

# APIL REGIONAL MEETING 21.06.16

## MINUTES

Date: 21.06.16

Subject: Managing the difficult client

Location: Wellcome Genome Campus in Saffron Walden

Attendees: Hannah Rutterford (Regional Co-Ordinator), Mark Copley (Regional Secretary), Karen Burgin (Speaker), Jackie Chappel (Speaker), Bev Palmer (Speaker), Claire Hodgson (EC Officer), Sharon Allison, Ruth Booy, Tom Cook, Hannah Emery, Eleanor Howie, Charlotte Jones, Siobhan McWhinney, Christopher Moore, Caroline Trinder, Grace Walker, Michael Wangermann, Chantelle Tyrrell, Daniel Knight, Becca Jones, Emily Green

The meeting began at 3pm with the service of prosecco and afternoon tea. The attendees mingled for 15 minutes before the speakers began at 3.15pm.

The presentation by Bush & Co on the subject of managing the difficult client was done by way of a PowerPoint presentation, the slides of that presentation are attached.

Karen Burgin of Bush & Co started the presentation by introducing herself and giving some background on how she became aware of Bev Palmer's work as a behaviour specialist. This involved a story about a client that Karen was working with from the age of 10 to 14 and who had disengaged completely from school and treatment. When it seemed like there was no way to re-engage him in these services Karen heard of Bev and invited her to see if she could help. She immediately built a connection with the client and was able to get the client to engage again with the treatment and with his education. The link in services between Bush & Co and Bev Palmer developed from there.

Karen then handed over to Bev to introduce herself and the approach she has been using to manage difficult clients.

The main focus of the talk was on the relationship between the client, their family and the solicitor/treatment providers. She explained the theory put forward by a psychotherapist called Stephen Karpman known as the 'drama triangle'. She explained that the triangle is made up of three points named victim, rescuer and persecutor. She explained how the various people involved in the aftermath of a serious accident can take on each of these roles in a fluid way, but that ultimately once you get into this situation the relationship between the three points of the triangle is dysfunctional.

The key is to understand when this situation develops and try to convert the relationship into a much healthier relationship known as the 'winners triangle'.

The 'winners triangle' is made up of three points named assertive, caring and vulnerable. The ultimate goal is to re-engage the injured party and their family in the treatment being provided. The 'winners triangle' is much more focused on providing factual feedback, evidenced with examples, and inviting the injured party to see the truth of their situation and come up with their own solutions to problems. This enables them to be much more invested in their treatment as they feel they are part of it rather than the subject of it.

Bev used a case study to demonstrate this which can be seen in the slides. She highlighted the fact that it is often necessary to provide treatment for family members who are suffering from psychological issues following the index accident before treatment will be successful on the injured party. Quite often the parents, due to their psychological reaction to an injury to their child, can in fact become obstacles to the treatment. It is important to recognise this and treat it accordingly.

There was a discussion around what is known as helicopter parenting in which the parents will constantly be hovering over the injured child for fear of further injury which can foster a feeling of dependency which is unhealthy.

The main tips provided to solicitors at the end of the presentation were the following:

- 1 Be mindful of not being pulled into the drama triangle.
- 2 Do not be part of scapegoating.
- 3 Check sustainability and recoverability of any intervention.
- 4 If measuring tools are used then you can evidence best practice.
- 5 Check with case managers if any requests are relevant and reasonable, as giving in to requests no matter how well pleaded can lead to increased challenges with the Defendants.
- 6 See the value in supporting the family as this always increases rehabilitation outcomes.

Bev then opened the floor to questions.

Ruth Booy asked what the approach should be if the parents themselves point blank refuse to engage with any assistance? Bev explained that usually in these circumstances she would try to get the treatment in through the back door. Often she would discuss with the parents the treatment she was recommending for the child, she would talk through this with the parents and ask them for their own views on what she is recommending. She would then use this to ask the parents to relate the treatment to their own feelings and use this as a way in to discussing this with them. It may also be framed slightly differently in that she would suggest that some treatment for the parents would in the long run have a very positive effect on the recovery of the injured child and often parents are more willing to accept intervention if they are specifically told this is for the child's benefit.

Claire Hodgson (EC Officer) then asked whether this service is offered to clients other than those who have suffered brain injuries?

Bev explained that the service is available to any client provided it is justified. Chronic pain cases, for example.

Bev thanked the audience for listening and ended the presentation.

## **EC Update**

Claire Hodgeson then presented the EC Update focussing on the following points:

- 1 APIL's continued lobbying on cold calling.

- 2 APIL's work on debunking the compensation culture, including comments on the ABI's recent figures.
- 3 APIL's work on the proposed increase to the small claims limit and clinical negligence fixed costs. It is likely these are all on hold until after the EU vote on Thursday.
- 4 APIL's involvement in the HMRC delays on historic work history being made available for disease cases. Noting that these are generally quite quick in mesothelioma cases but for other cases there can be a wait of up to 12 months. The issue is that a lot of the records are stored on microfiche and HMRC do not have enough equipment to read these.
- 5 APIL is currently setting up a mediation and ADR register, more on this to follow.
- 6 In Northern Ireland there has been an increase in bereavement damages.

Meeting concluded at 4.55pm.

**MARK COPLEY (REGIONAL SECRETARY)**