



Field Fisher Waterhouse

Specialist catastrophic injury solicitors

Present

## MANAGING COMPLEX NEUROLOGICAL INJURIES THROUGH REHABILITATION AND LITIGATION

# 11th July 2013

## St Pancras Renaissance Hotel, London

### Chaired by

**Professor Udo Kischka MD FRCP** : *Consultant in Neurological Rehabilitation,  
Oxford Centre for Enablement*

**Frank Burton QC** : *12 King's Bench Walk*

### Speakers include

**Dr Aidan Jones** : *Consultant & Head of Clinical Neuropsychology,  
Oxford University Hospitals NHS Trust*

**Brian Gardner FRCS FRCP** : *Emeritus Consultant in Spinal Cord Injuries,  
National Spinal Injuries Centre, Stoke Mandeville Hospital*

**Jill Greenfield** : *Partner, Field Fisher Waterhouse*

**Maggie Sargent** : *Director, Community Case Management Services Limited*

**Rod Evans** : *Partner, Greenwoods, President of FOIL*

**Lizanne Gumbel QC** : *One Crown Office Row*

**Henry Witcomb** : *Barrister, One Crown Office Row*

**William Latimer-Sayer** : *Barrister, Cloisters*

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- 9:15 – 9:45** : Registration
- 9:45 – 9:50** : [Address from Morning Chair](#)  
**Professor Udo Kischka MD FRCP, Consultant in Neurological Rehabilitation, Oxford Centre for Enablement**
- 9:50 – 10:35** : [The role of clinical neuropsychology in the litigation process: From examination to treatment.](#)  
**Dr Aidan Jones, Consultant & Head of Clinical Neuropsychology, Neurological Rehabilitation Service, Oxford University Hospitals NHS Trust**
- 10:35 – 11:20** : [Spinal cord injury claims - contentious areas: managing cases effectively to reduce costs.](#)  
**Brian Gardner FRCS FRCP, Emeritus Consultant in Spinal Cord Injuries, National Spinal Injuries Centre, Stoke Mandeville Hospital**
- 11:20 – 11:45** : Tea/Coffee, Networking & Exhibition Stands
- 11:45 – 12:30** : [The changing face of personal injury litigation.](#)  
*This will include the Jackson reforms and other key developments.*  
**Jill Greenfield, Partner, Field Fisher Waterhouse**
- 12:30 – 1:10** : [Care Experts and Case Managers preparing for court and working alongside the case manager in preparation for trial.](#)  
*Practical considerations for making life easier for the judge. Life after litigation.*  
**Maggie Sargent, Director, Community Case Management Services Limited**
- 1:10 – 2:20** : Lunch, Networking & Exhibition Stands
- 2:20 – 2:25** : [Address from afternoon Chair](#)  
**Frank Burton QC, 12 King's Bench Walk**
- 2:25 – 3:10** : [Litigating complex neurological claims - the Defendant's perspective.](#)  
*What are the key issues in resolving complex neurological claims? How are they resolved? What difference will the Jackson reforms make (if any)? How do you settle the claim and when?*  
**Rod Evans, Partner, Greenwoods, President of FOIL**
- 3:10 – 3:55** : [Preparing your client, the case manager, your experts and your case for the final hearing.](#)  
**Lizanne Gumbel QC, One Crown Office Row & Henry Witcomb, Barrister, One Crown Office Row**
- 3:55 – 4:10** : Tea/Coffee, Networking & Exhibition Stands
- 4:10 – 4:50** : [Quantifying Neurological Claims.](#)  
*Maximising quantum. Minimising quantum. Assessing damages in a potential triple dip recession. Ogden 7 and brain injuries. Hot topics.*  
**William Latimer-Sayer, Barrister, Cloisters**
- 4:50 – 5:05** : Panel discussion and close
- 5:05 – onwards** : **You are cordially invited to a post conference drinks reception to be held on the Hansom Hall Terrace**

**Professor Udo Kischka**

*Professor Kischka is a full-time consultant in neurological rehabilitation at the Oxford Centre for Enablement, previously named Rivermead Rehabilitation Centre.*

*Udo Kischka studied medicine and psychology at the Universities of Amsterdam and Heidelberg, and trained as a neurologist in Switzerland and Germany. He spent two years doing medical research at the Harvard - M.I.T. Division of Health Sciences and Technology, and the Massachusetts General Hospital in Boston, USA.*

*Since 1994, he has been a consultant in clinical neurology and neurological rehabilitation at several hospitals in Switzerland, Germany and the United Kingdom.*

