

# Cases Where We Are Unable to Assist or Advise

AvMA's staff prides itself on advising the public on remedies and procedures it has expert knowledge on. There are some areas of law where we do not have expertise or types of help we cannot provide. The following is not intended to be an exhaustive list and where possible we have tried to signpost you to other organisations which may be able to assist you.

We are unable to provide advice and information on the following issues:

**1. Welfare or social security benefits and matters relating to medical reports on these issues**

Your local Citizens' Advice may be able to assist you – details of your local service can be found at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Alternatively, there are online resources and information on help and advice at AdviceNow: [www.advicenow.org.uk](http://www.advicenow.org.uk)

**2. Personal injury claims such as road traffic accidents or trips and slips (even occurring on hospital premises)**

Information on bringing these claims and details of specialist solicitors are available from the Association of Personal Injury Lawyers (APIL) at [www.apil.org.uk](http://www.apil.org.uk)

**3. Ongoing medical treatment and issues such as Continuing Healthcare, funding or access to medical or surgical treatments**

For information on how to seek a review please see the Parliamentary and Health Service Ombudsman website at [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

**4. Issues arising from Mental Health Tribunals**

For advice on mental health, mental capacity, community care, human rights and discrimination/equality related to mental health issues, MIND's legal line may be able to assist you – see [www.mind.org.uk](http://www.mind.org.uk)

If you need help to find a specialist solicitor, you can visit the Mental Health Lawyers Association website at [www.mhla.co.uk](http://www.mhla.co.uk)

**5. Advice on your rights relating to detention or treatment under the Mental Health Act**

Except where this relates to issues of clinical judgement such as diagnostic or medication errors or failures leading to self-harm or suicide

**6. General health rights queries**

For example, in relation to seeking second opinions or medical records and correction of these except as this relates to a medical accident. You may be able to obtain some advice from the Patients Association but please note they cannot offer legal or medical advice: [www.patients-association.org.uk](http://www.patients-association.org.uk)

## 7. Direct access to medical experts and/or arranging second opinions or obtaining experts reports

## 8. Criminal sanctions against individual practitioners or NHS or private providers

## 9. Advocacy services

Our services are normally restricted to telephone or written advice. Apart from providing support at a limited number of inquests we are not usually able to provide face-to-face advocacy services to individual patients/families. To find your local NHS complaints advocacy service please visit [www.healthwatch.co.uk](http://www.healthwatch.co.uk)

## 10. Matters concerning child protection

You may be able to get information and advice from Family Rights Group at [www.frg.org.uk](http://www.frg.org.uk)

### Please note:

- Applications for representation at inquest must be made on our inquest new client form. To access the form and for details of the separate qualifying criteria for this service, please visit [www.avma.org.uk/inquests](http://www.avma.org.uk/inquests).
- AvMA can give general advice and information about how to access your medical records but we will not obtain those records for you.
- AvMA can give general advice on how to make a complaint to a healthcare provider whether NHS and/or private care but generally we are not able to draft the letter of complaint for you. (See link to advocacy services above). We may be able to suggest questions for you to ask to seek resolution of your concerns using the complaint process.
- While we are happy to give advice and information on matters within our expertise and experience, unfortunately we are unable to complete any application forms or court documents on your behalf. We are also unable to dictate any specific form of words for you to write down on the form.

## Action against Medical Accidents (AvMA)


AvMA is the charity for patient safety and justice. We provide free specialist advice and support to people when things go wrong in healthcare and campaign to improve patient safety and justice.

For advice and information visit our website  
[www.avma.org.uk](http://www.avma.org.uk)

Or call our helpline (10am-3.30pm Monday-Friday)

**0345 123 2352**

Registered charity in England & Wales (299123) and Scotland (SCO39683)

 Freedman House, Christopher Wren Yard,  
117 High Street, Croydon CR0 1QG

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action *against* medical accidents