

Francesca Lowry
Associate Solicitor



Areas of Law: Healthcare

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Background

Francesca Lowry attained a degree in Common and Civil Law with French (LLB Honours) from Queen's University, Belfast in 2001. She then gained a Masters in Computers and Law (LLM), in 2002, before joining Carson McDowell in 2003, as an Apprentice. Francesca qualified as a Solicitor in 2005 and joined the Healthcare Team, initially, acting mainly on behalf of various Health Trusts across Northern Ireland.

Francesca continues to specialise in Healthcare. On the instructions of Dental Defence Organisations, Francesca assists dentists in Northern Ireland in relation to claims and Regulatory issues and provides regular updates to Dental Defence Organisations. She also assists doctors, on behalf of Medical Defence Organisations, in relation to claims, Inquiries and Inquests. Francesca assists pharmacists on the instructions of the National Pharmaceutical Association. She also advises, generally, in relation to access to records and assists with complaints procedures.

Francesca regularly presents and delivers seminars to doctors and dentists, highlighting the common pitfalls inherent in these professions in relation to the duty of care to patients, advising on how best to avoid complaints or claims brought against them.

The Healthcare Team is widely recognised as a leader in Chambers and Partners and the Legal 500.

Experience

Francesca's breadth of experience includes:

Clinical Negligence

- Advising dentists, dental nurses, hygienists and therapists, instructing experts and negotiating directly with Counsel, in relation to claims regarding orthodontic treatment; delayed diagnoses of cancer; endodontic treatment; fractured instruments; periodontal disease; misinterpretation of radiographs; restorative dentistry (to include placement of dental implants, crowns, bridges and veneers); nerve injury; oral surgery; and consent issues.

- Advising doctors, instructing experts and negotiating directly with Counsel, in relation to claims regarding delayed diagnosis of fractures/ SUFE/ DVT/ cancer; consent issues; birth injuries; cosmetic surgery; orthopaedic treatment; misdiagnosis of various conditions; and contraction of MRSA;
- On record in Northern Ireland, on behalf of the NHSLA, in relation to cases pertaining to treatment provided in England and liaising with English-based Solicitors, including one case where judgment was entered on behalf of the Defendant and substantial costs were paid to the Defendant by the Plaintiff during the course of the Hearing.

Inquests

- Representing a General Practitioner at Inquest touching upon the death of an inmate in Prison;
- Assisting and representing hospital clinicians in relation to Inquests into deaths of patients in Hospital;
- Personally appearing on behalf of General Practitioners and doctors providing private treatment at Inquest;
- Advising Northern Irish company in relation to a death in London, which was investigated by a Coroner in London.

Regulatory/ Professional Discipline

- Advising clinician in relation to a complex multi-faceted regulatory/ disciplinary matter, which required advice in relation to an internal hospital Serious Adverse Incident investigation, potential referral to NCAS, advices regarding MHPS, related Inquests and referral and investigation by the GMC.

Public Inquiries

- Assisting and representing various doctors at the Hyponatraemia Inquiry.

Judicial Review

- Successfully assisting a General Practitioner in relation to Judicial Review proceedings regarding the use of documents at an Inquest.

Pharmaceutical Claims/Disciplinary Matters

- Advising pharmacists in relation to claims regarding dispensing errors and slips and trips.
- Advising and negotiating on behalf of a number of contractors in relation to HSCB disciplinary procedures

Francesca also advises in relation to the disclosure of notes and in some aspects of regulatory law. She has also previously advised Northern Irish Trusts and private clients in relation to issues pertaining to mental health and acted on behalf of Trusts at Mental Health Review Tribunals.