

Do you need Legal Advice about Clinical Negligence or a Medical Dispute?



Either speak to us first or make sure
you choose a *specialist* solicitor

LOOK FOR THIS QUALITY MARK:

**Specialist
Clinical
Negligence
Panel**

avma
action *against* medical accidents

Ask for our
Clinical Negligence
Specialist(s)

Why choose a specialist solicitor?

Clinical negligence is a highly complex and specialist area of law. It requires medical as well as legal knowledge, and an empathy with the feelings and needs of people who have been harmed by negligent treatment. The evidence shows that specialist solicitors are much more likely to make an accurate assessment of the chances of success in claiming compensation for clinical negligence and to get the best result for their clients. Unfortunately many claimants have been badly let down by solicitors taking on clinical negligence cases which they are not competent to handle. This charity has had to help people pick up the pieces when that happens.

How can I tell who is a specialist in clinical negligence?

There are only two recognised 'panels' (or approved lists) of solicitors who have been assessed as being specialists in clinical negligence. These are the clinical negligence panels administered by the independent charity, Action against Medical Accidents ('AvMA') and by the Law Society. These panels are recognised by the Legal Services Commission, the NHS Litigation Authority in England and the Welsh Health Legal Services. To identify an AvMA approved solicitor, look for the logo on the front page of this leaflet. BEWARE of solicitors who claim to be on some form of 'approved list' or to be 'accredited' by any organisation other than AvMA or the Law Society. BEWARE of solicitors implying that membership of a lawyers' association or their experience or accreditation in the field of 'personal injury' equips them to represent clinical negligence claimants. This is no guarantee that they are specialists in clinical negligence.

What is special about AvMA's specialist clinical negligence panel

AvMA is an independent, patient-centred charity which pioneered the concept of solicitors representing clinical negligence claimants needing to be specialists, and which established the original clinical negligence panel. AvMA draws on both its legal and medical expertise in assessing solicitors, and also places particular emphasis on whether the solicitor can demonstrate appropriate customer care skills and empathy with the plight of people affected by medical accidents or errors. Solicitors have to be re-accredited after five years to remain on our panel and are required to sign up to our Code of Conduct. To qualify for AvMA's panel, solicitors also have to demonstrate knowledge of other processes for resolving clinical disputes such as

mediation, complaints procedures, inquests, Human Rights law and fitness to practise procedures (GMC etc). Lay people are involved in the assessment rather than just solicitors judging each other.

How can I find the solicitor to meet my individual needs?

AvMA also provides a free advice and information service which includes referral to a specialist clinical negligence solicitor on its panel if appropriate. Our advisers are there to provide a sympathetic response and can advise on a wide range of issues, including how to get investigations, explanations and apologies without taking legal action, as well as making suggestions about meeting your personal and practical needs following a medical accident. Contact AvMA's Helpline on 0845 123 23 52 (Mon-Fri 10-12 and 2-4). Alternatively, write or e-mail to the address below. When AvMA makes a referral to a solicitor, it is able to consider your individual needs and preferences (for example, experience of your type of case; geographic location; gender; funding/charging arrangements). We receive no payment for referrals we make.

If you are researching solicitors yourself, always check if they are accredited by AvMA. Look for the logo on the front page of this leaflet. You can obtain details of most solicitors on AvMA's panel on the 'Find a Solicitor' section of our website www.avma.org.uk where you will also find tips on what to ask a solicitor.

Remember, the final choice is always yours

Whilst we are there to help, only you can decide on the best course of action for you. There is no guarantee that any solicitor will be able to achieve what you want, but membership of AvMA's panel is the best indicator available of a solicitor's expertise in this field. However, you still need to make your own assessment of whether a solicitor is right for you. You should consider speaking to several different firms. On our website we suggest questions you may like to ask a potential solicitor which include: what arrangements they have for funding clinical negligence claims; their experience and expertise in the particular area of healthcare in your case; how easy it is to get in touch with your named solicitor; whether any of the work associated with your case will be delegated to a less experienced member of staff and how your solicitor supervises that work. If you need independent help or advice, you are always welcome to contact us.

**For free, confidential advice you can
contact our helpline on 0845 1232352**



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