognosis for improvement was very bleak. The claimant required 24 hour nursing care in a residential unit for brain injured patients.

I investigated the claim for clinical negligence and was able to secure an early admission by the hospital that there had been serious failings in the care provided. This enabled private rehabilitation and care to be put into place. The claimant has since made significant progress and has now regained capacity and is independent for many of her personal needs. This progress has enabled a move out of the nursing home into her own house to be facilitated with her own private care package.

The claim settled for £4.5 million pounds with a further payment every year for the remainder of the claimant's life to pay for her private care package.

S V N

The claimant is a seven year old girl who suffered a lack of oxygen during birth causing bilateral deafness and cerebral palsy. I investigated the claim utilising legal aid funding to instruct leading medical experts. On their evidence a case has been presented to the NHS that the care provided to the claimant's mother during pregnancy was substandard in that there was a delay in recognising that the claimant was suffering from distress during labour and a prompt caesarean section should have taken place to expedite delivery. It is the claimant's case that due to the 40 minute delay in the claimant being born she has suffered a hypoxic birth injury.

The claim is currently being vigorously defended by the hospital who deny any wrong doing. The claim is currently proceeding towards trial. The claim if successful is valued at in excess of £20million.

C V G

The claimant was a 35 year old man, who attended his GP complaining of severe headache, neck pain and lethargy. The GP dismissed the claimant's symptoms as a virus and recommended he take pain killers and rest. Around 8 hours later the claimant was in a coma and rushed to hospital where he was diagnosed with meningitis. As a consequence of the meningitis the claimant suffered visual loss and a minor brain injury.

I was instructed to investigate a claim for medical negligence in relation to the failure by the GP to recognise the red flag symptoms indicative of meningitis and arrange an urgent referral to hospital for further investigations.

After thorough investigations, the GP's legal team accepted that a referral to hospital should have been made but sought to argue even if this had of taken place, the window to provide medical treatment and administer antibiotics was too short to have avoided the meningitis impacting the optic nerve and as such the claimant would always have lost his vision even with prompt action by the GP.

Shortly before trial, a settlement meeting took place where the claimant and Defendant entered into negotiations regarding the case and were able to agree a settlement for £500,000. As a result of the compensation the claimant was able to have adaptations made to his home and he purchased technology to enable his to enjoy his hobbies of computing and DJing despite his visual impairment. The compensation gave the claimant financial security.