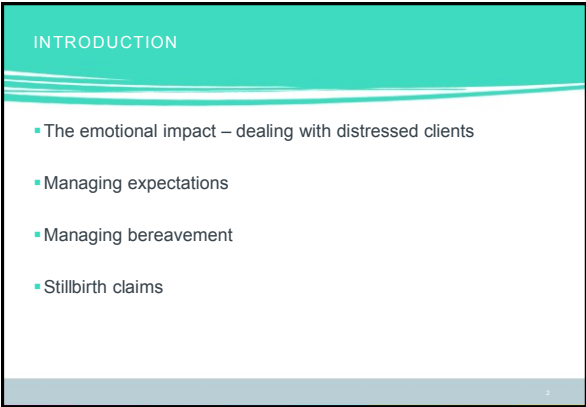


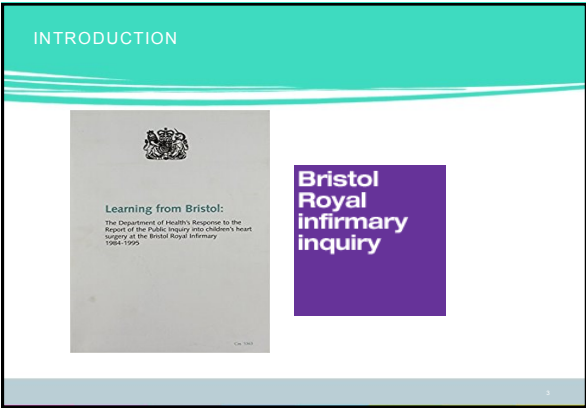
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■ WHY WERE PARENTS NOT
INFORMED ABOUT ORGAN
RETENTION?

INTRODUCTION



WHY?



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STATISTICS



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

COMMON TRENDS

- 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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MANAGING CLIENTS' EXPECTATIONS

- 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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MANAGING CLIENTS' EXPECTATIONS



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MANAGING CLIENTS' EXPECTATIONS



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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

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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

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CASE STUDY

"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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NON MONETARY REMEDIES

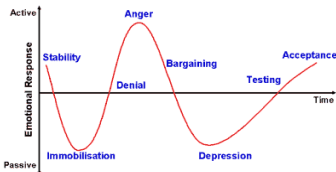
- Learn lessons
- Change protocols
- Introduce guidelines
- Introduce staff training

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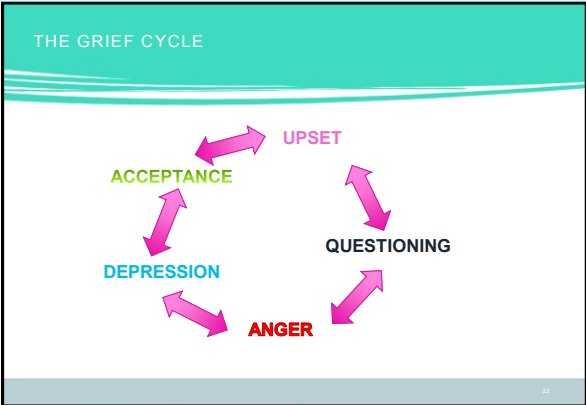
each baby
COUNTS.

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THE GRIEF CYCLE



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CASE STUDY

- Daughter stillborn at 37 weeks
- SROM at 30 weeks
- Should have delivered at 34 weeks (BOD 1)
- Post mortem showed IUGR
- Sonographer over measured abdo circ at 35+5 weeks (BOD2)
- Photographs following post mortem sent to clients by email (BOD3)
- Mrs A panic attacks, couldn't leave house
- Mr A attempted suicide

CASE STUDY

- Mr & Mrs A recognisable psychiatric disorder
- Both moderately severe psychiatric injury (JSB Guidelines)
- Mrs A long term prognosis unknown until treatment
- Mr A with 20 hrs CBT recovery in 12 months
- Mr A Loss of Earnings claim
- Defendant offer £30,000
- Settled £90,000 (25% quantum litigation risk)
- Mrs A psych £35k, Mr A psych £30k, Mr A LOE £15k

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EMOTIONAL SUPPORT



CONCLUSION



CONCLUSION



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