

# Field Fisher Waterhouse wins compensation for repeatedly failed cancer patient



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Law firm, Field Fisher Waterhouse LLP has won substantial compensation for Mrs X, a 71 year old from Chingford in London, now living in Brighton, who developed myeloma, a form of cancer affecting the bone marrow, after she repeatedly sought health specialists' help but was not given appropriate treatment.

Mrs X will receive £400,000 as compensation following her [medical negligence claim](#), after it was agreed that her GP should have referred her to hospital more quickly and the hospital should have taken swifter measures to treat her. The compensation will cover all of the costs that Mrs X has incurred to date together with the recommendations for future care.

Mrs X had experienced serious upper back pain since 2002 and had contacted her GP to investigate the problem. He conducted an

erythrocyte sedimentation rate (ESR) test and, despite abnormal readings, failed to recommend any investigations into the cause of the readings. Mrs X's situation worsened prior to a further ESR test being conducted in August 2003, revealing deteriorating results. Despite this, the GP failed to refer her for further assessments, instead assessing her ongoing symptoms as osteoarthritis, which would not cause an abnormal ESR reading.

Progressively, Mrs X lost useful function of her left arm and experienced paraesthesia in her lower limbs before her GP referred her for a non-urgent MRI scan.

In the meantime, Mrs X's symptoms continued to deteriorate, leading her to refer herself to Whipps Cross Hospital in Leytonstone where she was seen by a junior doctor who failed to ask for a senior review or request an MRI scan. Prior to review by senior staff, Mrs X suffered a pathological fracture to her left arm and reduced sensation in both her legs.

Following senior review four days after admission, Mrs X was transferred to St Bartholomews Hospital in London where she was finally diagnosed as suffering from myeloma at which point she started to undergo radiotherapy and chemotherapy treatment.

The defendants, Mrs X's GP and Whipps Cross Hospital initially denied liability, however when expert evidence on breach of duty and causation was due to be exchanged, both defendants admitted liability and judgement was entered for the claimant against both defendants.

Following exchange of further evidence on condition and prognosis from experts in the fields of oncology, neurosurgery, care, physiotherapy and occupational therapy, the [personal injury](#) claim settled for the sum of £400,000, ten days before the trial was due to begin.

Mark Bowman, [clinical negligence](#) lawyer at Field Fisher Waterhouse instructed by Mrs X to represent her said: "This was a particularly tricky case, involving experts from a number of disciplines and more than one defendant. I am very happy with the outcome. I am glad that Mrs X will now receive the compensation that she deserves and will be able to rest assured that her needs will be met for the rest of her life."

Notes to editors:  
Case number 38059

**About****Field****Fisher****Waterhouse**

Field Fisher Waterhouse LLP is a full service European law firm with offices in Brussels, Hamburg, Paris, London and Manchester and exclusive relationships with Spanish firm Jiménez de Parga and Italian firm, La Scala. The firm has over 120 partners, 220 other lawyers and nearly 300 support staff. FFW assists a wide range of international clients, advising across the full range of legal issues.

The firm's main areas of practice are corporate and commercial, IP and technology, banking and finance, regulatory and real estate. FFW also has particular expertise in employment & pensions, dispute resolution, tax and competition & EU law, clinical negligence, [spinal injury](#) and [brain injury](#) claims.

The international client base includes listed and unlisted companies, multinationals, banks and other financial institutions, professional partnerships, trade associations and Government departments. A distinctive feature of the firm is its industry focus, acknowledged as leading experts in the public sector, technology and media sectors.

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