

Legal claims for sexual abuse in healthcare: Frequently Asked Questions

Sexual abuse, assault or harassment in a hospital or medical context can be hugely damaging for victims and survivors. Abuse can prevent patients from getting the medical care they need.

Leigh Day specialises in bringing legal cases for people who have been sexually abused by doctors, nurses, health care assistants and other medical professionals. We also investigate safeguarding failures when patients sexually assault other patients.

Whether you are a patient, a concerned relative, or a member of staff, our abuse team can speak to you confidentially about your legal options.

What legal advice do I need after experiencing sexual abuse in a healthcare setting?

Sexual assaults in healthcare raise unique legal issues, especially when the perpetrator is a member of staff in a position of trust. Sexual abuse by medical professionals represents a gross abuse of power.

Patients are vulnerable when they seek medical care or advice. They rely on doctors and medical staff to treat them and keep them safe. It can be difficult to speak out against a doctor or nurse's behaviour, and it is important to get advice from a lawyer with experience of bringing cases for sexual abuse in healthcare settings.

Time limits can apply to legal cases for sexual abuse, so you should seek legal advice as early as possible.

At Leigh Day, we can talk to you about:

- Making a complaint to a hospital, GP, or private clinic.
- Reporting to the police and the criminal process.
- The duties of NHS trusts and public bodies to investigate your complaint of sexual abuse.
- The regulatory process, such as complaining to the General Medical Council about a doctor, or to the Nursing and Midwifery Council about a nurse.
- Seeking redress for the abuse and its impact upon your life.

We specialise in bringing civil claims to hold the NHS trust or private medical provider responsible for the abuse you suffered.

If you are a member of staff with concerns about the impact of your complaint on your current job, we can also give you details of our specialist employment law team.

What types of abuse in healthcare cases has Leigh Day worked on?

The abuse claims team at Leigh Day, led by Partner and solicitor [Alison Millar](#), have successfully brought a wide variety of abuse claims for patients and staff, including:

- Representing complainants of Dr Manish Shah, an Essex GP, who sexually assaulted female patients by pretending to conduct legitimate gynaecological examinations, smear tests, and breast examinations.
- Securing compensation for a female inpatient who had been sexually assaulted by a healthcare assistant on a mental health ward at an Essex hospital.
- Acting for a female healthcare professional who was sexually harassed and assaulted by a male junior doctor in a Shrewsbury & Telford NHS Trust hospital.
- Representing male patients who were sexually assaulted by a sexual health nurse during tests at a sexual health clinic in Chelsea & Westminster NHS Trust.
- Obtaining compensation for a vulnerable adult who was sexually abused by a community mental health nurse.
- Acting for learning disabled and autistic clients who have been subjected to sexual abuse in care homes, hospitals and in the community.
- Acting for women who have been sexually abused by their therapist, counsellor or osteopath.

We have brought cases against many different NHS trusts, as well as private hospital providers like the Priory Group and Cygnet Healthcare.

What would a legal claim involve?

You would need to give us details of the abuse you suffered. We understand that this might be difficult for you to do, and we work with you sensitively to help you give us the information we need.

We would need to gather background evidence and documents to support your case. This might involve looking at criminal or regulatory proceedings and investigating whether other complaints had been made about the abuser.

We would also need to investigate the impact of the abuse on your life. Sexual abuse in healthcare settings like hospitals or GP surgeries can traumatise the person who has been targeted. Some of our clients find it difficult to trust a doctor or nurse again. Others become scared to have a physical examination or go back into a hospital. We would carefully examine the psychological effects of the abuse on you.

With your input, we would present your case to the hospital or trust responsible for the abuser and seek accountability on your behalf.

Each legal claim is different but if your case succeeds, you will receive a sum of damages (compensation). We might also be able to obtain other remedies for you, like a formal apology or reassurance that policies or practices at the hospital have changed because of your complaint.

How would I pay for my legal case?

We would discuss the options available to fund your case. It might be possible for your claim to be funded by Legal Aid. If not, we may recommend a 'no win no fee' agreement.

You may also be advised to take out a special insurance policy to protect you during your claim.

Our abuse claims lawyers would be happy to speak to you confidentially about your options and the funding options available to you.

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