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When is a Delay in Cancer Diagnosis Negligent?

If you are reading this article, the chances are you have experienced a cancer diagnosis, either yourself, a family member or a friend, and you are concerned that the diagnosis has been made late or, potentially, you have been told by a medical professional that this is the case.

The question on your mind is whether legal action is appropriate. In addition, you want to know if there is a possibility of receiving damages for what you consider a medical mistake.

The answer is you may well have an actionable clinical negligence claim for delay in cancer diagnosis. It is always best to speak with a specialist clinical negligence lawyer, such as the team at Lester Aldridge.

The first step is picking up the phone or sending in an email enquiry, and we will guide you through the process sensitively and professionally.

The questions we will ask you when you make contact are designed to help us decide if there is a potential case to pursue and, if there is, what the potential value of the damages available to you would be.

The first thing we will ask is what cancer has been diagnosed, and we will ask you to provide some information about the weeks, months, and potentially years leading to the diagnosis. This will help us to decide whether we think, from a legal perspective, the diagnosis could have been made sooner.

We will then ask you whether the cancer has been staged and what treatment is being offered, or perhaps you have already started treatment, in which case we will discuss the treatment and its impact on your life. We will then be able to advise you whether, in our view and purely from a legal point of view, that treatment might have been the same even though you consider the diagnosis to have been made too late. But on the other hand, if the treatment had been different and less invasive, this could have meant a better quality of life through the treatment or a better-expected outcome.

In all cases, we will need an independent medical expert to advise on these issues if we think your case has sufficient prospects of success.

Our specialist medical negligence lawyers are skilled in taking these details and advising if your claim has

sufficient prospects of success to take forward. If it does not, we may recommend using the NHS complaints process. Either way, we will ensure that you get the answers you seek and are well-advised and informed moving forward.

Lester Aldridge does not charge for these enquiries; they are entirely without obligation.

[David Healy](#), Partner and Group Leader for the team at Lester Aldridge says, “My clinical negligence team are skilled in assessing prospects of success with these cases. We will not waste your time with a case that does not have merit. Similarly, in cases which can progress, we will move forward quickly and effectively to ensure that you receive the maximum possible compensation as soon as possible.”