# KNOWLEDGE IN THE HOPE OF PROTECTING M.E. SUFFERERS FROM UNNECESSARY SECTIONING

#### Written January 2019 (updated May 2022)

Although some of the reference links are taken from mental health websites, the Grace Charity for M.E. is NOT insinuating that an M.E. sufferer has a mental illness. We believe passionately that M.E. is a neurological, biomedical illness. The websites, though, might be able to help you in getting released from the terrible act of sectioning sound minded M.E. patients who are neither a threat to themselves nor to others.

# 1) Is there anything I can do as an M.E. sufferer to prevent me from being sectioned?

As a GP is usually involved, it is best to have good relations with your GP if this is possible. Do they have a copy of the International Consensus Criteria?

<a href="http://www.investinme.org/Documents/Guidelines/Myalgic%20Encephalomyelitis%20International%20Consensus%20Primer%20-2012-11-26.pdf">http://www.investinme.org/Documents/Guidelines/Myalgic%20Encephalomyelitis%20International%20Consensus%20Primer%20-2012-11-26.pdf</a>

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Is your GP aware that the PACE trial, responsible for promoting Graded Exercise Therapy (GET) and Cognitive Behavioural Therapy (CBT) for M.E. sufferers, has been largely discredited<sup>1</sup> by academics and doctors world-wide? The US CDC (United States Centers for Disease Control) in 2017 removed CBT and GET from their website as recommended treatments for ME/CFS.<sup>2</sup> Also, in October 2021, NICE stopped Graded Exercise as a treatment for M.E. and downgraded CBT. This is very welcome news. NICE go on to say that M.E. should not be treated as an exercise avoidance illness nor a deconditioning illness. Also, that patients should not be treated as if they have abnormal illness beliefs or behaviour as an underlying cause of ME/CFS.<sup>3</sup>

The process of detention usually starts because the patient's GP, a family member, a police officer or psychiatrist is worried about their mental health. If you don't feel that

<sup>&</sup>lt;sup>1</sup> http://www.virology.ws/2018/08/13/trial-by-error-open-letter-to-the-lancet-version-3-0/ A letter (13.8.2018) signed by over a hundred academics, patient groups, lawyers, and politicians, was sent to Dr. Richard Horton, editor of the Lancet, calling for the removal of the PACE trial and its recommendations of GET (Graded Exercise Therapy) and CBT (Cognitive Behavioural Therapy) for M.E. sufferers.

<sup>&</sup>lt;sup>2</sup> The Quarterly published by the 25% ME Group Summer 2017 page 23 <u>www.25megroup.org</u>

<sup>&</sup>lt;sup>3</sup> Myalgic encephalomyelitis (or encephalopathy)/chronic fatigue syndrome: diagnosis and management NICE guideline [NG206] Published: 29 October 2021

you have a mental illness then do whatever you can to convince this list of people that your illness is biomedical. Make sure that they know your views, how you manage your situation and your support network of friends, relatives etc.

Also, have in mind a good solicitor in advance who has an interest in this unjust and terrible act of sectioning those who don't need to be.

You may need legal representation at a Tribunal if you are sectioned to get you released (a list of lawyers who have won cases fighting for M.E. as a biomedical illness is at the end of this paper, as are contacts for legal aid and free solicitors).

It also may be a good idea to get details ready of your MP (Member of Parliament) should you need to contact them. You might want to tell them that you feel you are at risk of being unnecessarily sectioned and could they please be an advocate for you as one of their constituents.

Make sure you are happy with who your 'nearest relative' is – see Point 9 for further information.

If you are sectioned, take a mobile phone and charger with you and have it charged ahead of time. Make sure that trusted people have your mobile number ahead of time.

# 2) Why is a person sectioned in the first place?

This happens if you have a mental illness which needs 'appropriate' assessment and/or 'appropriate' treatment in hospital and you are unwilling to comply with this. The following is taken from MIND:

You may be sectioned if you or someone has raised concerns about your mental health.

