

Wragge part of NHS plan for new multi-million pound treatment centre

The healthcare practice at Wragge & Co has the NHS on a contract for a multi-million pound treatment centre.

The deal for East and North Hertfordshire NHS Trust will see the new centre built at the Lister Hospital in Stevenage, and is part of the Department of Health's independent sector treatment centre (ISTC) programme.

The East and North Hertfordshire NHS Trust and the Department of Health signed contracts with NHS independent sector partner Clinicenta Limited to finance, build and run the Lister Surgi-

centre. The East and North Hertfordshire PCT will be lead commissioner of the services. Expected to open in April 2011, the facility will treat more than 15,000 NHS patients per year.

Birmingham-based partner David Hamlett led the team with assistance from associate Julia Holdright. Lee McBride, Maxine Symington, Jessica Jones and Claire Hughes also advised on real estate, commercial and employment issues. The team worked alongside Stephen Posey, director of strategic development and project manager Wendy

Scarr at the East and North Hertfordshire NHS Trust.

Mr Hamlett said: "Wragge & Co has been at the heart of NHS reforms for a number of years. The ISTC programme offers patients greater choice and access to health services across the UK. We used our in-depth knowledge of the healthcare sector and understanding of our client's objectives to create the best possible foundation for this partnership."

Mr Posey added: "We have been working closely with Wragge & Co through-

out what has been a highly complex project. The team's advice and support has always been what we have needed to conclude a successful deal that is in the best interests of NHS patients, the Trust and its staff."

Clinicenta is an NHS partner, providing support and capacity in the delivery of free "at the point of treatment" healthcare in the UK. CMS Cameron McKenna led by partner Paul Smith advised Clinicenta.

Wragge & Co helped the Department of Health spearhead the introduction of

ISTC services, which offer patients access to surgery and diagnostic procedures for a range of conditions, including hip and knee replacements and cataract surgery.

Wragge was recently named one of the top 50 employers in the UK's Best Workplaces survey. It was the firm's ninth appearance in the annual report by the Great Place to Work Institute.

Senior partner Quentin Poole said: "Being recognised as a great place to work shows the attitude of our people is as positive as ever."

City will be test case for cost rules

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Birmingham has been chosen to act as a test case for planned radical reforms to the civil justice system.

Cost rules for high-value complex commercial cases have come under the spotlight and could be amended following a wide-ranging review of civil litigation costs by one of the country's most senior judges.

The reforms, which have been drawn up by Lord Justice Jackson and published in a 652-page report, are intended to make litigation more accessible by making it cheaper and faster, while at the same time promoting access to justice at a proportionate cost.

Birmingham will be the first city in the UK to trial Lord Justice Jackson's civil litigation cost recommendations as part of a pilot scheme, which started on Monday and will run until September 30 in the Birmingham Technology and Construction Court (TCC) and Mercantile Court.

Organisers said the idea of the scheme was to control litigation so that the costs of each party are proportionate to the amount at stake and to ensure that the parties are on an equal footing.

Lord Justice Jackson visited Birmingham at the end of May to address an audience of lawyers, users and senior circuit judges from the TCC and Mercantile Court at an event hosted by law firm Mills & Reeve, where he discussed the main proposals in his report.

Among his recommendations, which span a range of cost and procedural issues across personal and commercial litigation, are greater use of fixed costs, sanctions, including wasted costs order,

in respect of unfocused witness statements, deferring the "pre-action" protocol period so it is carried out after the issue of the claim form, presumption that expert evidence on quantum be given by a single joint expert, a conditional legal aid fund (CLAF), a crack-down on referral fees and changes to the cost-shifting rule.

Martino Giaquinto, partner at Mills & Reeve, who organised the event, said: "Lord Justice Jackson's preliminary report has been widely welcomed in the legal community as it addresses a range of issues relating to the civil litigation system, which ultimately will make it better for those who use it."

"The fact that Birmingham could be the first city to implement the changes is

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a feather in its cap. Birmingham is a highly respected legal centre due to the quality of judges and lawyers that we have here, which is one of the reasons why the city has been identified and chosen to run the pilot scheme and therefore act as a blueprint for the rest of the country."

Lord Justice Jackson's review is in its second consultation phase. A final report will be presented to the government by the end of the year.

He was appointed to the role by the Master of the Rolls in November last year, in what was described as "a fundamental review into the costs of civil litigation."

The review as a whole started in January this year, and is set to run until the end of December.



Lord Justice Jackson and Martino Giaquinto, partner at Mills & Reeve. Rear from left: Judge Simon Brown QC, Judge Frances Kirkham and Judge David Grant

Fears rising use of locums will see more medical negligence claims

A leading clinical negligence lawyer has warned of more claims to come following the fatal accidental overdose given to a patient by a German doctor on his first shift in the UK.

Louise Hunt, head of the Clinical Negligence department at Coventry and Warwickshire solicitors Alsters Kelley, says that similar cases to that of Dr Daniel Ubani are inevitable because the NHS is increasingly relying on locum doctors to cover out-of-hours services.

The German doctor, who was struck off by the UK authorities but still practises in Germany, was working for Take Care Now, one of a number of locum services which the health service has contracted to meet its need to provide cover. Dr Ubani mistakenly gave 10 times the usual amount of a painkilling drug to 70-year-old David Gray in February last year, saying he was too tired to concentrate after only three hours rest before starting his shift.

Ms Hunt, who is a former nurse herself, is currently working on a case involving the missed diagnosis of meningitis of a Coventry woman who sought treatment at an out of hours service in Kidderminster. Her family say it involves similar circumstances.

She said: "The main difficulty is that the NHS has agreed new contracts with GPs which mean they do not have to work out of hours or do home visits. It has also set up a number of independent treatment centres. In almost all cases, they are staffed by health professionals from overseas who are not familiar with practices in the UK."

"While no-one would question their professional credentials, it is a fact that they need time to get used to the way things operate here. Throwing someone in with little induction is a prescription for disaster. Unfortunately, with pressure on the NHS to deliver treatment faster and new rules limiting the employment time of junior doctors, the use of locum services in GP practices and hospitals is only going to grow. Unless we have structural changes in the NHS, cases like that of Mr Gray will multiply."