*He is an honorary consultant neurologist at the Oxford University Hospitals and a clinical adviser to the Parliamentary and Health Services Ombudsman.*

*Since 2003, he has held visiting Professorships with Oxford Brookes University, the University of Hertfordshire, and the University of Basel, Switzerland. He is also a senior clinical researcher and honorary senior lecturer at the Department of Neurology, University of Oxford.*

*He is the author and editor of three books and numerous publications, and is on the editorial board of two medical journals. His main research interests focus on neuropsychological deficits and behavioural disorders following injury to the frontal lobes of the brain, motor control and its recovery after brain injury, neuropharmacology, as well as other topics related to neurological rehabilitation.*

**Dr Aidan Jones**

*Dr Aidan Jones has consulted at The Oakleaf Group since 2006. His substantive NHS post is as Head of Clinical Neuropsychology for The Oxford University Hospitals, Neurological Rehabilitation Service.*

*Previously he was Head of the Traumatic Brain Injury Service in Northamptonshire, and Senior Clinical Neuropsychologist to the Neurosciences Department at Addenbrookes Hospital in Cambridge. He has specialised in Clinical Neuropsychology since 1997 and holds a Doctorate in Clinical Psychology from University College, London, in addition to a research Ph.D in Minority Mental Health. His earlier undergraduate and post-graduate study in psychology (and related disciplines) was undertaken at the University of Wales, Bangor, and Trinity College Oxford.*

*Dr Jones is also on the Board of Examiners for the Oxford Doctoral Course in Clinical Psychology and a full-practitioner member of the British Psychological Society Division of Neuropsychology and Fellow of the Royal Society of Medicine.*

**Brian Gardner**

*Brian Gardner is a Consultant in Spinal Cord Injuries. After passing his medical exams at Oxford University in 1973 he did postgraduate training in London and Cambridge in Medicine and Surgery, culminating in the MRCP and FRCS diplomas. He commenced work with the spinal cord injured in 1980 in Stoke Mandeville. After training in neurosurgery in the Royal Victoria Hospital Belfast for two years and spinal cord injuries in the Mersey Regional Spinal Cord Injuries Centre in Southport for 3 years, he commenced his role as Consultant Surgeon in Spinal Cord Injuries in Stoke Mandeville in 1985, where he worked until his retirement from the NHS in July 2011. He has published in excess of 100 articles or chapters, the large majority in the field of spinal cord injury. He continues to teach medical and paramedical professionals both at home and abroad.*

**Jill Greenfield**

*Jill is a partner at London law firm Field Fisher Waterhouse and heads up the specialist catastrophic personal injury unit.*

*Jill is recognised by Headway and the Spinal Injuries Association as a Specialist Injury Lawyer. In the legal directories (Chambers/Legal 500) she is recognised as a leader in the field. Jill is also a member of the Association of Personal Injury lawyers (APIL) and is a committee member of Headway North London.*

*She is committed to achieving excellent results for her clients, ensuring the right type of essential care and support is provided; rehabilitation is a real focus. Her cases are generally worth several million pounds and are usually the result of road traffic accidents, occupiers liability claims or accidents at work. She is currently the lead solicitor in the 2009 Godstone Farm outbreak, acting for over 30 children who were exposed to E Coli 0157, some of which now suffer lifelong risks of renal failure.*

*Alongside her main practice she has successfully campaigned for victims of terrorist atrocities such as Sharm-el Sheik, Kusadasi, Bali and Mumbai. She was one of the key lawyers who persuaded the Government to introduce a Scheme to Support British Victims of Terrorism abroad, providing financial support for such victims where previously none had been available. She also obtained the highest award for damages for pain and suffering through the civil courts for a victim of rape.*

*Jill's cases have regularly hit the headlines and she has appeared on BBC News, ITV, Channel 4, Sky News, BBC Radio 4, Trevor McDonald Tonight, Fiona Bruce, Real Lives and has been quoted in various broadsheets.*

**Maggie Sargent**

*Maggie is a Registered General Nurse and trained at St Thomas's Hospital, London. Maggie has over 30 years of experience of caring for patients both in hospitals and within the community. From 1981 she worked closely with Miss Winifred Smalley MBE for several years and provided expert evidence on the additional costs of caring for clients with acquired brain injury and physical handicaps for both personal injury and medical negligence claims. She was employed as Nursing Director for International Care Ltd, a division of International Hospitals Group Ltd, and was responsible for assessing, providing, and supervising care for patients, and for supplying trained nurses, social workers, and care assistants in the United Kingdom and overseas.*

