

CODE OF CONDUCT FOR

AVMA MEMBER SOLICITORS IN SCOTLAND

Action against Medical Accidents (AvMA) is the charity which promotes patient safety and justice for people affected by medical accidents or negligence. AvMA has 25 years' experience of working closely with the legal profession to develop good practice in advising and representing clients in medical negligence and other clinical disputes. Firms of Solicitors in Scotland who have signed up to this Code and subscribe to AvMA's Lawyers' Resource Service have demonstrated commitment to providing a quality service in this field and support of AvMA's charitable aims and core principles for medical negligence solicitors, which are:

- That you regularly and actively represent injured patients in clinical negligence claims in Scotland. That you issue proceedings in Scotland, representing the Pursuer, (Claimant in England and Wales), not the Defender (defendant in England and Wales) and that you are experienced with the operation, process and procedures of litigating clinical negligence claims within the Scottish legal jurisdiction and that you have full advocacy and practicing rights in Scotland.
- To be sensitive and supportive of the needs of people affected by medical accidents or negligence; to recognise clients' wider needs in addition to, where appropriate, pursuing litigation or obtaining compensation.
- To work with AvMA in seeking improvements to patient safety and access to justice for people affected by medical accidents; to share lessons learnt (whilst respecting confidentiality) from the cases they deal with.
- To keep up-to-date with developments in clinical negligence and other relevant areas of law and policy; to attend AvMA meetings and events and, as far as practical, network and share knowledge and experience with other specialists.
- To be open and honest with clients and potential clients from the start about chances of success in legal action; other alternatives; and to explain charging policies and means of funding legal work in a way clients can understand and is in their best interests.
- To put the client or potential client's interests above any other interest, even if this means advising clients that another solicitor may be better equipped to meet their particular needs.
- To comply with the professional requirements of the Law Society of Scotland, and to conduct legal work in a professional and timely manner on behalf of their client.
- To maintain the high standards expected of AvMA panel solicitors and safeguard the reputation of the panel; to avoid advertising, marketing or other activity likely to bring the panel into disrepute.
- To charge reasonable fees and obtain appropriate damages and recovery of costs from the other side for clients when appropriate.