

Breast Implants – updated position in relation to a claim

The legal position

The legal position in relation to women who have been embroiled in the PIP scandal has become clearer.

Women who were supplied PIP breast implants may have a claim under the Supply of Goods and Services Act 1982 and/or the Sale of Goods Act 1979.

Under this legislation women are entitled to a repair/replacement of their defective implants along with compensation for any consequential loss incurred.

Women must be able to prove that their implants were defective and it is envisaged that the clinics and surgeons involved may argue that unless an implant has ruptured then this is not the case. However, at Russell-Cooke we are of the opinion that if the implant contained sub-grade silicone then this is defective.

A claim under the above legislation can only be made if the implants were purchased in the last 6 years.

Compensation

If a successful claim is made under this legislation then women with the PIP implants can look to seek compensation for the cost of future surgery to replace the implants, compensation for the pain and suffering as a result of this surgery along with compensation for any other consequential losses that flow as a result.

For women that have already undergone replacement surgery, they can seek to claim back this cost along with compensation for the pain and suffering as a result of the surgery and any consequential losses that they have incurred.

How we can help

If you have PIP implants and are looking to make a claim for compensation then please make contact with us.

We offer 'No Win, No Fee Agreements' in suitable cases and in addition offer a free first meeting or telephone consultation. Please contact one of our specialist solicitors.

For more information or initial advice, please contact any one of the following:

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