You should only be sectioned if:

- you need to be assessed or treated for your mental health problem
- your health would be at risk of getting worse if you did not get treatment
- your safety or someone else's safety would be at risk if you did not get treatment
- your doctor thinks you need to be assessed or treated in hospital, for example if you need to be monitored very regularly because you have to take new or very powerful medication. Otherwise, you may be asked to attend a hospital out-patient clinic.

Before you can be lawfully sectioned, you will need to be assessed by health professionals, to make sure that it is necessary.<sup>4</sup>

Obviously this can be very subjective. The word 'sectioning' is derived from the Mental Health Act 1983.

### 3) Who can authorise a sectioning?

The decision to section someone is usually made by two doctors\* and an Approved Mental Health Professional (AMHP), who is usually a social worker, or mental health nurse, or psychologist or occupational therapist. One of the two doctors must be a specialist in mental illness. The other doctor is usually the patient's GP although doesn't have to be. One of the two doctors is often known to the patient.

It is also possible for a relative to recommend to medical authorities that someone should be sectioned.

\*[The Coronavirus Act March 2020 allowed only 1 doctor to authorise a sectioning. This has since been lifted in England, so is now back to 2 doctors to authorise a sectioning in England. At the time of updating this paper in May 2022, however, the one doctor ruling has not been lifted in Wales. See <a href="https://www.mind.org.uk/information-support/legal-rights/coronavirus-and-your-rights/

# 4) If it's for mental illness, why are M.E. sufferers at risk?

Tragically and wrongly, some doctors see M.E. as a mental health illness, thus defying the obligatory World Health Organisation's classification which says it is a neurological and not a mental disease (ICD 10 G93:3).

# 5) What might happen to me if I am sectioned?

As an M.E. sufferer you may be 'encouraged' to take part in an exercise programme such as GET (Graded Exercise Therapy); or CBT (Cognitive Behavioural Therapy); or be given anti-depressants or antipsychotic drugs; certainly you will be told you don't have a physical illness and perhaps suffer from a mental health problem instead and abnormal illness beliefs. They may suggest that you need a healthier 'environment', which is

<sup>&</sup>lt;sup>4</sup> About sectioning - Mind

ridiculous as the mental health unit is about as worst an environment an M.E. sufferer can endure. <sup>5</sup>

# 6) If I refuse CBT/GET from my GP does that make me in danger of being sectioned?

The legal answer is 'no', you shouldn't be in danger of being sectioned if you refuse the psychological treatments of CBT/GET, especially as neither of these treatments are recommended any longer by NICE; but the medical profession seems to ignore some aspects of law when it comes to treating M.E. sufferers. So, you might be in danger for refusing CBT/GET from a determined team of prejudiced psychiatric 'professionals'.

The following knowledge can help empower you against such a terrible event happening:

Graded Exercise and Cognitive Behavioural Therapy can be the treatment for an M.E. sufferer if sectioned. These are often used by professionals due to their wrong belief that the patient is merely deconditioned and has a psychological illness.
 In October 2021, the National Institute for Health and Care Excellence (NICE) welcomely downgraded CBT and Graded Exercise for M.E. sufferers. Whereas in previous years these therapies had been promoted by NICE, the most recent guidelines state:

'It is <u>not</u> acceptable to recommend a programme of fixed incremental exercise, such as 'graded exercise therapy' to an ME/CFS patients. Nor should any form of physical activity or exercise be presented as a cure.' [1.11.14 and Box 4] Also,

'CBT should not be offered on the assumption that people have 'abnormal' illness beliefs and behaviours as an underlying cause of their ME/CFS. CBT is not a cure for ME/CFS and should not be offered as such.' [1.12.28; Box 5; 1.12.32; Rationale, page 78]

Also, because NICE now state that M.E. is not caused by abnormal illness beliefs, then antipsychotic drugs should not be given to change a sufferer's 'perception'.

Since 1<sup>st</sup> April 1995, the World Health Organisation's listing of M.E. (Myalgic Encephalomyelitis) as a neurological disease (ICD-10 G93.3) has been mandated for NHS implementation. The most recent review was on 1<sup>st</sup> April 2012 by the Information Standards Board (4<sup>th</sup> edition of ICD 10), where the mandate continued throughout the NHS.

