

## Halliwell v F

Out of Court Settlement:	11.2.16
Damages:	£3,500.00
Dental Condition:	Endodontics/Restorative
Defendant Representatives:	The Dental Defence Union
Reference:	lawdent.com

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**The Claimant, a 55 year old woman, received £3,500 for the loss of UR4 as a result of poor root canal treatment.**

The Claimant attended the Defendant on the 28.10.08 for an examination. Two periapical radiographs were taken.

The Claimant returned to the Defendant on the 22.12.10 complaining of a fractured tooth at UR4. The Claimant was advised that a crown was required. The Claimant was also advised to have root canal treatment.

The Claimant attended the Defendant on the 13.1.11 when root canal treatment was carried out at the UR4. Root canal treatment continued on the 20.1.11 and 27.1.11. The Claimant returned to the Defendant on the 3.2.11 when root canal treatment was completed.

The Claimant returned to the Practice on the 5.1.12 when preparation took place for a crown at UR4 and a crown was fitted on the 19.1.12.

The Claimant attended another Dental Practice on the 20.12.12 complaining of a loose crown. A radiograph was taken which shows an unsatisfactory root canal treatment at the UR4 and a crown.

The Claimant continued to attend the Practice for treatment elsewhere in the mouth.

The Claimant attended another Dental Practice on the 6.11.13 and it was noted that the UR4 required extraction. The Claimant returned on 13.11.13 when the UR4 was extracted.

**Allegations of negligence:** It was alleged that the Defendant failed to use reasonable skill and care in the technical execution of root canal treatment at the UR4.

In relation to causation, the Claimant argued that had satisfactory root canal treatment been provided then she would have avoided the loss of the UR4 and the requirement to replace the tooth by way of an implant.

**Liability:** No admissions made.

**Injuries:** The Claimant has suffered the avoidable loss of UR4.

**Effects:** The Claimant has suffered a period of pain and suffering as a result of poor root treatment at UR4 and the discomfort associated with extraction of the tooth. The Claimant will face further discomfort in the placement of an implant.

**Out of Court Settlement:** £3,500.00.

**Breakdown of General Damages:** £1,000 for the avoidable loss of UR4 (breakdown estimated by Claimant's Solicitors).

**Background to Special Damages** £2,500 towards the cost of an implant at UR4 (breakdown estimated by Claimant's Solicitors).

The Dental Law Partnership representing the Claimant, The Dental Defence Union for the Defendant.

This case report was provided courtesy of Jenny Wood, Senior Solicitor with The Dental Law Partnership.

