

Iain (Sam) McLeod

Call Date: 1969



Noted for his excellent people and communication skills, he also had a real ability to empathise with the problems facing his clients.

He has considerable experience of and insight into the dynamics of degenerative spinal conditions and chronic pain, and gave a presentation entitled Pain in the Real World-The Litigant's Perspective to the inaugural Cambridge Annual Medico-legal conference in 2011.

He is interested in and quick to comprehend the medical issues in PI/clinical negligence cases, and is able to discuss these aspects proactively with the experts involved.

He intends to remain up to date, and maintain and foster his interest in medico-legal matters during his retirement.

Retired from practice: April 2016

Recorder: July 1993 to 31 March 2014

Legal Services

Claims against the MOD

Notable Claims against the MOD cases

A claim by an unmarried soldier in respect of permanent significant cognitive and physical disabilities arising from severe traumatic brain injuries sustained in a road traffic accident. The claim settled for a very significant lump sum including provision for specially adapted bungalow accommodation, and lifelong future care and case management

3 HARE COURT

A claim by a soldier in respect of severe spinal injuries caused by the plummet to earth following a parachute entanglement whilst trialling a low level drop parachute

A claim by a marine for severely reduced cognitive and physical functioning caused by systemic blood poisoning from over exposure to DEET in the insect repellent provided to deter black fly on a training exercise in Canada. The case involved contentious contemporary issues in respect of the validity of claims relating to organophosphate poisoning/sheep dip poisoning/gulf war syndrome. The claim settled following an admission of causation by a Defence expert which the Court refused to allow to be withdrawn

A claim by a soldier for damages for organic personality disorder and cognitive impairment arising from severe traumatic brain injuries sustained in a training accident/fall. Liability was admitted subject to an agreed percentage for contributory negligence. The claim, which included a contingent sum in respect of prospective marriage breakdown, settled after a JSM shortly before the date fixed for trial

A Fatal Accidents Act claim by the widow of a serving soldier who did not live to see the birth of their first child who was born after he died

Personal Injury

Notable Personal Injury cases

A clinical negligence claim on behalf of a young adult with severe pre-existing congenital disabilities who ingested a small lamb chop bone. On two occasions in A&E the doctors failed to diagnose the puncture of the oesophagus shown on the X-rays. The claimant was subsequently admitted as an emergency to hospital, very gravely ill, and suffered severe neurological consequences. On discharge from hospital 8 months later, the claimant was paraplegic, and permanently wheelchair bound. The assessment of future needs was extremely challenging given the pre-existing disability. The case settled for a substantial lump sum and periodical payments with the latter aspect being adjourned to await the outcome of Thompson et al in the Court of Appeal

A clinical negligence claim on behalf of a child with atypical cerebral palsy caused by the alleged mismanagement of the mother's labour involving extremely complex issues of causation. A settlement

3 HARE COURT

negotiated at a JSM was approved by the High Court

A claim for CRPS arising from a minor fracture of the tibial plateau sustained in a motor cycle accident. The claim, which included a claim for a specially adapted bungalow, was settled by mediation for a very substantial lump sum

A claim by a lady in her 50's in respect of the very severe leg injuries she sustained in a motorcycle accident resulting in a right below knee amputation. Prosthetic rehabilitation was significantly delayed by treatment of the complex fractures of her left femur which failed to heal initially, and required further extensive revision reconstructive surgery 4 months after the initial procedures. This resulted in a 17 month period non weight bearing through the left leg. The prognosis was complicated by the development of osteoarthritic changes in the right knee joint which would require a total knee replacement in due course. There were significant issues over future care and accommodation. The case settled at a JSM for in excess of £1million including a sum for specially adapted accommodation

A claim by an employee in respect of the horrific neck/arm injuries resulting from his neck being partially guillotined by the moving under structure of an extending trombone lorry trailer as the tractor unit was driven forwards. Primary liability was admitted, but live issues remained as to contributory negligence, and the extent of recovery from the injuries. The matter was resolved at a JSM

A claim against a local council by the elderly resident of sheltered accommodation who contracted legionnaire's disease from the domestic hot water supply within his flat. The claimant suffered severe legionella pneumonia and very serious life threatening secondary complications including acute renal failure requiring dialysis, and severe gastrointestinal bleeding requiring a hemi-colectomy. Permanent consequences include stage 4 kidney failure (which may deteriorate further), a permanent ileostomy bag, and a permanent indwelling urinary catheter. Liability was denied. A split trial was ordered. The claim settled for a significant sum at a JSM prior to the trial on liability

Successfully responding to the appeal by a local highway authority to the Court of Appeal against judgement on liability for a tripping accident. The claimant sustained a severe fracture of her femur which required further major surgery a year later after the angled blade plate applied in the initial surgery broke, Dalton v Nottingham County Council 2011 EWCA Civ 776

Presentations

- Peterborough Medico-Legal Symposium 2010
- Inaugural Annual Cambridge Medico-Legal Conference 2011: Pain in the Real World-The Litigant's Perspective.
- The Somek & Associates Annual Conference 20/5/2016: The Claimant Experience in the Real World

Memberships

- PIBA
- APIL
- LCLCBA

Qualifications

- LLB (Hons) Bristol University