

Clinical negligence claims for Spinal Cord Injury

Whilst the standard of healthcare in this country is usually very high, unfortunately sometimes things do go wrong, often with devastating consequences for the patient and their families.

If a mistake has been made by a doctor, nurse or other healthcare professional, which has led to you sustaining a spinal cord injury, you may be entitled to pursue a claim for compensation.

What is clinical negligence?

To bring a claim successfully, as the claimant in an action, you will need to prove that, more likely than not, the standard of care you received fell below that expected of a reasonably competent specialist (breach of duty) and that, as a result of the negligent care, you were caused harm (causation).

Clinical negligence covers both acts and omissions, ie situations where something wrong has been done (ie surgical error) and where there has been a failure to do something that should have been done. In spinal cord injury cases it is often the delay in treating a patient or poor surgical technique which results in life changing injuries.

Put more simply, if you think that you did not receive the level of medical care to which you are entitled, or you did not receive appropriate medical treatment when you needed it, then you may have the grounds to make a claim for clinical negligence.

Preparing your case

It is important that you contact Aspire Law as soon as you have become aware that the treatment you have received was not optimal. Your lawyer will need to take a detailed statement from you and any witnesses covering the circumstances of the incident and detailing any financial losses. Your lawyer will require authority from you to access all your medical records and notes which will be reviewed in detail. You will be provided with a chronology of the circumstances of the case and details pertaining to the poor standard of care.

Independent medical experts will then be instructed to prepare a formal report on both breach of duty and causation issues. The report from the independent medical experts will allow your lawyer to determine the merits of your case and the best way forward.



At Aspire Law we have built up a formidable bank of professional experts, not only medical experts, but also rehabilitation consultants and therapists. Early rehabilitation is key to the recovery of spinal cord injured patients. Importantly, the rehabilitation reports also help us, as your lawyers, build up a detailed list of all your care needs to date and your future requirements.

“ Thank you so much for all you have done for me. From the beginning you took great care to take the stress out of what would otherwise have been an unbelievably traumatic time for us. ”

Client quote, from letter written to Vicky Hydon

Who do I sue?

If the doctor or nurse who treated you worked for an NHS hospital, then you will sue the employing NHS trust. If your spinal cord injury was caused by the poor level of care provided by a GP or another private practitioner, then you will sue them personally.

We will handle all paperwork, correspondence and meetings on your behalf so you will not have to have any direct contact with the person who caused your injury, if you do not want to. We always keep our clients updated about the progress of their case at regular intervals.

It is also very unlikely that you would be required to attend court as the majority of our cases are settled beforehand.

Funding your case

No win no fee

The majority of the cases that we take on at Aspire Law are undertaken on a Conditional Fee Agreement basis, which is more commonly known as “no win, no fee”. This is a very practical way of funding your case, as it gives you protection from paying any fees if your case is subsequently unsuccessful. If your case is successful then legal costs are paid for by the losing party.

We will often advise you to take out a clinical negligence insurance policy which will cover the costs of obtaining independent expert medical evidence. This type of policy is known as an After the Event Insurance policy. Premiums for the policy are self insured, and should your claim be unsuccessful, you will not be required to pay the premium. We will talk to you in more detail about this if we feel it will be required.

Legal expense insurance

You may have an insurance policy that will fund some or all of your legal costs. You may actually have such a policy but just not be aware of it. We will be happy to read through your policy documents to see if you have an appropriate insurance policy in place which can be used.

How Aspire Law can help you

Aspire Law has a dedicated team of specialist lawyers who have a wealth of experience in spinal cord injury clinical negligence claims. We have an excellent track record of winning substantial compensation payments on behalf of our clients.

From our experience, we also know that receiving compensation is not the only priority for our clients. We also work hard to make sure that you receive a full and comprehensive explanation of what happened to you, and are provided with the reasons why your medical treatment went wrong. It is important that our clients have the assurance and peace of mind that as a result of their claim, the medical profession will take appropriate action to prevent this type of incident from happening to someone else in future.

We also provide advice and guidance on:

- NHS complaints procedures
- What can be claimed financially

- Once there has been an admission, an appropriate apology

If you want to know any more about these services, please contact Vicky Hydon for a free, no obligation discussion on 0800 030 20 40.

“ Without Vicky’s experience and technical ability I would not have been able to pursue a claim. I cannot thank her enough for winning my case in such a convincing manner and for inspiring me to keep on fighting. ”

Client quote

CLIENT STORY

Mr J was on a bus when it braked sharply, throwing him to the floor. He hurt his back and over some months the pain became much worse. He went to the GP five times but was not referred for an x-ray. Eventually the pain was so bad, Mr J had to call for an ambulance and was taken to hospital, where he finally had an x-ray, which showed a fracture to his L1 vertebrae. A CT scan was booked, but before it took place, Mr J collapsed and lost all function in his legs. He was readmitted to hospital, had the CT scan and was diagnosed with spinal decompression. Surgery was arranged and Mr J went on to make a full recovery.

With the help of an independent expert neuro-radiologist, we were able to prove that the hospital misread the X-ray and that had they not done so, our client would have had corrective treatment much earlier. Mr J received a significant six figure compensation award.

Aspire Law has a dedicated team specialising in clinical negligence claims. For a free and no obligation discussion about your claim issues, please call us on 0800 030 20 40.

Call us free on: 0800 030 20 40 Email: help@aspirelaw.co.uk



Solicitors for people with spinal injury

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