



# Strategy and Tactics in Clinical Negligence Claims

Thursday, 3rd October 2019 • Freemasons Hall Manchester, 36 Bridge Street, Manchester M3 3BT  
Registration 13.00 prompt start at 14.00.

Speakers: **Kirsty McKinlay, Mike Hayton, Michael Lemmy, Matthew Snarr, Joseph Mulderig, Hannah Haines Nicholas Hinchliffe Q.C**

CPD Accreditation: 3 hours<sup>1</sup> - Charge £65.00 plus VAT.

## **Matthew Snarr** - Strategy and Tactics in Cauda Equina Syndrome Cases

This will include; selecting Defendants, understanding a CES timeline, red flags and their importance, overcoming CES causation defences and quantum considerations in CES cases.

## **Mike Hayton** - Consultant Orthopaedic Hand and Wrist Surgeon

Mike will cover common hand and wrist injuries that are likely to generate issues surrounding clinical negligence. This will include topics such as the scaphoid fractures, distal radius fractures and the assessment of lacerations and injuries in the accident room. He is open to other suggestions and can be DM'd via twitter @mike\_hayton

## **Michael Lemmy** - Liability for Private Health Care

Including; the role of private health providers, Non-delegable duties of care following Woodland, Vicarious liability following Christian Brothers and Case studies.

## **Joseph Mulderig** - Proving Causation in Clinical Negligence Cases

Joseph will take an in-depth look at this complex and evolving area of the law in the context of clinical negligence claims, including; when is it necessary to prove 'but for' causation, when is a material contribution sufficient, material contribution to risk or to injury, multiple causative factor cases, loss of a chance of longer-term survival.

## **Kirsty McKinlay & Hannah Haines** - Case Law Update

This will include - secondary victims in clinical negligence, the importance of the NICE guidelines in considering breach of duty, causation and consent cases, Bolam and Bolitho seen through the prism of C v North Cumbria University Hospitals NHS Trust (2014) EWHC 61, Adverse inferences from the absence of witness evidence, Darnley -v- Croydon Health Services NHS Trust (2018) UKSC 50 and the importance of Costs Budgeting.

<sup>1</sup> Approval pending confirmation by regulatory bodies.



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CLINICAL NEGLIGENCE

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## Speaker Biographies



Kirsty McKinlay



Mike Hayton



Michael Lemmy



Matthew Snarr



Joseph Mulderig



Hannah Haines



Nicholas Hinchliffe Q.C.

### Kirsty McKinlay (Head of Clinical Negligence)

Kirsty's clinical negligence practice has included cases involving gynaecology, ophthalmic practice, informed consent for surgery, unnecessary chemotherapy treatment, negligent prescribing, failure to monitor following epidural, failure to diagnose and delay in carrying out surgery. She is adept at dealing sensitively with clients in difficult situations and being able to explain complex issues in simple terms.

### Mike Hayton, Consultant Orthopaedic Hand and Wrist Surgeon

Mike is an established Consultant Orthopaedic Hand and Wrist Surgeon at Wrightington Hospital. His clinical practice is varied and has a special interest in sports injuries and is now the hand surgeon to many professional sporting teams and national organisations. He is currently preparing athletes for a fourth consecutive Olympic cycle. Mike publishes widely in the literature and lectures internationally on a regular basis and has been the keynote speaker at many international conferences.

### Joseph Mulderig

Joseph has 15 years experience of advising and acting in clinical and dental negligence claims. He is able to advise on all aspects of clinical negligence and has considerable experience in complex and high value cases. Examples of current and recent cases include; Delay in diagnosis and treatment leading to death or serious consequences - including lung cancer, Cauda Equina Syndrome, Acute Fatty Liver of Pregnancy, spinal fractures leading to spinal cord injury and testicular torsion, Hypoxic brain injury at birth, negligently performed surgery - including bowel perforation leading to death, nerve damage leading to wrist drop, failure to adequately remove appendix leading to life-threatening sepsis and emergency laparotomy.

### Michael Lemmy

Michael is Head of the Personal Injury Team at 9 St John Street and has a wealth of experience in high value clinical negligence cases acting for both Claimants and Defendants. He is able to advise on all aspects of clinical negligence including diagnostic and treatment errors together with the complex interplay between primary tortious damage and subsequent clinical negligence.

### Matthew Snarr

Matthew acts principally for Claimants in his clinical negligence practice. Most of his work is litigated in the High Court due to its value and complexity. His experience includes medical malpractice fatalities, cauda equina syndrome claims, undiagnosed spinal abscesses, failed hysterectomy surgery leading to life-changing bladder, kidney and bowel damage and failed surgery or negligent post surgical care resulting in amputations.

### Hannah Haines

Hannah has now developed a predominantly Claimant clinical negligence practice, acting at all stages both pre- and post-proceedings. She has experience of a wide range of areas of clinical negligence, including complex high value cases involving multiple-disciplinary treatment, and including; consent to treatment, failures to diagnose and misdiagnosis, delays in treatment, negligently performed surgery, cosmetic treatment and surgery, dental, ophthalmic, treatment in prison.

**Chaired by Nicholas Hinchliffe Q.C** - a highly experienced and robust silk in all areas of clinical negligence.

**REGISTRATION** - There is a £65.00 plus VAT fee for attending this seminar. All profit from the seminar is donated to 9 St John Street's charity, '9 Lives' which is a community based charity working in association with Forever Manchester.

Organiser: Joe Gibson Tel: 0161 955 5161 Email: Joe.Gibson@9sjs.com

Please either complete this form and send it back with payment to Joe Gibson at 9 St John Street (please make cheques payable to 9 St John Street Chambers) or email these details to Joe or visit our website to confirm the details on our Seminars page.

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Delegates Names: .....

Number of Delegates Attending: .....



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