

# Clinical Negligence Claims Against The Jersey Rheumatology Department

Viberts are acting for numerous clients who have concerns relating to their treatment at the Jersey General Hospital Rheumatology Department.



## Concerns at the Rheumatology Department

The Royal College of Physicians has undertaken a review of the Rheumatology Department. The final report should be published soon, as the Health and Community Services confirmed to patients in December 2023 that it was in draft form and was being checked for factual inaccuracies.

Viberts are keeping a watchful eye out for when the final report is published, to help inform their advice.

The report is expected to be very revealing, ITV news has reported the Health Minister, Deputy Karen Wilson, as saying: *“This initial feedback from the Royal College of Physicians highlights some systemic governance problems in the rheumatology service that are likely to be present in other parts of Health & Community Services.”* And that *“Nobody should be in any doubt about the seriousness of this review and these initial findings.”*

Consultant Dr Richardson is currently under review by the General Medical Council and has interim conditions that include he must not work in a service that includes rheumatology.

## Audit of patient records

The RCP recommended during the course of the review that an audit of 341 patient records be undertaken to check their past care and treatment.

The audit uncovered some alarming findings. According to letters sent to patients, more than 170 patients who were prescribed biologic medication did not meet the British Society for Rheumatology standards to start the therapy.

Concerningly, the audit revealed a lack of evidence in the patient notes to confirm the accuracy of diagnosis for three in ten of these patients.

These findings are disturbing and highlight some serious issues within the rheumatology service, which has given rise to potential clinical negligence claims.

Mis-prescribing or prescription errors can lead to health complications, or make an existing problem worse. For example, taking the wrong medication or dosage can result in adverse reactions or cause interactions with other medications you may be taking. In some cases, it can even exacerbate

the underlying condition or cause new health problems. This emphasises the gravity of these findings and the importance of ensuring that patients receive the correct diagnosis and appropriate medication.

## Were you affected? Do you think you may have a clinical negligence claim against the Jersey Rheumatology Department?

Viberts have spoken to many individuals who have suffered a range of alleged complications and side effects, from relatively minor to very serious, which have ranged from a few months to many years.

If you have been affected by a mis-diagnosis or mis-prescription of medication, it is important to seek legal advice and explore your options for compensation as soon as possible.

In cases of clinical negligence, the Plaintiff (claimant) must prove that the healthcare professional or provider breached their duty of care and that this breach resulted in harm to the patient. Bringing a successful clinical negligence claim can be a complex process, requiring expert evidence to establish the standard of care and whether that standard of care was breached.

## Is there a limited time to act?

Yes. There is a limited time period to bring a claim - called limitation in England and (not to be confused with the medical term) prescription in Jersey. This is generally three years. However, the date from when this 3 year period starts will vary case by case, so it is important to seek advice as soon as you become aware you might have a claim.

## What should I do next?

We recognise that making a claim can be daunting, particularly when you may still be receiving treatment. You are not alone, Viberts have been contacted by over 100 potential claimants to date.

You can speak to Viberts confidentially. We offer an initial free half hour consultation, during which we discuss your specific claim and the claim process. Having a conversation with us does not oblige you in any way to pursue a claim.

If you have been affected by this issue and would like advice please contact Viberts Dispute Resolution Department

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