

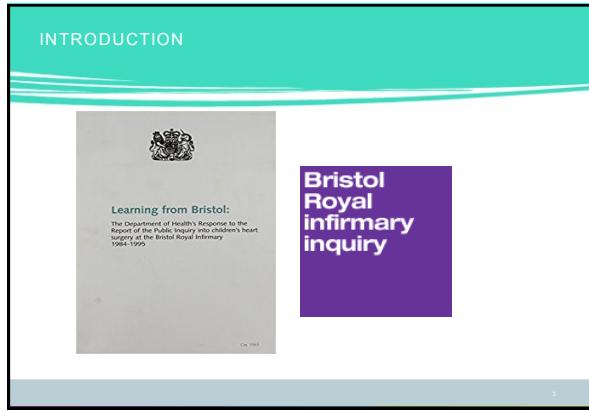
Clinical Negligence: Law Practice and Procedure

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- The emotional impact – dealing with distressed clients
- Managing expectations
- Managing bereavement
- Stillbirth claims



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- WHY WERE PARENTS NOT INFORMED ABOUT ORGAN RETENTION?

INTRODUCTION



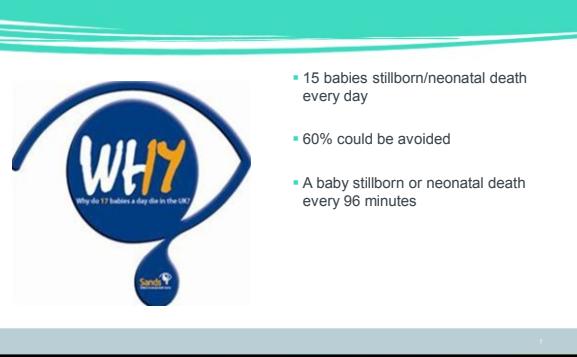
WHY?



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- 15 babies stillborn/neonatal death every day
- 60% could be avoided
- A baby stillborn or neonatal death every 96 minutes



- Common Trends in Stillbirth Cases Study & Report 2008
- Reduced fetal movements
- Lack of fetal heart rate monitoring
- Failure to interpret monitoring correctly
- Failure to identify growth restricted babies
- Failure to refer for obstetric review

FINANCIAL IMPACT

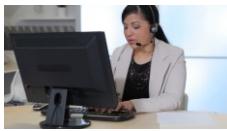


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- Earn trust and respect
- Don't be worried about discussing bereavement
- Gauge from the outset what your client wants
- Give clients time
- Set out the parameters at the start
- Communication



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CASE STUDY

- Son stillborn
- Mum had severe psychiatric injury - PTSD
- Liability admitted early
- High earner
- Mum couldn't cope and unable to return to previous employment
- Psychiatrist recommended long term counselling
- Plan was to have only 6 months' maternity leave
- Loss of earnings claim based on likely career progression

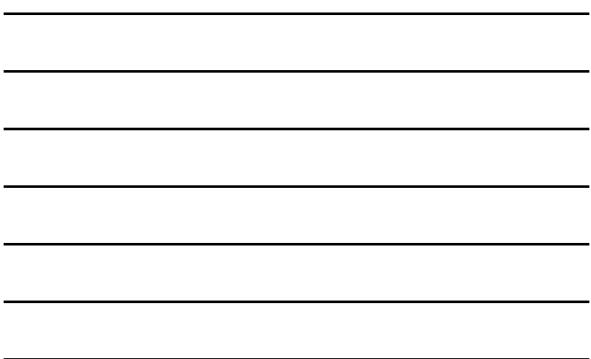


CASE STUDY

- Mum's loss of earnings claim £75,523.29
- Schedule of loss total £933,169.85
- High litigation risk re Loss of Earnings claim



"They have admitted that they killed my child. If they hadn't been negligent my son would be with us now. You are darn right that it is now about the money. My wife can't return to work and never will. We have a mortgage to pay and children to support. The pressure on me is enormous. What else is there but the money? I want to claim the maximum amount that we can."



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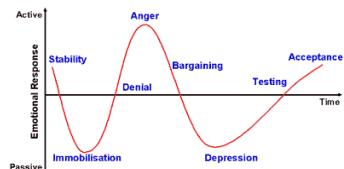
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- Learn lessons
- Change protocols
- Introduce guidelines
- Introduce staff training

each baby
COUNTS.

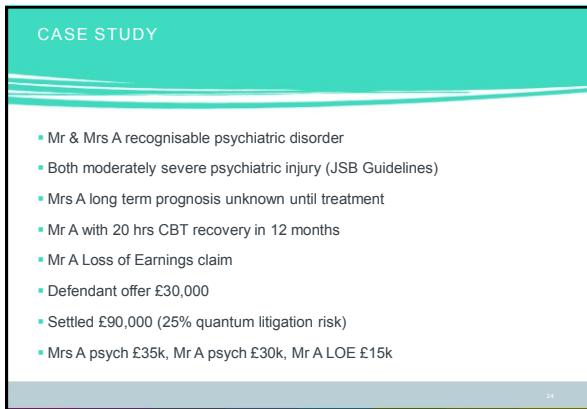
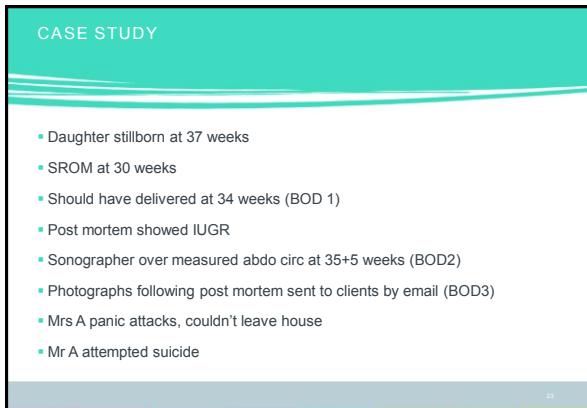
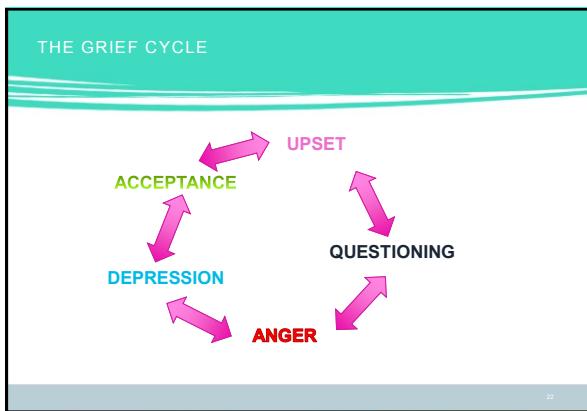
THE GRIEF CYCLE



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CONCLUSION



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