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Approved by the Law Society's Clinical Negligence Accreditation Scheme, the Action Against Medical Accidents (AVMA) Accreditation Scheme and Headway.

We are proud to support Brain Tumour Support.



Community  
Legal Service



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# Brain Tumours

Specialist legal advice for medical negligence claims related to brain tumours

**clarkewillmott.com**

# About **brain tumours**

A brain tumour diagnosis is devastating and has profound consequences for anyone given this news. Sometimes there is delay which can have an impact on the treatment options and whether the disease can be successfully treated.

## **What types of tumours are there?**

Every tumour is different: some are aggressive and fast growing while others are slow growing and amenable to surveillance and treatment. The treatment options will also vary according to the position and size at the time of treatment. Sometimes tumours can be removed relatively easily without damaging surrounding tissues and in other cases, removal comes at a high price, with loss of senses eg sight, speech, hearing or smell.

## **What is it like living with a brain tumour?**

It can be very tough indeed as if surveillance monitoring with scans is an option there is constant worry about whether the tumour is progressing.

Treatment can be harsh. Surgery to the brain is invasive and often leaves patients with effects similar to those suffered in traumatic brain injury including memory loss, change in personality and paralysis.

Medical advances are leading to improved treatments all the time with less invasive robotic surgery and immunotherapy treatments and as with all cancers the sooner treatment is instigated the better.

*“This team take on difficult, complex cases and deal with them to a very high standard with excellent results”*

**The Legal 500 2020**

*Great service... Great people...*

# Medical **negligence**

## **When might a solicitor be involved in a claim?**

Brain tumours are not always easy to diagnose as they can present with non specific symptoms. The outcome of treatment, despite the best efforts of the doctors may not be always what the patient or his or her family would hope for.

On rare occasions, it is possible that the standard of treatment received by a patient may fall short of that which the medical profession itself would expect.

Examples of negligent care include:

- Failure to interpret radiology correctly
- Failure to refer for urgent scanning
- Delay in primary care due to symptoms not being recognised as typical of brain tumour
- Inappropriate treatment
- Surgical error

To succeed with a claim it has to be shown that the medical profession consider the treatment unacceptable and that the outcome is materially worse than it otherwise would have been as a result of that care. It is possible in those cases that an individual, or their family, in the event of death may have a potential case. Claims will vary in terms of value depending on the consequences. It is unlike other areas of medical negligence as the underlying impact of the brain tumour is often significant and in some cases the additional effect of delay is modest but if delay has caused additional loss of amenity eg senses or mobility then it could be a significant claim. In some cases delay will have led to an otherwise treatable tumour being inoperable.

If there is a potential claim, the patient and family members will require experienced specialist solicitors. The team at Clarke Willmott have significant experience in handling these types of claims.

# The **right legal advice**

## **Why choose Clarke Willmott to support your claim?**

Our medical negligence solicitors have an understanding of both the law relating to medical negligence claims and problems relating to brain tumours in particular.

In the event that it is possible to establish a claim we have strong working relationships with many leading experts in the field, who will help to identify your on-going needs and in consequence the level of compensation appropriate to your particular claim. These may include:

- Neurologists
- Neuropsychologists
- Neuropsychiatrists
- Speech & language experts
- Hearing experts
- Occupational therapists
- Rehabilitation specialists
- Care specialists
- Employment specialists
- Education specialists

We can also help with issues relating to the provision of NHS or local authority care, capacity and the ability to deal with financial affairs, educational provision, end of life issues and many other legal problems, whether related to a claim for compensation or not.

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