



PANNONE
BIRTH
INJURIES

www.pannone.com

ABOUT PANNONE

We are a leading law firm with a national reputation in serious injury and medical negligence work. Our experience means that your claim will be investigated thoroughly and promptly by specialist solicitors, used to dealing with clients in a sensitive and professional manner. The leading Independent legal guides, the Legal 500 and Chambers, rate us as Number One in the North West and contain glowing praise of our team which they refer to as: “a personal injury powerhouse”; “one of the strongest personal injury practices nationwide” and “with clients unanimous in their praise for the group’s unsurpassed skills and client service ethic”.

We are able to draw from our vast knowledge of such cases to identify the issues affecting families. We ensure that claims are investigated thoroughly and promptly by specialist solicitors and we have access to the best independent medical experts and barristers.

WHAT TYPES OF BIRTH INJURIES EXIST?

There are many types of birth injury but the most common are:

- Cerebral palsy
- Erb's palsy
- Hip dysplasia

WHAT IS CEREBRAL PALSY?

Cerebral palsy results from injury to the brain and can lead to partial or full loss of movement, defects of hearing and vision, and epilepsy. Intellectual function may be unaffected or it can be impaired leading to learning difficulties or behaviour problems. There are many types of cerebral palsy but the four main ones are:

- Spastic cerebral palsy where a person has stiff and jerky movements, and may have difficulty moving
- Athetoid cerebral palsy where there are involuntary, unco-ordinated movements often affecting a person's ability to move and speak
- Ataxic cerebral palsy which affects balance and causes slow, unco-ordinated, unsteady and shaky movement
- Mixed cerebral palsy where there is a combination of spasticity and athetoid movements.

WHAT CAUSES CEREBRAL PALSY?

Injury to the brain can arise without any currently known medical cause or through no-one's fault but it can also result from the following:

- Lack of oxygen during labour and delivery due to, for example, delays in recognising problems during the labour and failing to deliver quickly enough
- Trauma from inadequate or inappropriate use of forceps or ventouse delivery
- Inadequate planning and management of the delivery of a large baby
- Inadequate planning and management of the delivery of a “small for dates” baby (where the baby has not grown adequately during the pregnancy)
- Inadequate management of high blood pressure or pre-eclampsia in the mother
- Failure to recognise and properly treat meningitis or infection in the newborn period
- Hypoglycaemia or “low blood sugar” levels left undiagnosed or untreated
- Hyperbilirubinaemia, a condition that develops due to inadequate treatment of jaundice in babies which if untreated develops into the more serious condition of Kernicterus, a type of brain damage that causes athetoid cerebral palsy and hearing loss.

WHAT IS ERB'S PALSY?

Erb's Palsy is paralysis of the arm caused by damage to the nerves (the brachial plexus) that supply the upper part of the arm. Depending on the nature of the damage the injury can resolve or can lead to a wide range of disabilities from relatively mild to severe.

WHAT CAUSES ERB'S PALSY?

Erb's Palsy may result through no-one's fault but some of the more common causes arising through negligent medical treatment are:

- Shoulder dystocia, where the baby's shoulder becomes lodged behind the mother's pelvis during delivery. There are well known procedures to be followed when dealing with this medical emergency which if not used appropriately may negligently result in Erb's Palsy.
- Force applied to the shoulders - excessive pulling during delivery may negligently cause damage to the nerves supplying the arm

WHAT IS HIP DYSPLASIA?

Hip dysplasia is dislocation of the leg from the pelvis i.e. dislocation of the hip. It is not always present at birth and may go on to develop at a later stage.

WHAT CAUSES HIP DYSPLASIA?

In many cases the cause is unknown, although there may be an increased risk of it arising where:

- there is a family history of such a condition
- there is a breech birth
- there has been reduced fluid around the baby in the womb.

WHEN MAY NEGLIGENT TREATMENT OF HIP DYSPLASIA OCCUR?

Delay in diagnosing and treating this condition can result in a more serious and permanent disability. Children are monitored regularly throughout infancy by doctors, midwives and health visitors. Common problems include:

- Failure to undertake proper examination of the hips at birth, 6 to 8 week check and subsequent milestone checks at 6 to 8 months resulting in the condition being missed.

If diagnosed early enough it can nearly always be treated with a splint. Where the condition has been missed, more complicated and difficult surgery may be required.

WHAT IS INVOLVED IN A CLAIM?

We have a large and dedicated team and we will investigate your claim by obtaining the medical records, witness statements and independent medical advice. To succeed in a claim, we must prove that the treatment fell below the standard of a reasonably competent practitioner such that no other responsible practitioner would have treated you in the way that they did in your case. We must prove that the negligent treatment caused or contributed to the birth injury.

HOW CAN I SEEK LEGAL ADVICE?

If you need advice or you are unsure whether you have a claim, then it is important that you consult specialist solicitors such as our medical negligence team.

If you have a medical negligence query, please call us free on 0800 0382 382 or ring 0161 909 1067 or you can email directly our new enquiry solicitor, Jane Whitaker, at jane.whitaker@pannone.co.uk; visit our website at www.pannone.com or our blog at: <http://blog.pannone.com/medical-negligence-listing>

We have the skill and expertise to answer any queries or concerns you may have and we are here to help you.

Pannone
123 Deansgate
M3 2BU

Tel: 0161 909 3000
Fax: 0161 909 4351

USEFUL ADDRESSES

Care Quality Commission
CQC National Correspondence
Citygate, Gallowgate,
Newcastle Upon Tyne, NE1 4PA
Tel : 03000 616161
www.cqc.org.uk

Information Commissioner
Wycliffe House, Water Lane,
Wilmslow, SK9 5AF
Tel : 0303 123 1113
www.dataprotection.gov.uk

The General Medical Council
37 Wimpole Street,
London, W1G 8DQ
Tel : 0207 887 3800
Email : complaints@gdc-uk.org

ICAS
Carers Federation
1 Beech Avenue, Sherwood Rise,
Nottingham, NG7 7LJ
Tel: 0300 456 8347
www.carersfederation.co.uk

**Action Against Medical
Accidents**
44 High Street, Croydon,
CR0 1YB
Tel : 0845 123 2352
www.avma.co.uk

Steps
Warrington Lane, Lymm,
Cheshire, WA13 0SA
Helpline: 01925 750271
Email: info@steps-charity.org.uk
www.steps-charity.org.uk

Scope
6 Market Road, London,
N7 9PW, England, UK
Tel 0808 800 3333
Email response@scope.org.uk
www.scope.org.uk

PANNONE

www.pannone.com

Pannone LLP is a limited liability partnership registered in England and Wales with number OC317202. Authorised and regulated by the Solicitors Regulation Authority. Authorised and regulated by the Financial Services Authority. A list of members is available for inspection at the registered office together with a short list of those non-members who are referred to as partners. We use the word "partner" to refer to a member of the LLP, or an employee or consultant with equivalent standing and qualifications.