



KINGSLEY NAPLEY

WHEN IT MATTERS MOST

YOUR HEALTH

CLINICAL NEGLIGENCE

Securing a life-changing settlement for a client who had suffered loss of eyesight due to misdiagnosis

THE CASE

After suddenly developing jaw pain and headaches our client visited her GP who correctly suspected a case of Giant Cell Arteritis ("GCA")/Temporal Arteritis, where the arteries at the side of the head become inflamed. This can be very serious and requires urgent attention. Our client was prescribed a high dose of prednisolone steroids and was referred to her local NHS hospital. However, at the appointment the doctor negligently ruled out GCA/Temporal Arteritis and advised her to stop taking the prednisolone.

Her symptoms quickly worsened and she awoke one morning to discover that she had lost complete vision in her right eye. The hospital then confirmed that GCA/Temporal Arteritis had caused irreversible damage to her right eye and a permanent loss of vision. From the outset of the claim the Hospital Trust admitted liability and complied fully with the Duty of Candour. Throughout our discussions they were open and honest about what went wrong with her care.

The claim therefore centred on "quantum". This is the legal term which seeks to calculate the level of compensation, or "damages", which would return the client, as far as possible, to the position they would have been in but for the negligence.

This meant that we needed to determine the point at which our client would have naturally required more assistance or a move to residential care, rather than an accelerated need for care due to the hospital's negligence.

We successfully argued that our client's need for residential care had been brought forward by several years and so we included a significant future loss claim for accommodation and care/therapies.

THE OUTCOME

Our Clinical Negligence team, led by Laura Sylvester, were able to secure a life-changing settlement for a client who had suffered loss of eyesight due to misdiagnosis.

As a result of our representation the parties agreed a six figure settlement which compensated our client for her loss of vision, past losses (including adaptations made to the family home) and her future care and equipment needs.

This ensured that she could meet her future care needs, as well as any expenses incurred as she adjusts to life with injury.



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