

Group Representation

Malcomson Law has represented various groups including the Irish Haemophilia Society, Parents for Justice, Aulin Patients, victims of institutional abuse, and at present the Irish Thalidomide Association, the representative group for the majority of Thalidomide survivors in Ireland. Malcomson Law and the ITA are working together to secure proper provision for the future of Thalidomide survivors through adequate health services and fair and equitable compensation.

Compensation Schemes

There are a number of Compensation Schemes in operation in Ireland to compensate people who are wronged by the State. Malcomson Law has extensive experience in bringing cases to Compensation Tribunals and was involved in the establishment and setting up of many schemes.

Hepatitis C and HIV Compensation Tribunal

The blood products scandal in Ireland, involving the contamination of hundreds of Irish men and women with the deadly Hepatitis C and HIV viruses, led to compensation tribunals and public inquiries.

Malcomson Law made a submission to the Government as the Haemophilia Society were omitted from the Compensation Tribunal. The Government decided that it was neither fair nor equitable, resulting in an amendment to the Compensation Tribunal to include the haemophiliac community. This was the first time in the history of the State that the Government accepted that a class-type settlement was neither fair nor equitable.

On a consistent basis since the Compensation Tribunal was established, Malcomson Law has secured amongst the highest awards for Hepatitis C and HIV sufferers and continues to do so.

Malcomson Law's Charity of the Year for 2010 is **Headway**, supporting people with Acquired Brain Injury

Health Law Department

We deal with all aspects of Health Law. If you require advice or further information then please contact the Health Law Department on 01 8744422

Additional Services

Family Law

Litigation

Employment Law

Commercial Law

Property & Conveyancing

Private Client

Property Development

Malcomson Law

Iceland House

Arran Court

Smithfield

Dublin 7

Tel: 01 8744422

Malcomson Law

Court Place

Carlow

Ireland

Tel: 059 9131745

This brochure is for informational purposes only and does not constitute legal advice.

See www.mlaw.ie

**MALCOMSON
LAW**



Health Law

Health Law Department

The specialist Health Law Team at Malcomson Law is headed by Raymond Bradley. He has extensive experience of taking health related cases in the Irish High Court, an unrivalled record of involvement in high-profile cases of medical negligence and in representing victims of health scandals at public inquiries and compensation tribunals.

Malcomson Law Services

We offer a range of services and advice on:

- Clinical / Medical Negligence
- Inquests
- Drug & Pharmaceutical Litigation
- Work Related Injuries
- Group Representation
- Compensation Schemes

Medical Negligence is one of the most traumatic experiences that an individual can endure. At Malcomson Law we believe that victims should be properly compensated for their suffering. When a person places themselves under medical care, they place their entire welfare in the hands of another. When things go wrong, the consequences can be serious. Medical negligence can lead to physical, emotional and personal trauma, as well as loss of earnings.

Examples of medical negligence claims include the following:

- Cerebral Palsy cases
- Neonatal Conditions
- Obstetric or Gynaecological Injuries
- Brain Injury Cases
- Negligence in the Accident & Emergency Department
- Surgical Errors / Laparoscopic Surgical Errors (Keyhole Surgery)
- Orthopaedic Negligence
- Cosmetic Surgery
- Drug Prescription Errors
- Medical/ Physician Negligence

Statute of Limitations in Medical Negligence Cases

Proceedings in personal injury actions must be issued, (with some exceptions), within 2 years from date of injury or within the date of knowledge of the injury. This results in a very limited time for the injured party to put in their claim.

Client Liaison Service:

Malcomson Law provides a unique Client Liaison Service to our clients. A representative will be there for you every step of your way. Our Client Liaison Representative, Rosemary Daly, is a non-lawyer with a considerable track record of helping people through the many difficult issues that can surface when taking a health law case.

Inquests

Malcomson Law provide advice in relation to all matters arising following a death, including providing legal representation at an inquest held before a Coroner or a jury.

If you and your family have lost a loved one and the circumstances of their death have led to an inquest, we can act on your behalf in the inquest process and ensure that your voices are heard.

We can explain the procedure involved, liaise with the Coroner and represent your interest at every stage. In cases where medical negligence may have occurred, such as in a hospital setting, we can analyse the medical records and provide advice on whether civil action may exist, in tandem with representing you and your family at the inquest.

Drug & Pharmaceutical Litigation

A significant area of medical negligence relates to personal injury associated with drugs. There are a growing number of cases involving injuries from the side effects of drugs given for illnesses both on a long and short-term basis.

Taking an action for a pharmaceutical injury comes

under the area of product liability. This concerns actions for injury and loss brought about by defective products.

Class Actions

In the US, cases against pharmaceutical companies can take the form of a class action, in which a group of people with similar circumstances and injuries come together to take a case against a large company or private individual. In Ireland, however, no such system exists and each individual must take his or her own action.

These cases are complex and require expert legal knowledge. As one of Ireland's foremost health law specialists, Malcomson Law has considerable knowledge of the legal requirements of such cases.

Personal Injuries

Malcomson Law has extensive experience representing personal injury claims.

1. Work Related Injuries:

Injuries sustained at work can have a lasting effect on your quality of life and ability to earn in the future. Whilst employers protect people against risk and insurance schemes protect people for loss of income, there is often a need to take a personal injury claim for compensation.

2. The Injuries Board:

The injuries Board is an independent body which was set up under the Personal Injuries Assessment Board 2003 and provides assessment of personal injury compensation for victims of accidents of the following

Nature:

- *Workplace*
- *Motor*
- *Public Liability Accidents*

3. RTA (Road Traffic Accidents)

Malcomson Law can assist persons involved in road traffic accidents.