<sup>&</sup>lt;sup>5</sup> M.E. sufferer Sophia Mirza was told that she needed to go to a 'different environment' – this proved to be a mental health unit. Sophia had previously been looked after quite safely by her mother at home, who was a former nurse. www.sophiaandme.org.uk

Since March 2014, The Information Standards Board has been replaced by the Standardisation Committee for Care Information, SCCI. They have confirmed that the authorisation of ICD 10 in the NHS still stands.

- The PACE trial which recommends CBT/GET for M.E. sufferers has been widely condemned as flawed.<sup>6</sup>
- In practice, GPs and all doctors follow the NICE Guidelines: this is because all NHS
  organisations have a legal requirement to implement NICE guidance. However, the
  treatment aspect is not enforceable.

Since 2021, GET and CBT are no longer promoted by NICE guidance and in fact warns against both, especially GET. (See Foot note 3.)

'Healthcare professionals should be aware that – like all people receiving care in the NHS – people with CFS/ME have the right to refuse or withdraw from any component of their care plan without this affecting other aspects of their care, or future choices about care.' <sup>7</sup>

In other words, every patient case is individual and a doctor does have the right to express clinical freedom, along with consulting the patient, as to what is best. This can mean refusing Graded Exercise Therapy and CBT, despite the continued promotion of these treatments by The Royal Colleges.<sup>8</sup>

There is also the NHS constitution; although the following points aren't always implemented, they still remain your rights:

- 'You have the right to receive care and treatment that is appropriate to you, meets your needs and reflects your preferences... '
- You have the right to choose your GP practice and to be accepted by that
  practice unless there are reasonable grounds to refuse, in which case you will
  be informed of those reasons... '
- 'You have the right to express a preference for using a particular doctor within your GP practice and for the practice to try and comply.'

<sup>7</sup> NICE guidance document on CFS/ME, Clinical Guideline 53, 22 August 2007, page 8. http://guidance.nice.org.uk/CG53

<sup>&</sup>lt;sup>6</sup> See Footnote 1

<sup>&</sup>lt;sup>8</sup> 1 Medical leaders sign joint statement in response to NICE guidance on ME/CFS | RCP London https://www.rcplondon.ac.uk/

<sup>&</sup>lt;sup>9</sup> www.gov.uk/government/publications/the-nhs-constitution-for-england

### 7) Can I be sectioned whilst in hospital for something else?

Yes. If you are already in hospital, certain nurses can stop you leaving until the doctor in charge of your care, or their nominated deputy, can make a decision about whether to detain you there under the Mental Health Act. If detained beyond 72 hours the patient should receive an assessment to decide if further detention is necessary. This doesn't just apply to M.E. but to any patient who has gone into hospital for any reason or condition.

# 8) What should I do if staff believe wrongly I'm anorexic because I can't eat properly?

Having swallowing difficulties is called dysphagia, often found in patients with stroke, Multiple Sclerosis and Parkinson's diseases which are all neurological problems. M.E. is also neurological, categorised as such by the World Health Organisation since 1969.

There are biomedical reasons why an M.E. sufferer may not be able to swallow. Some M.E. specialist researchers believe that the gastric mucosa which is infected with enteroviruses may reach the brain by travelling up the vagus nerve, which controls the swallowing reflex. <sup>10</sup>

In addition, sufferers can have sensitivities to food, medication and chemicals making it difficult to swallow, as they can have an adverse reaction. <sup>11</sup>

This shows that an M.E. sufferer is unable to swallow because of a severe symptom of the illness and not because they choose to refuse food and drink.

