

Graham Bell

Specialisms and expertise

Graham has practised clinical negligence since qualifying and now works largely in this area but also continues to be involved in high value personal injury cases including head injury and industrial disease.

He is a member of the Law Society clinical negligence and personal injury accreditation schemes, a member of the Medico-Legal Society, a fellow of the Association of Personal Injury Lawyers and the legal adviser to a local Citizens Advice Bureau

His clinical negligence work has involved a wide range of treatment including obstetrics and catastrophic injury, gynaecology, orthopaedics, A&E, oncology, cardiology, neurology, haematology, general surgery, paediatrics, psychiatry, fertility treatment, microbiology, ophthalmology, general practice and dentistry. He was the first solicitor to win a cerebral palsy case funded by a conditional fee agreement.

His industrial disease work has included mesothelioma, pleural plaques, provisional damages, industrial deafness, isocyanate exposure and RSI along with a wide range of accident and occupational health cases.

His advocacy work has included criminal defence in the magistrates court as well as contested applications in the county court and High Court. He has represented families at inquests in various coroners courts and is experienced in the cross examination of doctors and other medical staff. He has given evidence in the High Court Hong Kong in a major head injury case.

Notable cases

Some of his major recent cases include:

- Howard v Brighton & Sussex University Hospitals NHS Trust (2006) - the High Court approved a £2.5 million settlement of this contested cerebral palsy case where the claimant alleged that the medical records had been retrospectively, and fraudulently, altered to disguise mismanagement of the birth.
- L v S (2007) - Patient suffered severe injury as a result of a rare tendon failure complication at total knee replacement surgery. There was a dispute with the privately paid surgeon as to the pre-operative warnings he gave and we were instructed after expiry of the three year limitation deadline. The case had a number of features similar to those in Chester v Afshar. The case settled for £350,000 with the defendant insisting on a confidentiality clause in the final order.
- Whiting v Medway NHS Trust (2007) - serious injury to liver following damage to common bile duct at laparoscopic cholecystectomy. Damages of £290,000 were amongst the largest awarded for this injury and included a substantial payment in respect of the potential cost of future transplant surgery.
- AB (by her litigation friend, the Official Solicitor) v South East Coast Strategic Health Authority (2007) - negligent neo-natal oxygen management led to retinopathy of prematurity and blindness. The court approved a settlement of £2.25 million which was the largest sum ever awarded for this type of injury.



Job Title
Partner

Practice Area
Clinical Negligence and Personal Injury

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- K v South of England Strategic Health Authority (2009) - at counsel's request took over case involving mismanagement of birth in 1979 leading to unusual pattern of injury including learning difficulties and hearing loss. Settled for lump sum and periodical payments worth £2.3 million. Also settled case of the claimant's mother who suffered endocrine injury as a result of mismanaged uterine haemorrhage. The mother's case was over 20 years limitation barred.
- CD v East Sussex Hospitals NHS Trust (2009) - child claimant who had congenital disabilities requiring a ventriculo-peritoneal shunt suffered catastrophic brain damage as a result of a blocked shunt. On at least two occasions the defendant's hospital negligently failed to refer to specialist neurosurgical centre for treatment when symptoms indicated that there could be a problem with the shunt. Although liability was denied throughout the case settled about two weeks before trial for damages in excess of £4 million.
- L v Medway NHS Foundation Trust (2009) - patient admitted for gynaecological surgery. Surgeon negligently failed to repair partial lesion of large bowel which later perforated leading to admission to intensive care, emergency laparotomy (also negligently performed) and colostomy. Patient underwent numerous further tests and procedures over the following years and suffered gross abdominal disfigurement and a severe depressive reaction. Liability was denied until a few weeks before a liability trial and the case subsequently settled for £225,000. File shared with Catherine Furnish.
- GB v South East London Strategic Health Authority (2009). The claimant was catastrophically damaged as a result of being given an overdose of chloramphenicol to treat suspected neonatal meningitis. A number of vital medical records had been lost and the legal officer of the health authority swore an affidavit confirming that despite extensive searches the records could not be found. Graham was able to locate the records after nearly 30 years. The case settled for damages of over £3 million, including periodical payments to privately fund the claimant's future care.
- L -v- M (2010) The claimant was involved in road traffic accident which also resulted in the death of both her parents. She suffered a multiplicity of serious injuries including a head injury. Matters were complicated by the claimant's refusal to follow the advice of her clinicians and case manager and further refusal to attend medico-legal appointments. The court approved a settlement of a lump sum and periodical payments worth £1.6 million. The judge commented that the unique circumstances of the case meant that calculating damages was exceptionally difficult.

Profile

Graham read law at university and graduated in 1990 with a first. He later obtained a master's degree in health law and won prizes including that for best post graduate student. He joined Thomson Snell and Passmore in 2002 and became a partner in 2006.

He was recognised amongst leading practitioners in The legal 500 'Graham Bell is a clever, practical lawyer' (2009) and who 'leaves no stone unturned' (2010).

At home he enjoys travel and architecture.

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