

A decade of Successes

Welcome to our 10th anniversary special edition. Neither David or I can believe that it is 10 years ago that we took a gamble, and left our positions in general legal practices, to set

up the first law firm in Britain dealing primarily with claimant medical litigation. When we opened our little office in Sale with two secretaries, one legal executive and a book keeper, we never thought that 10 years on we would have a staff of over 90 and offices in Altrincham and London. We

are delighted at the growth and success of Alexander Harris – if not a little surprised, as we really only wanted to be a little firm!

Our success is testimony to our excellent staff and their commitment to their work in this complex area of the law. We are proud that the ethos of the firm has never wavered and is reflected throughout the firm - treating cases as causes, giving clients vigour and commitment as well as competence.

Alexander Harris has been involved in many highly publicised cases many of which have



touched on civil liberties as well as individual rights. I represented families whose children were attacked by Beverly Allitt, the serial killer employed as a nurse, and campaigned for a public inquiry into how a murderer could be at large on a hospital ward. David was closely involved in the aftermath of the Hillsborough disaster, and the firm has championed the cause of women whose unborn children were damaged by contamination of food by listeriosis.

The last ten years have provided many memorable moments, too many to mention but we have highlighted some in this special edition and I hope that you enjoy reading them. I would like to take this opportunity to thank everyone who has been involved with Alexander Harris throughout the past ten years and to wish us all the very best for the next ten.

Code A

To date Alexander Harris has won in excess of £45 million in compensation for its clients. This has ensured an improved quality of life and complete financial security for both clients and their families.

Legal History

Guy Parkes was born on 25th August 1962 a normal and healthy baby. Guy is now profoundly handicapped and confined to a wheelchair after his GP failed to notice that he had become severely dehydrated three weeks after his birth. His mother had developed breast abscesses and was concerned about her capacity to continue breast-feeding. Her GP reassured her and failed to note that her baby was becoming seriously unwell. On September 17th 1962 Guy was admitted to hospital suffering from severe dehydration secondary to gastro-enteritis. As a result he suffered brain damage, which has left him with spastic quadriplegia, epilepsy, gross scoliosis, double incontinence and general postural abnormalities as a result of spasticity.

The Oldest Medical Negligence Case heard in Great Britain

For more than 25 years Mrs Parkes did not realise that she could sue her GP, as she believed it to be impossible to obtain supporting medical evidence from other GPs. When Guy's leg had been broken whilst in residential care, she instructed Alexander Harris. After successful litigation we enquired how Guy had come to be so disabled. Mrs Parkes relayed the events described above and we began investigations in 1989.

In November 1995 Alexander Harris made legal history when, at the age of 33, Guy Parkes was awarded £1.25 million in an out of court settlement.



"It was 10 years ago that I met Ann and after a chance remark, Guy's life, my life and the future of Guy's sisters' lives were changed completely..."

An extract from a recent letter to Alexander Harris from Anne Parkes. (June 1999)

The highest, the first, the oldest, the best!

Alexander Harris have set the standards, breaking all the records along the way.

Highest ever award for the oldest ever case

Alan Edwards was born on the 10th January 1963. Six months following his birth he developed breathing difficulties and was taken into hospital where, under general anaesthetic, a bronchogram was carried out. During the procedure Alan suffered cerebral anoxia and irreversible brain damage due to excessive amounts of dye being injected which had the result of drowning him.

Alan, the third of four children was left mentally retarded, spastic quadriplegic, blind, doubly incontinent and totally dependent upon his parents.

In 1987, Mrs Edwards instructed Alexander Harris to investigate. Liability was admitted in November 1990 and in October 1992 Alan Edwards at the age of 29 was awarded £800,000. At the time this case made legal history by being the highest ever award for the oldest ever case.

Little were we to know that we would be beating our own records...

£1.65m for teenager injured in the womb

Eileen Burgess came to Alexander Harris after her daughter Heather was deprived of oxygen during birth. Staff at the hospital failed to act on warning signs and instead of performing an emergency caesarean operation allowed Heather to be delivered six hours later. Heather suffered perinatal asphyxia and as a result has cerebral palsy and cannot use her own voice. In 1994 she was awarded record damages of £1.65m. An incredible person, Heather who had just passed three GCSE's insisted on speaking at the court hearing through an electronic voice synthesiser. The money will never make up for what happened to Heather but it will mean that she can lead more of an independent life and has enough funds to provide for her future care.



