



**TUESDAY 29TH JUNE 2021 BY ZOOM WEBINAR - PROMPT START 13.30 – FINISH 17.00**

# Chronic Pain/Pain Management

**Speakers: Dr Rajesh Munglani, Julie Anne Luck, Zoe Thompson, Dr Hannah Bashforth, Chris Taft, Michael O'Neill and James Hurd**

**Dr Rajesh Munglani FFPMRCA,  
Consultant in Pain Medicine**

- When does Chronic Pain become an issue in a case?
- Can we distinguish between different types of pain physical and psychological? Can we measure pain? How does this effect what we do?
- What factors contribute to the development of chronic pain and disability?-in particular psychiatric issues and traumatic brain injury. The concept of multisite pain
- Can chronic pain be treated and what is the prognosis?- is this question an oxymoron?
- Conscious exaggeration/malingering and chronic pain; what will help identify the difference?

**Julie Anne Luck**

- Chronic Pain in the context of the compensation process; Fact or Fiction?
- The predicament when a Claimant alleges chronic pain, that far exceeds that to be expected from the physical injury
- Distinguishing a malingering Claimant from a Claimant with a genuine cause for the pain
- Challenging the claim - Practical tips

**Zoe Thompson**

- The realities of case management
- Proportionality: what is the case worth, how much do the experts cost, what in money terms does the expert evidence add
- Recommendations from other experts
- Defining the requirement for the evidence: causation v prognosis; what is the expert bringing to the case that can not be addressed in other ways
- Pros and cons of unilateral disclosure of expert evidence prior to the case management hearing

**Dr Hannah Bashforth**

- Techniques and approaches to psychological assessment in chronic pain cases
- Differential diagnosis; including the biopsychosocial model, somatic symptom disorder, adjustment disorder
- Predictors of poor outcome
- Recommended psychological treatments and when to deliver

**Chris Taft**

- The importance of surveillance evidence in pain cases
  - The relevant rules
  - When to obtain and disclose surveillance evidence
  - The claimant's response
  - The role of medical experts

**Michael O'Neill**

- The 8th edition of the Ogden Tables discussing: the threshold for establishing disability (with a review of the guidance notes to the Discrimination Act 1995) and; the discretion the court may retain for adjusting the discount factors to ensure a just result.

**James Hurd**

- Stress at work claims: has Covid 19 changed the litigation landscape?
- Hatton v Sutherland: 20 years on – what has changed?
- Covid 19 workplace psychiatric injury claims in specific sectors: frontline healthcare, keyworkers and working from home.



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## Speaker Biographies



Dr Rajesh Munglani



Julie Anne Luck



Zoe Thompson



Dr Hannah Bashforth



Chris Taft



Michael O'Neill



James Hurd

### **Dr Rajesh Munglani FFPMRCA, Consultant in Pain Medicine**

Dr Mundlani is a Consultant in Pain Medicine at the Royal Papworth Hospital Cambridge and also Honorary Consultant in Pain Medicine at Guys and St Thomas. I am an advisor to the Parliamentary Health Service Ombudsman on Pain. Only one of two in the country. I am on the Faculty of Pain Medicine working parties on issues around consent and pragmatic pain management. I am the senior editor of Pain News which is a journal of the British Pain Society and on the Council of the British Pain Society. My background after my medical training; I did research and supervised a lab in conjunction with the Laboratory of Molecular Neurobiology, Cambridge. I trained as an anaesthetist (and in paediatrics before specialising in Chronic Pain and have been full-time in chronic pain for over 20 years. My work is equally divided between being instructed by claimants and defendants.

### **Julie Anne Luck**

Julie Anne specialises in claims encompassing employers' liability, occupiers' liability, highways, road traffic accident claims and injuries caused by animals. She receives numerous repeat instructions from both Defendants and Claimants to advise on liability, quantum and tactics, draft pleadings and provide court representation. She also undertakes clinical negligence cases, and has advised on complex cases including: delayed diagnosis of lung cancer; skin necrosis following a face lift; an obstructive episode during repair of an incisional hernia (resulting in a life-threatening chain of surgical events); delayed treatment of vascular disease

(which resulted in leg amputation), and the death of a baby caused by negligent midwifery care.

"Gives cogent advice and is excellent on the technical issues." **Legal 500**

### **Zoe Thompson**

Zoe acts predominantly for Defendants in a wide range of personal injury litigation. She has a particular expertise in cross-border litigation and dishonest and exaggerated claims. She is the current Head of 9 St John Street Chambers Travel and International Personal Injury Law Group, having taken on this role recently after 5 years as Head of 9 St John Street Chambers Insurance Fraud Group.

Zoe is known for her effective and robust trial advocacy. She also has a proven track record in appellate advocacy and has conducted numerous appeals at all levels, including in the House of Lords. Zoe's clients describe her approach as approachable, confident and highly efficient.

"An excellent tactician who is very good with both witnesses and experts." **Legal 500**

### **Dr Hannah Bashforth**

Dr Hannah Bashforth has worked as a Clinical Psychologist specialising in medical psychology for 15 years in general medical (across specialities) psychology departments and intensive care units. She is currently based within one of the UK's leading NHS tertiary pain management services (Walton Centre NHS Foundation Trust). Dr Bashforth also holds a post at the University of Liverpool as a Senior Clinical Tutor on the Doctoral Training Course for Clinical Psychology. Dr Bashforth is instructed routinely by both claimant and defence firms in both PI and clinical negligence.

### **Chris Taft**

Chris has specialized in personal injury work for nearly 20 years. He acts for both claimants and defendants. He has extensive experience of the full-range of multi-track personal injury work. Chris is frequently instructed in cases involving large losses and where there is serious dispute between the medical experts. He understands the importance of a careful examination of the evidence - and particularly the medical evidence.

### **Michael O'Neill**

The majority of Mike's instructions relate to complex and high value personal injury claims, regularly valued in excess of £500,000. He is experienced in dealing with life changing orthopedic injuries, pain disorders, subtle brain injuries, amputations and fatal accident claims. He is regularly instructed on behalf of both Claimants and Defendants and has experience of defending high value claims on behalf of the Motor Insurers Bureau.

Mike prides himself on his case analysis, judgment, approachability and skill as an advocate. He endeavors to bring added value to all his cases, regularly going above and beyond to try and secure the best outcome for his client.

"Very approachable and has a good relationship with clients." **Legal 500**

### **James Hurd**

James is often instructed in cases of severe injuries (including brain injuries), requiring expert evidence and the drafting of extensive and complex schedules and counter schedules of loss. He deals with complex trials, as well as advising on paper and in conference. "Always identifies the key issues and potential weakness in a case. Clients appreciate his practical advice" **Legal 500**

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