*For six years she was Honorary Secretary of the Forum of Independent Nurse Managers at the Royal College of Nursing, and has been Honorary Secretary of the Nursing Agency Administrators' Forum. She is Nursing Adviser on the advisory board for Headway National and is a life member. She is also an advanced member of BABICM for clients who have suffered traumatic brain injury and was also a director on the board of CMS UK from 2002 to 2004. She holds a current People Handling and Risk Assessment Trainer's certificate.*

*In 2004 Maggie published a paper at The European Brain Injury Symposium at the Vatican on caring for clients in the community with PVS and has published other papers on costs of care in the community. She was an invited speaker on case management at the 'Fifth World Congress for NeuroRehabilitation', which took place in Rio de Janeiro in September 2008, and also at the PEOPIL Conference, which took place in Malta in June 2009, and was chosen to contribute a chapter on care and case management in the recently published APIL Guide to Catastrophic Injury Claims.*

*Maggie is currently a director of a national care consultancy and case management company, which offers case management services for clients with profound disability. We have some 35 case managers across the Country and are currently applying for CARF registration. In 1997 she established a local nursing service for the community funded by charitable donations, which provides nursing care within a patient's home. In 2011 she established the Oxford Group of The Silver Lining Charity providing social opportunities and challenges for clients with brain injury, which has a client group of 20-to-30 service users at present. She also lectures at seminars across the country on costs of care both in the public and private sectors.*

*Maggie Sargent & Associates provide reports for both claimants and defendants (60% and 40% split) and have given oral evidence on 54 cases since 1985 in the High Court. She has received some 80 joint instructions since January 1999. She is regularly instructed by the Criminal Injuries Board and has also given evidence for a number of judicial reviews. She has prepared over 2,000 reports for both claimants and defendants in the past 25 years. Maggie combine's preparing reports with case managing clients in the Midlands area and as part of a community rehabilitation project which provides therapy, care and general rehabilitation and finds her current practical experience invaluable in making assessments of costs of care.*



**Frank Burton QC**

*Practice Areas: Principal area of practice is personal injury work with an emphasis on brain damage, spinal injury, industrial diseases and clinical negligence. Particular interest in limitation law.*

*Professional Memberships: Chairman, Personal Injury Bar Association 2004-06, Chairman of Law Reform, Committee of Bar Council 2002-04.*

*Career: University lecturer 1974-83. Called to the Bar and joined present chambers 1982. QC 1998. 1999 assistant recorder, recorder 2000. Deputy High Court Judge 2010. Bencher Grays Inn. MIB Arbitrator. CEDR Mediator.*

*Publications: Co-author of 'Medical Negligence Case Law' and 'Personal Injury Limitation Law,' both published by Butterworths. Author on medical practitioners chapter in Butterworths Professional Negligence Service. Editor and contributor to Personal Injury Handbook 3rd edition.*

**Rod Evans**

*Rod qualified in 1981 and has 30 years' experience in insurance litigation.*

*He cut his teeth in Portsmouth Magistrates' Court defending the citizens at the home of the Royal Navy before moving on to Hong Kong where he specialised in banking and insurance litigation.*

*Since returning to the UK, Rod has acted for insurers, including stints in product liability, employers' liability (particularly industrial disease) before turning to specialise in catastrophic injury, large loss fraud claims and high value liability disputes.*

*In May 2011 Rod and his team joined Greenwoods to set up their Southampton office where Rod leads a Personal Injury team of 15.*

*Rod has featured as a leading individual in the legal directories for many years.*

*Rod took up his position as President of FOIL in November 2012.*

**Henry Witcomb**

*Henry Witcomb is a barrister at One Crown Office Row. Called in 1989 he has a practice specialising in clinical negligence, personal injury, public authority liability and inquest representation. In clinical negligence, he has particular expertise in dealing with cases involving wrongful death and birth-related catastrophic injury. His personal injury work has focused on catastrophic spinal and brain injuries. In addition he has been involved in several multi-party actions.*

