

Expert legal support after an *encephalitis* diagnosis

If you believe encephalitis is the result of medical negligence, we're here to help.

What is encephalitis?

Encephalitis is a rare but serious inflammation of the brain, usually caused by an infection or an autoimmune response.

It can develop quickly and lead to significant complications, including:

- Brain injury
- Memory and cognitive difficulties
- Seizures
- Mobility problems
- Behavioural or personality changes

Prompt diagnosis and treatment are vital to achieving the best possible outcome.

Encephalitis negligence claims

While not all cases of encephalitis can be prevented, medical errors can occur, including:

- Delayed diagnosis or misdiagnosis
- Failure to carry out appropriate investigations
- Delays in treatment
- Inadequate monitoring or escalation of care
- Failures in rehabilitation or follow-up care

How our legal experts can help

Our specialist Scottish medical negligence team can:

- Investigate your care with independent experts
- Establish whether earlier treatment could have improved the outcome
- Secure compensation for rehabilitation, therapies, care and long-term support
- Guide you through the claims process with sensitivity and expertise

Who can bring a claim?

Claims may be brought by adults affected by encephalitis, as well as by parents or guardians acting on behalf of a child. Where someone lacks the capacity to manage their own affairs, an attorney or guardian can bring a claim on their behalf. In cases where negligence has devastatingly led to a death, relatives may also be able to pursue a claim.

Time limits in Scotland

In most cases, claims must be brought within **three years** of the negligent treatment, or within three years of the date you first knew, or could reasonably have been expected to know, that negligence may have caused your injury.*

What happens when I make a claim?

We will:

1. Investigate what happened by obtaining medical records and expert evidence.
2. Assess the impact of the injury and future support needs.
3. Pursue compensation through settlement or court proceedings if appropriate.
4. Seek interim payments where possible to fund rehabilitation and care sooner.

What support could I receive?

Compensation may cover:

- Pain and suffering
- Medical treatment and rehabilitation
- Care and assistance
- Loss of earnings
- Specialist equipment and accommodation
- Psychological support

The amount awarded depends on the severity of the injury and its impact on your life.

We will also help with support beyond your claim, including access to rehabilitation, support services and specialist organisations, including our charity partners.

No-win, no-fee

We offer free initial advice and, where appropriate, no-win, no-fee funding. Your solicitor will explain all funding options clearly so you can make informed decisions with confidence.

*Exceptions include:

Children: the three-year period usually starts on their 16th birthday

Adults who lack legal capacity: time limits may not apply while incapacity continues

Fatal claims: family members generally have three years from the date of death

Contact our expert

If you think you may have an encephalitis negligence claim, contact our specialist solicitors for a free initial consultation.



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