

Criteria for accessing AvMA inquest services

Usually, there are two ways we may be able to help if you face an inquest into a healthcare related death in England and Wales – advice on the process at different levels or arranging pro-bono (free) representation at the inquest. However as from 11th October 2023 we are suspending the pro bono representation aspect of the inquest service. We do apologise for any inconvenience this may cause you, we hope to reinstate this aspect of our service by March 2024. We will continue to offer general advice and information on the inquest process.

Advice

If you are facing an inquest in England or Wales into the healthcare-related death of a family member, we can give advice and support to help you cope at this very difficult time.

In the first instance you may find our self-help guides useful. A wide range of specialist guides is available to download free of charge from our website: www.avma.org.uk/guides.

It is with regret that we have had to suspend arranging Pro-bono representation at inquests.

This is a temporary situation while we review all of our public-facing services with a view to making sure they are comprehensive and meet the public's need for information, both now and in the future.

On the 1st October 2023, the government introduced some potentially significant changes which will likely impact on injured patients being able to secure representation in many clinical negligence claims. Those changes include the introduction of Fixed Recoverable Costs (FRC). Further changes are expected on 6th April 2024, which if introduced could further affect the public's access to justice.

As a result of these changes, you may find that solicitors are reluctant to provide representation at inquests even if there is likely to be a civil claim in

clinical negligence. This is a real concern, AvMA is aware that even before the changes brought about by FRC that it was very difficult for families to secure representation at healthcare inquests.

If you wish to approach a solicitor for representation at inquest then please make sure you instruct a solicitor who has expertise in healthcare law and experience in inquests. Look for solicitors who are accredited by AvMA, you may find our find a solicitor webpage useful.

www.avma.org.uk/help-advice/find-a-solicitor/

Although AvMA is currently not able to arrange pro bono representation for you, please do complete an **Inquest New Client Form** if you would like some written advice. We may be able to signpost you to other organisations if representation at inquest seems appropriate.

Alternatively, you can contact us through the AvMA Helpline which is open Monday to Friday inclusive. For further details please see:

www.avma.org.uk/help-advice/helpline/

AvMA's terms and conditions

Although we are temporarily unable to arrange pro bono representation at inquests we do continue to maintain the core terms and conditions of use of the advice and information aspects of our inquest service. Please see below for details:

- We will only advise on deaths that have occurred or may have occurred because of an act or omission in healthcare services provided to the deceased.
- That we deal with one person on behalf of the family only – AvMA will refer to that person as the beneficiary or client.
- The beneficiary/client will be responsible for forwarding information and receiving any written advice and/or information AvMA might send. The client/beneficiary is responsible for passing that information on to other family members. Unfortunately, AvMA does not have the capacity to deal with more than one beneficiary/client but recognizes that a number of family members might be anxious to understand the coronial process. The Inquest NCF: The Beneficiary/client seeking written advice and information on inquests should complete the Inquest NCF.
- You should include a short, relevant medical history of the deceased. Set out what healthcare treatment was provided (or not provided) and how it contributed to their death.
- Say what you think the deceased's outcome would have been if the proper medical care had been provided.
- Please also say what documents you have to support your views, for example you may have a hospital investigation report which says that certain things did go wrong. These reports are sometimes called, root cause analysis documents; Serious Incident Reports (SIR); Patient Safety Incident Response Framework (PSIRF). If you made a hospital complaint, you may have the hospital's response to that

complaint to illustrate their condition. Please do not send the documents in, just list the ones in your possession.

- That the beneficiary/client agrees to pay any out of pocket expenses or disbursements incurred by AvMA. While you are highly unlikely to incur any out of pocket expenses for written advice and information and/or helpline advice you should be aware that these sort of expenses are usually incurred as a result of any third party expenses, for example, the cost of an independent expert report.
- Out of pocket expenses must be paid to AvMA on account before the expense is incurred
- AvMA will periodically review the case to ensure that the core criteria continues to be met

Zero tolerance of abuse

AvMA has a zero tolerance policy towards anyone who treats it staff, including its volunteers in an abusive or threatening way. The use of bad language, swearing and/or verbal insults will not be tolerated. Any form of racial abuse or sexual harassment will not be tolerated. Persistent or unrealistic demands that cause stress to staff will not be accepted. We reserve the right to immediately cease and withdraw from any further communication where this type of behaviour is displayed. We welcome and encourage the public to access our services when needed but we do ask that AvMA's staff and volunteers are treated courteously at all times, you are entitled to expect the same treatment and respect from AvMA staff and volunteers.

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

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

0345 123 2352

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

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action *against* medical accidents