Indeed many M.E. sufferers are tube fed with various types of feeding tubes. In the tragic case of 21-year-old Merryn Crofts, who died from M.E. in May 2017, her need for tube feeding and eventual weight loss at 5 and a 1/2 stone was NOT put down at the inquest to mental health issues such as eating disorders, depression or anxiety. Rather the coroner reported that it was the much-misunderstood illness that was likely to have led to the gastrointestinal failure and other complications that caused her to starve to death. <sup>12</sup> In a peer reviewed paper, the authors demonstrate that malnutrition in M.E. is

<sup>&</sup>lt;sup>10</sup> Drs. Byron Hyde and John Chia Questions & Answers section page 10 *The Quarterly* Newsletter Summer 2018 <a href="https://www.25megroup.org">www.25megroup.org</a>

<sup>&</sup>lt;sup>11</sup> M.E./CFS A Clinical Case Definition and Guidelines for Medical Practitoners Immune Manifestations page 7, Bruce Carruthers and Marjorie van de Sande 2005 ISBN 097393350X

<sup>&</sup>lt;sup>12</sup> See article 'ME sufferer who was dismissed as hysterical vindicated in death' *The Times* 29 May 2018 by Lucy Bannerman; also *The Quarterly* published by the 25% ME Group Summer 2018 pages 22-23 <a href="https://www.25megroup.org">www.25megroup.org</a>

caused by a number of reasons including inability to swallow and simply being too ill to maintain adequate hydration and nutrition; therefore not due to choice. <sup>13</sup>

# 9) If I am sectioned, how can I get out and come home?

YOU HAVE A RIGHT TO APPEAL THE SECTIONING, WHICH WILL NEED AN APPLICATION – AN APPEAL ISN'T AUTOMATIC. The sooner you or someone else starts appealing the sectioning, the better. A form needs to be filled in, often from contacting the Mental Health Tribunal. Mental Health Tribunal forms and guidance - GOV.UK (www.gov.uk) To get the ball rolling with getting out from the hospital and coming home, the person appointed as your 'nearest relative' can apply for your discharge from detention. Or you can apply yourself. If detained in hospital, a patient is entitled to an advocate straight away, usually an Independent Mental Health Advocate (a free service). Their role is to provide information to the patient concerning their rights. The charity MIND may be able to point you in the right direction (although MIND represent mental health and therefore not M.E., they are familiar with tribunals etc. https://www.mind.org.uk)

The appeal will usually involve a hearing at a mental health tribunal, independent from the hospital. The appeal panel will require written reports from your 'responsible clinician' the person who is in charge of your treatment programme for your sectioning. You must also receive any copies written about you. You are entitled to have a solicitor representing you at no cost to you.<sup>14</sup>

The appeal panel usually consists of a judge, a doctor and a lay person<sup>15</sup> (some sources report more specifically that the panel is a judge, psychiatrist and a person with a social care background)<sup>16</sup>. Your 'nearest relative' may also attend the tribunal and make a contribution. Your solicitor and the doctor from the panel will work with you before the tribunal.

In England, Wales and Northern Ireland the nearest relative is determined through a strict order of priority, unlike Scotland where someone may choose who their nearest relative is although this must be in writing with signed consent.<sup>17</sup> In England, Wales and

<sup>&</sup>lt;sup>13</sup> <u>Healthcare | Free Full-Text | Life-Threatening Malnutrition in Very Severe ME/CFS | HTML (mdpi.com)</u> authors Drs. Speight, Weir and Helen Baxter

<sup>&</sup>lt;sup>14</sup> Royal College of Psychiatrists on Being Sectioned (in England and Wales) <a href="https://www.rcpsych.ac.uk/healthadvice/problemsdisorders/beingsectionedengland.aspx">https://www.rcpsych.ac.uk/healthadvice/problemsdisorders/beingsectionedengland.aspx</a>

<sup>&</sup>lt;sup>15</sup> Taken from 'The right to appeal' Camden and Islington NHS Foundation Trust <a href="https://www.candi.nhs.uk/service-users-and-carers/mental-health-act/being-sectioned/right-appeal">https://www.candi.nhs.uk/service-users-and-carers/mental-health-act/being-sectioned/right-appeal</a>

<sup>&</sup>lt;sup>16</sup> Assessment of people with M.E. under the Mental Health Act October 2015 by Action for M.E. PDF available written by Cathy Stillman-Lowe, Joan Crawford and Dr. Hiroko Akagi

<sup>&</sup>lt;sup>17</sup> https://www.mwcscot.org.uk/get-help/help-for-carers/being-a-named-person/ Link for more information about being a named person/nearest relative in Scotland.