Highest medical negligence damages in British legal history

Sam Mansell was brain damaged at birth when he was starved of oxygen because the obstetrician in charge of his delivery failed to manage the birth properly.

Sam has athetoid cerebral palsy and is confined to a wheelchair and requires round the clock nursing care. He is unable to control his movements and even at rest his arms and legs move erratically and uselessly. Intellectually Sam is intact and attends a main stream school. He is a normal 11-year-old boy trapped within a useless body. Penny Mansell first sought legal advice in 1990, but after 3 years she realised that the case was not proceeding, so she appointed Alexander Harris and within 12 months legal proceedings had been started. Despite having seen the medical evidence in 1995, the Health Authority did not admit liability until April 1998. In October 1998, Sam was awarded what were then record damages for a medical negligence case of £3.28million.

Multi Party Action – paving the way ...

The MPA department has focused on high profile litigation such as Listeria, Opren and Hillsborough and has acted in such leading authorities as Nash v. Lily Court of Appeal and Alcock v. Chief Constable South Yorkshire Police House of Lords.

We have enjoyed success this year in becoming one of only 18 firms nation-wide to be appointed to the very first Legal Aid Board Multi-Party Action Panel. Currently we act as lead solicitors in four multi-party litigation's as well as acting in several individual pharmaceutical product cases.

Our greatest successes have come from those where we have been able to identify successful actions early.

Time Bomb Heart Valves

Between 1979 and 1986 hundreds of people worldwide were fitted with Shiley CC Heart Valves. During this seven-year period they were withdrawn twice due to fears regarding their safety, but they were then put back on sale.

In 1986 the manufacturers, Californian based Shiley, voluntarily withdrew them. A select number of the valves were prone to fracture inside the heart and as a result many patients fitted with the faulty valves had died. The media likened them to 'time bombs' waiting to explode.

Alexander Harris spearheaded the claims for compensation brought about by victims all over the country who were either enduring devastating emotional trauma, not knowing if their valve was going to suddenly break, or acting on claims where the valve had already fractured. We successfully recovered substantial damages in out of court settlements (confidentiality agreements prevent disclosure of the exact sums). This was, and still is, an emotionally charged litigation and we empathise with our clients who are angry with the manufacturers for continuing to sell the valves after they had been shown to be unsafe.

“One of the largest personal injury actions to be heard in the English courts”

The medical profession had been searching since the 1920's for a contrast medium which could be injected into the back to improve x-ray images of the spine. Many products were tried and tested but some had severe side effects including one with radiation implications. Against this background, Myodil was initially seen as a breakthrough and so there was no drive from the medical profession to search for anything else. The outcome was the wide use of Myodil – a dye which was toxic and caused inflammation of the spinal column nerve routes creating a condition known as lumbo-facial adhesive arachnoiditis. This crippling back condition leaves its victims in constant torment, enduring pain that even the most powerful drugs can only dull.

Following significant media interest, thousands of people flooded forward who believed that their lives had been wrecked by the effects of the dye and David Harris, became Chairman of the Steering Committee. Shortly before trial, £7million was successfully recovered from Glaxo Laboratories Ltd. for 425 claimants who had been injected with Myodil between 1962 and 1984.

This litigation pre-empted by several years the views that have now found favour in the Woolf reforms in that the experts on both sides whilst accepting instructions from Claimants and Defendants always considered themselves and were treated as independent.

‘Opening up emotions?’

In the 1950's and 1960's LSD was administered to many people in mental hospitals in Britain. The drug was used to 'open up emotions' and was given mainly to those with symptoms of depression, including those with temporary and transient post-natal depression. Many patients have since their treatment suffered long term side effects including hallucinations, flashbacks, anxiety and depression. Alexander Harris took on the cases after being approached by Ken Purchase the Labour MP for Wolverhampton North East and now acts for 95 people who are suing various Health Authorities in England and Wales.

Professional Negligence

Sarah Early vs Mackrell Turner Garret Solicitors

When Sarah Early by way of her mother as next friend initially instructed Mackrell Turner Garrett Solicitors (MTG) in relation to a medical negligence claim, the legal aid regulations meant that her parents income and capital were taken into account when assessing whether she qualified for legal aid. In 1990 – two months after the initial instruction, the regulations changed allowing a child to be assessed on the basis of their own income and capital. Under the new regulations Sarah was eligible for legal aid. MTG did not properly advise the family and Mrs Early was encouraged to privately fund the case to trial. The case failed with combined costs of over £30,000.