**Primary Areas of Practice**

- *Clinical Negligence, in particular those involving wrongful death and birth-related, catastrophic injury.*
- *Personal Injury with a particular emphasis on catastrophic spinal and brain injury claims. Frequently instructed to act on behalf of the Official Solicitor to represent the interests of claimants who lack capacity. This work has increasingly involved exploration of the overlapping obligations of tortfeasors and state bodies, health, social services and education authorities, to claimants. Wide-ranging experience in other sub-fields including many years' experience of employer's liability cases, in particular those involving occupational disease; and of criminal injuries work.*
- *Public Authority Liability and Child Abuse Compensation Law. Representation of claimants in several multi-party actions suing, principally, public authorities in relation to the abuse and care of children, and those with learning disabilities. The claims have involved exploring the boundaries of vicarious liability of public authorities; and also the direct liability of public authorities in both management and regulatory capacities.*
- *Inquest Representation. Extensive experience representing families and other interested parties, including health professionals, in medico-legal and personal injury context.*
- *Multi-Party Actions. Principally actions involving the abuse and care of children but also involving other classes of personal injury claimants.*

**Lizanne Gumbel QC**

*Lizanne Gumbel's work mainly involves clinical negligence and personal injury claims for catastrophically injured Claimants. She also has extensive experience in multi-party actions arising out of child abuse in institutions. Recently listed in the "Lawyer" magazine Hot 100, her current cases of note include representing the victims of alleged abuse caused by Jimmy Savile and representing a number of women who were wrongly diagnosed by breast cancer surgeon Mr Ian Paterson.*

**William Latimer-Sayer**

*William specialises in catastrophic personal injury and clinical negligence. He has a special interest in quantum and the majority of his work is related to contested assessment of damages hearings. He is consistently highly-rated by the independent legal directories, being named as one of only two "star" individuals in London for personal injury work by Chambers and Partners and a Band 1 junior by both Chambers and Partners and the Legal 500 for clinical negligence.*

*Although he accepts work on behalf of claimants and defendants, his practice is predominantly claimant based. William is the General Editor of Schedules of Loss: Calculating Damages (Bloomsbury Publishing, 3rd edition 2010), the leading practitioner textbook on schedules of loss. In 2011 following an invitation from the Chairman, he became a member of the Ogden Working party, which is responsible for drafting the Ogden Tables, used by all practitioners and judges to assess damages in personal injury and clinical negligence cases.*

*Over the last five years William has been instructed in cases recovering a combined total of approximately £245 m on behalf of injured claimants by way of settlement or trial. These have included a number of record-breaking awards such as Sarwar v Ali which was the highest ever gross court award previously made in a personal injury case (equivalent to a lump sum of £9.5 m but was awarded by way of periodical payments and reduced for contributory negligence) and A v Powys Health Board which was the highest court award ever made following a contested trial in a clinical negligence case and the first to break through the £10 m barrier (the claimant was an Irish national and the award was made up of two different currencies but was equivalent to £10.7 m). He was also junior counsel in XXX v Strategic Health Authority in which the claimant, a boy with cerebral palsy, recovered a grossed up award of £9.4 m. This is thought to be the highest ever award for an English national following a contested trial together with the highest ever court assessed award for periodical payments in respect of care and case management which for the long-term were in excess of £250,000 per annum. In 2010 he was instructed as junior counsel in the case of Wasim Mohammed a 22 year old tetraplegic who received an award worth £11.15 m following a road traffic accident. He was junior counsel in the case of Noble v Owens and in 2011 was short-listed as part of the claimant team for Outstanding Case of the Year at the Eclipse Proclaim Personal Injury Awards following the successful dismissal of fraud allegations regarding the original trial.*

*William also undertakes liability work particularly in relation to clinical negligence and cases involving complex factual or expert evidence, difficult questions of medical causation or developing areas of law such as fatal accidents or psychiatric injury.*

*William was nominated for the Chambers and Partners' Personal Injury Junior of the Year in 2008, 2009 and 2010, winning in 2008 and 2010.*

**Booking contact name** \_\_\_\_\_

Job title \_\_\_\_\_ Organisation \_\_\_\_\_

Address \_\_\_\_\_ Postcode \_\_\_\_\_

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**Delegate details** (These can be supplied at a later date if required)

**Delegate 1** \_\_\_\_\_ **Delegate 3** \_\_\_\_\_

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**Delegate 2** \_\_\_\_\_ **Delegate 4** \_\_\_\_\_

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**HOW TO BOOK**

The cost is:

£195 + VAT (Early bird rate for bookings received on or before 15th March 2013)

£245 + VAT (Standard rate)

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Please invoice my organisation for: \_\_\_\_\_ Delegate place(s) PO number \_\_\_\_\_

Simply complete and fax back this form to: **020 8181 4811** or scan and email the form to: [admin@abisolutions.org.uk](mailto:admin@abisolutions.org.uk)

Organisations will be invoiced upon receipt of this booking form with an email that will confirm the booking. Please supply full invoice details if different from above.

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