Northern Ireland the nearest relative is in the following ranking order: the sectioned person's spouse or civil partner/ cohabitee; next in line is son or daughter (eldest first); next is father or mother; next is brother or sister (eldest first); next is grandparent; next is grandchild; next is uncle or aunt; next is nephew or niece. There are exceptions to this ranking order: for example, if you have a carer who is not related yet has lived with you for more than 5 years the carer could supersede your parents and siblings as the nearest relative. The nearest relative also has to be at least 18 years old unless they are your mother, father, husband, wife or civil partner. If you don't want the chosen person appointed to be your 'nearest relative' you may have to apply to a court to have them changed. If you have no-one on the list who can act for you, then you can apply to court to have a friend or an appointed person to be your nearest relative. For further information on your nearest relative/named person the following link can be helpful:

https://www.mind.org.uk/information-support/legal-rights/nearest-relative/about-thenearest-relative/#.XCocB7i9GIA

The following link explains what you might expect from a tribunal:

https://www.rcpsych.ac.uk/healthadvice/problemsanddisorders/guidementalhealthtrib unals.aspx <sup>18</sup>

# 10) How long do I need to wait to come home after being sectioned?

It depends on what Act you've been sectioned under and if you are successful in your tribunal.

**Emergency Sectioning** lasts up until 72 hours (3 days) during which time an assessment should be made if the patient is sectioned further under Section 2 or Section 3

**Section 2** is detention only without imposed treatment. It lasts for 28 days and an assessment may also be going on for further detention under Section 3. If you've been sectioned under Section 2, you have to appeal within 14 days. The tribunal must take place within 7 days of application.

**Section 3** This is detention combined with treatment. It lasts up to six months and then possibly renewed for a further six months and then annually. The treatment can only be given to the patient if they are sectioned. So, if the patient can receive the 'recommended treatment' outside of being detained, they could make that point for their release. If you've been sectioned under Section 3, the hearing should take place

<sup>&</sup>lt;sup>18</sup> Information taken from Rethink Mental Illness <a href="https://www.rethink.org">https://www.rethink.org</a>

within 8 weeks of application. You can appeal once in 6 months of being detained. After that you can appeal once in each renewal period.

#### It is possible to come home and be discharged before a section comes to an end.

For further advice about discharge from detention, the following link may help: <a href="https://www.rethink.org/living-with-mental-illness/mental-health-laws/discharge-from-detention/tribunals">https://www.rethink.org/living-with-mental-illness/mental-health-laws/discharge-from-detention/tribunals</a>

# 11) Can having Power of Attorney (Healthcare) help?

There are two types of Power of Attorney: one for finance and the other for health. The person appointed as your replacement (attorney) should you be unable to make a decision for yourself in the future, needs to be arranged whilst you still 'have capacity'. The Mental Capacity Act of 2005 has decided that all of us can have decisions made by doctors to treat us if we 'lack capacity'. Lacking capacity is when you are unable to make a decision for yourself. A patient over 16 yrs of age who is judged as lacking mental capacity (even temporarily) can have decisions made for them by medical staff. This is meant to be in the patient's 'best interests' but is not always. You can only appoint a Power of Attorney (Healthcare) or make an Advance Decision if you are 18 or over.

Power of Attorneys can be drawn up by solicitors but they are much cheaper via a gov.uk website. Once drawn up, it needs to be registered with the Office of the Public Guardian.

### https://www.gov.uk/power-of-attorney/make-lasting-power

Having Power of Attorney could only help if the person sectioned also 'lacked capacity' in the opinion of some doctors.

