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Covid-19: Doctors instruct law firm in bid for compensation after developing long covid

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A group of doctors with long covid are preparing to launch a class action for compensation after contracting SARS-CoV-2 at work.

The campaign and advocacy group Long Covid Doctors for Action (LCD4A) has engaged the law firm Bond Turner to bring claims for any physical injuries and financial losses sustained by frontline workers who were not properly protected at work.

On 25 January Bond Turner, which specialises in negligence cases, complex litigation, and group actions, launched a call to action inviting doctors and other healthcare workers in England and Wales to make contact if they believe that they contracted covid-19 as a result of occupational exposure.¹

Sara Stanger, the firm's director and head of clinical negligence and serious injury claims, said that the ultimate aim was to achieve "legal accountability and justice for those injured."

She told *The BMJ*, "I've spoken to hundreds of doctors with long covid, and many of them have had their lives derailed. Some have lost their jobs and their homes; they are in financial ruin. Their illnesses have had far reaching consequences in all areas of their lives."

Stanger said that the litigation was at an early stage but that it had the potential to turn into a very large litigation and would probably be managed as a group by the courts. "We are at the investigation stage, but it is our intention to pursue whoever is at fault and whoever is considered liable for the injuries and losses—be that individual organisations such as NHS trusts or GP surgeries or government bodies. We have to look at who is the appropriate defendant," she said.

Inadequate protection

Kelly Fearnley, LCD4A chair, highlighted the need to compensate UK healthcare workers whose lives "have been decimated" after occupational exposure to SARS-CoV-2.

"Many of our members contracted covid at work whilst providing vital care to patients in absence of adequate airborne protection," she said. "Doctors that were young, and previously fit and healthy with no comorbidities, are now living a life of chronic disability. Some are still bedbound or housebound after nearly four years. It's utterly heartbreaking. There now needs to be legal accountability and justice for those injured."

Many doctors also faced financial destitution, said Fearnley. "The ongoing health impacts of SARS-CoV-2 mean many are still too unwell to return to work," she said. "Healthcare workers have not only been

robbed of their health but also of their ability to work and earn a living. Several doctors have been forced to sell their homes. Some of our members have been forced to use food banks."

Last year a survey conducted by the BMA and LCD4A found that almost one in five responding doctors (18%) with long covid were no longer able to work,² and nearly half (49%) of the 603 respondents said that they had lost income as a result of long covid.

LCD4A and Bond Turner have called for long/post-acute covid to be recognised as an occupational disease, a move also backed by the BMA, the Royal College of Nursing, and the Trades Union Congress. They also want to push for all healthcare workers to be adequately protected from airborne viruses at work through respiratory protection, ventilation systems, and air filter units.

Jonathan Fluxman, retired GP and LCD4A committee member, said, "The more people that join the class action, the greater the pressure on NHS organisations to put in place protections against airborne spread of respiratory viruses.

"Healthcare workers with long covid should have been protected properly at work, but they were let down so badly. They now need compensation to get money to pay their bills, their mortgages, and for care, as so many are having to pay for that care themselves. We must help them get their lives back."

Healthcare workers in England or Wales wanting to join the class action can find out more at www.bondturner.com/services/covid-group-claim/. Healthcare workers in Scotland can contact Debbie Milne of Jackson Boyd Lawyers at www.jacksonboyd.co.uk/team/dmilne. There is no current arrangement for Northern Ireland.

1 Bond Turner. Covid group claim. <https://www.bondturner.com/services/covid-group-claim/>

2 Waters A. Long covid: nearly half of doctors affected can no longer work full time, finds survey. *BMJ* 2023;382. doi: 10.1136/bmj.p1529 pmid: 37402532

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