

Criteria for accessing Avma inquest services

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.

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.

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/

Please complete an **Inquest New Client Form** if you would like some written advice. We may also 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

Please see below for details of the terms and conditions of our inquest service:

- ▶ 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 recognises 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
- ▶ Phone calls: The demand for our service is very high. We cannot guarantee that we will be able to phone you, much will depend on what we need to do to progress your case. Everyone who completes an Inquest New Client Form will receive information on the coroner's court which will help you understand what the process is about and what to expect from the inquest hearing.
- ▶ Use of Artificial Intelligence in completing Inquest New Client Forms. It has become quite popular for people to use AI models such as ChatGPT, Claude and Gemini (to name a few). While AI can be helpful if used correctly, it is not helpful if you use it to write most or all of your Inquest New Client form. Please see our Self Help Guide on how to get the most out of AI. Please note that any New Client

Forms which appear to have been written largely or completely by AI will not be read by the team and will be rejected by us. If your Inquest New Client Form is rejected by us we will invite you to complete another New Client Form, using your own words. If that second New Client Form also appears to have been generated by AI, that too will be rejected by us and we reserve the right not to review or consider any more applications from you.

Zero tolerance of abuse

Avma has a zero tolerance policy towards anyone who treats its 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.

About Us

At Avma, we stand together with people who have experienced avoidable medical harm.

We offer compassionate support and give expert advice, helping navigate some of the most difficult times a person may ever experience.

For over 40 years, we've been a trusted voice for those needing answers, accountability, and a way forward.

We're here to help people secure the best possible outcome after medical harm.

And we believe that nobody should face this journey alone, so we listen, support and guide people, helping them to move forward. support and guide people, helping them to move forward.

- **Avma website:** www.avma.org.uk
- **Helpline number:** 0345 123 2352
- **Helpline opening times:** Monday to Friday, 10am – 3.30pm



Facebook: www.facebook.com/avmauk



Youtube: www.youtube.com/@avmacharity



LinkedIn: www.linkedin.com/company/action-against-medical-accidents/



Instagram: www.instagram.com/avmauk