# **12)** Has any sectioning of an M.E. sufferer been beneficial to them?

We have heard that the sectioning of a young man diagnosed with M.E. who also had genuine mental health problems was beneficial to him as he was given regular meals. (This was not a first-hand witness account but from a source.) Of course, you don't need to be sectioned in order to have regular meals. This paper, however, is attempting to make a stand in favour of sufferers **who do not need sectioning**, especially as M.E. is often still seen wrongly as a mental health illness. In fact, there is much detrimental harm done to M.E. sufferers who have been sectioned, as the treatment offered is usually psychological, performed by doctors /nurses who believe wrongly that M.E. is a mental health issue. Sufferers complain of bright lights, noise and being forced to do activity if sectioned. In Denmark, it has been reported that a sufferer had toxic levels of

drugs forced upon her (thankfully this sufferer is now released from hospital and has come home).<sup>19</sup>

# 13) What are the documented outcomes for those M.E. sufferers who are sectioned?

The account of severe M.E. sufferer Sophia Mirza is well documented. <a href="https://www.sophiaandme.org.uk">www.sophiaandme.org.uk</a> Sophia was released after 2 weeks of being sectioned; she already had a solicitor involved before the sectioning as she was threatened with this before it took place. Tragically Sophia died in 2005 after the sectioning, from renal failure due to M.E.

A young woman with severe M.E. was sectioned in Germany but came home in 2015. Doctors had even changed her diagnosis of M.E. to 'Pervasive Refusal Syndrome'.<sup>20</sup>

A male M.E. sufferer (also with POTS diagnosis) has contacted the Grace Charity. He was sectioned several times in the UK, in both London and Devon. At one stage he was sectioned for 3 years in Exeter. He was injected with various antipsychotic drugs including clozapine as he was wrongly diagnosed with abnormal/delusional beliefs. Although he was sectioned with no genuine psychological disorder, he came out with Post Traumatic Stress Disorder. The sufferer is concerned about long-term side-effects of antipsychotic drugs whilst having disabling M.E. He is currently not sectioned but seeking help via private healthcare.

There is a well-documented case from Denmark when a young woman was forcibly removed from her home in Denmark in front of her family<sup>21</sup>in 2013. She returned home after four and a half years of being institutionalised, helped by a petition of almost 3,000 signatures and a court case.

### 14) Can children with M.E. be sectioned?

Unfortunately, children can also be sectioned. What appears to be more common though for children with M.E. is that the parents may be faced with child protection threats. This may happen through a misdiagnosis of a child's illness: for example, instead of a true diagnosis of M.E. they may be wrongly labelled as having Munchausen's syndrome by proxy (also known now as Fabricated or induced illness or FII) whereby a

<sup>&</sup>lt;sup>19</sup> Patient is Ms. Karina Hansen and this reference is from Daily Kos publication October 10<sup>th</sup> 2018 https://www.dailykos.com/stories/2018/10/10/1803351/-Karina-Hansen-is-FREE

<sup>&</sup>lt;sup>20</sup> The Quarterly Winter 2015 Good News from Germany page 6 published by the 25% ME Group www.25megroup.org

<sup>&</sup>lt;sup>21</sup> https://me-pedia.org/wiki/Karina Hansen

parent is blamed for the illness of their child. It is a form of child abuse, occurring when a parent or carer, usually the child's biological mother, exaggerates or deliberately causes symptoms of illness in the child.

To presume this is the reason behind a child genuinely suffering from M.E. is completely horrific and unacceptable.

For parents to have care proceedings take place against them, Social Services would be involved. Children may be threatened to be removed from their homes and placed in foster care or a hospital practising psychological therapies which may include a secure locked ward. Of course, a true M.E. sufferer is unlikely to improve from these suggestions with a probability of further deterioration, as well as the awful distress involved.<sup>22</sup>

A patient over 16 yrs of age who is judged as lacking mental capacity (even temporarily) can have decisions made for them by medical staff.

In England, Wales and Northern Ireland a person is a child until their 18th birthday when they legally become an adult. In Scotland, child protection orders can only be carried out on a person who is under 16 years old, although parents in Scotland still have parental responsibility for their children up until aged 18.

The same description applies that a child can only be sectioned if they are considered to be a risk to themselves or others.

Tymes Trust is a registered charity which helps children and young people with M.E. www.tymestrust.org Tymes Trust, PO Box 4347,Stock, Ingatestone, CM4 9TE, Tel: 0845 003 9002

#### Will I have to pay for my solicitor? **15)**

The website for the Royal College of psychiatrists states that a person who has been sectioned can have a legal representative at no cost to them. You have to make sure, though, that the lawyer understands M.E. and why being sectioned will only make the symptoms of M.E. worse.