In 1994 Sarah instructed Alexander Harris to pursue a claim in professional negligence against MTG. It was determined that although Mrs Early

had funded the previous medical negligence case, she did so as 'next friend' to Sarah and so Sarah was bound to indemnify her for her losses. This meant that Sarah was the proper plaintiff in this action and could apply for legal aid.

In March 1999, two months before the trial, MTG, whom the SIF allowed to defend themselves, finally made offers to settle in full. Widely reported in the media when the initial medical negligence claim failed, Alexander Harris strove to get justice. There was clearly no justification for MTG not to have obtained a legal aid certificate for Sarah and the case was eventually settled on a full liability basis for a total of £41,000, which included the original Defendant's solicitors costs and interest, the Early's outlay to MTG on costs and the interest.

Patients given wrong dose of radiation

Over a nine-year period, radiation doses of up to a third less than prescribed, were given to patients at the North Staffordshire Royal Infirmary in Stoke, until the error was detected in 1991.

More than 1,000 cancer patients were given insufficient doses of radiotherapy because of a computer program error. Of those affected many had since died or had to have surgery.

Alexander Harris were brought in by local solicitors in the Stoke area to run the generic litigation due to our expertise. This was a particularly difficult litigation because it was necessary to determine what extent, the 'underdose' had on the patients tumours and life expectancy. We co-ordinated and negotiated settlement for 82 Plaintiffs in the group litigation against North Staffordshire Health Authority. The damages negotiated for the group totalled £2 million.

In both Myodil and North Staffordshire, David Harris developed the method of settlement by which a total sum of damages was negotiated and then shared amongst the group, according to an agreed formula.

Our Changing Face...

Benefitting medicine ...

We strongly believe that pursuing claims can benefit medicine as well as individual clients, as we are able to highlight clinical problem areas, enabling the medical profession to look at their practices, analyse areas of concern and improve procedures.

Anaesthesia for mothers in need of Caesarean sections has improved because of shortcomings highlighted by Alexander Harris' work. A number of cases, including two in which children died due to a lack of available facilities at their local hospitals, have also highlighted the growing crisis in the NHS and the urgent need for improvements.

Alexander Harris spearheaded the investigation into links between Myodil and the painful condition of arachnoiditis. As a result of the action, clinicians' awareness of arachnoiditis was substantially enhanced.

1989 'Specialist first by law firm' Ashfield Road Sale
2 partners, a legal executive, 2 secretaries, book-keeper
Medical Negligence, Pharmaceutical product and
multi party action, Personal Injury.

1990 US litigation – Shiley 'cc' heart valves and
trans-atlantic compensation
Myodil litigation

1991 Move to Gordon Court, Sale - 22 staff

1992 Highest ever award for the oldest ever case
First ever self funded structured settlement

1995 The oldest medical negligence case to be
heard in Great Britain

1996 Move to Ashley House, Altrincham 75 staff

1997 Dental Negligence
Mental Health/Judicial Review

1998 Educational Negligence
Highest medical negligence damages in
British legal history

1999 Awarded Clinical Negligence Legal Aid Franchise

One of only 18 firms nation-wide appointed
to be on the very first Legal Aid Board
Multi-Party Action Panel

New London office, 1 Dyers Buildings

Over 90 staff in Altrincham and London, including 6 partners, 5 associates, a Consultant
and 10 assistant solicitors, 14 legal assistants including trainee solicitors and paralegal's,
4 nurses trained in medico-legal matters and over 40 administrative and secretarial staff

10 years May 1989-June 1999

Over £45million recovered in damages for clients



Gordon Court



Ashley House
(as was)



The London
Office

On Line - On The Case

<http://www.alexharris.co.uk>

With 1,600 visits in the last three months our new site has certainly been a 'hit'. With visitors coming to us from all over the world, why don't you take this chance to view our new site which is regularly updated with all the latest news from Alexander Harris. Or better still, why not contact us through our site - it's now even easier. You can post questions to our medico-legal team, request information or even respond to articles in our news pages. Why not dive in, you can find us at <http://www.alexharris.co.uk>

Some Interesting Facts:-

- 1,600 user sessions
- Our most active day had a busy 598 hits.
- Most of our visitors stay on our site for at least 7 minutes.
- The average visitor looks at 15 pages each visit.
- Our main visitors are worldwide - United States, Norway, Australia, Spain, Ireland, Germany and Yugoslavia.



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THANK YOU — for all your support in our first 10 years!