The Law Society http://solicitors.lawsociety.org.uk/

Tel: 020 72421222

<sup>&</sup>lt;sup>22</sup> See the film *Voices from the Shadows* by Natalie Boulton and John Biggs www.voicesfromtheshadowsfilm.co.uk 2011

Legal aid is when the government helps with legal costs for a client.

Further information to see if you qualify for free legal aid from Citizen's Advice Bureau:

https://www.citizensadvice.org.uk/law-and-courts/legal-system/finding-free-or-affordable-legal-help/

or the Government website https://www.gov.uk/legal-aid

If you are still unable to pay for the legal costs involved and cannot get Legal Aid, LawWorks is a charity to connect volunteer lawyers with people in need of legal advice.

<u>www.lawworks.org.uk</u> Please note that there is no central phone number for Law Works but there are phone numbers for the local network in your area.

Other possible helpful contacts:

1) Civil Legal Advice (formerly Community Legal Advice) Tel: 0845 3454345

2) The Disability Law Service Disability Law Service

The Foundry

17 Oval Way

London SE11 5RR

Tel: 020 7791 9800

Email: advice@dls.org.uk Website: www.dls.org.uk

#### How much do solicitors charge?

Some charge by the hour; juniors charge around £100 per hour, whereas seniors charge around £200 per hour. A fixed fee could be arranged.

Some may act on a 'No Win No Fee' offer, which means you only pay if your case wins (that would be a proportion of your damages – nothing if you lose).

**Lawyers with an interest in M.E.** (please note that the Grace Charity for M.E. is not necessarily recommending the following lawyers but is merely providing information):

#### 1) James Millar Craig

James is a partner with Royds Withy King and has intervened with M.E./CFS disputes, mainly insurance litigation.

Tel: 020 78421438/ 020 75832222

Email: james.millarcraig@roydswithyking.com

www.roydswithyking.com

### 2) Josephine Van Lierop

Josephine is an employee of Slater Gordon Lawyers (London and Edinburgh offices) She has succeeded in a disability discrimination claim for a 'CFS' sufferer, Sept. 2015

Tel: 0131 718 4179

Website: www.slatergordon.co.uk

#### 3) Richard Colbey

Richard works for Lamb Chambers. He won a case in 2012 for a 'CFS' sufferer against their insurer, who dismissed M.E. as a functional disorder.

www.lambchambers.co.uk

email: richardcolbey@lambchambers.co.uk

Tel: 020 77978300 020 7797 8302

#### 4) Brian Barr solicitors

www.brianbarr.co.uk
Tel: 0161 737 9248
Based in Manchester

Brain Barr solicitors have a special interest in representing clients with fibromyalgia, chronic pain, CRPS (Complex Regional Pain Syndrome) and Chronic Fatigue Syndrome/M.E.

### 5) Katherine Sheldrick

**Hempsons Solicitors** 

www.hempsons.co.uk

Tel: 0161 228 0011 (general enquiries)

Ms. Sheldrick: 0161 234 2467 Her email: k.sheldrick@hempsons.co.uk

Email: manchester@hempsons.co.uk (general inquiries)

Hempsons have solicitors nation-wide, in London, Harrogate, Newcastle as well as Manchester .

Ms. Sheldrick (Manchester based) helped a doctor who treated M.E. biomedically to win a legal battle in 2017.

Scott-Moncrief & Associates Ltd. Solicitors www.scomo.com

Tel: 020 3972 9011 There are offices in London, Nottingham and Leicester.

This firm assisted an M.E. sufferer with a judicial review over the NICE Guidelines in 2021, and the sufferer won against NICE.

If any of these lawyers are used please give us feedback. Also, we'd like feedback generally about this paper. <a href="www.thegracecharityforme.org">www.thegracecharityforme.org</a>

With thanks to a member of the 25% ME Group for their assistance with this document.

**Disclaimer:** Although the Grace Charity for M.E. aims to prevent unnecessary sectioning of M.E. sufferers, we cannot be held responsible if such a terrible incident does occur.