

A close-up photograph of a woman with long, light brown hair kissing a sleeping baby on the forehead. The woman's eyes are closed, and her expression is one of love and care. The baby is wrapped in a light-colored blanket and is also sleeping peacefully. The background is softly blurred, showing some green foliage.

LIFE AFTER BIRTH INJURY

Hudgell
SOLICITORS

| Life after birth injury for you and your child

When children suffer serious injuries at birth their families find themselves facing a future they'd not expected. The lifelong impact of that event can be difficult to initially process, understand or accept.

Bringing up a child with a disability can be extremely rewarding but hard work, and parents and guardians who find themselves in this situation need all the support they can get – even though many are often reluctant to ask.

For some families it is clear from birth that their child has health issues which will impact on them for the rest of their lives.

For others however, it only becomes apparent at a later stage.

This can be when a baby fails to reach developmental milestones and parents begin to question why, especially if some concerns were raised at any stage of pregnancy or birth, or if the baby had a period of time in intensive care.

We know from experience that many parents return home with their baby without knowing their child has some form of long term injury, as in many cases of birth-related brain injury, signs and symptoms can initially be quite subtle.

When parents do begin to ask questions and want answers, it is essential they find people willing to listen.

Many families who contact us at Hudgell Solicitors for legal advice say we are the first people who have really listened to them, and feel the Trust has let them down.

Our promise is to listen, and to help in any way we can.



| Making a positive difference to families who need it most

Although we are instructed by families in a legal role to investigate whether mistakes in healthcare led to an injury suffered during pregnancy, birth, or as a baby, we see our contribution as much more than that, and take great pride in our rehabilitation role.

Our chief executive, Amanda Stevens, has long championed the importance of early rehabilitation and is Vice Chair of the national, cross-industry group which writes the Rehab Code, now referred to in courts to promote rehabilitation and early intervention in the compensation process.

We truly believe our major goal is to make a positive difference in the lives of people who need our support the most, helping them physically, psychologically, logistically and financially.

Children benefit from highly-specialist intervention and treatment if it is delivered from an early stage, so it's beneficial as a parent to seek legal help at the earlier possible time to ensure your child benefits from the best possible care and monitoring throughout their development.

In reality some cases take many years to resolve or to reach a point where any interim payments are likely to be made, so the sooner you reach out for support, the sooner we can start to help.

Helping cover the costs of dedicated, specialist care

It's also important to think about costs, as the financial impact of caring for a child with lifelong injuries are substantial in the most serious cases. Specialist care and equipment is usually required, as are adaptations to properties.

Although some statutory funding may be available and there are charities which help families with children with disability, finance is one of the key areas in which a legal claim can remove some of the stress and worry, securing funding to cover many of the interventions and treatments required.

Costs associated with living with a birth injury include:

- **Care team**
- **Hydraulic lift and hoist**
- **Wheelchair**
- **Aids & equipment**
- **Specialist feeding equipment**
- **Multi-sensory equipment**
- **Suitable accommodation**
- **Assistive technology**
- **Personal hygiene aids**

Your child may also require;

- **Occupational therapy**
- **Physiotherapy & equipment**
- **Neuropsychological rehabilitation**
- **Speech & language therapy**
- **Specialist education**

| Why is it important to seek legal advice?

Picking up the phone and talking to our experts about the circumstances can be the first step on the road to securing a significant lifetime rehabilitation package for your child.

Apart from the legal process, there are no other means for families to obtain compensation when serious injuries are caused due to negligent medical care.

In cases relating to serious birth injury, establishing blame can be very difficult as there can be other non-negligent causes of any injury. For a birth injury case such as Cerebral Palsy to be successful, both breach of duty (that the standard of care fell below a reasonable level) and causation (that any breach(es) of duty identified caused or materially contributed to an injury) must be established.

NHS Trusts are also often unwilling to hold their hands up to errors, preventing families from accessing financial support and rebuilding their lives.

They too easily forget that the entire process is in place to do not only what is the best – but also right - by the child and family affected.

This is something we never forget, and our team is dedicated to working around the clock to establish the facts and hold trusts accountable.

Where negligence is established, we will seek interim compensation payments where possible to pay for medical equipment, rehabilitation, surgery, accommodation or assisted care, to help families start rebuilding their lives as soon as possible.

Our legal expertise can bring about change which makes the most difficult days that bit easier.

With continued specialist assessment, the right support networks in place, suitable equipment and medical care, a child who has the most difficult of starts has the best chance of living a rewarding and happy life.

| Our Experts

Our experienced solicitors have represented hundreds of families who have suffered the life-changing impact of a birth injury, and our support network has helped many families to build a positive future.

Although final compensation amounts cannot be agreed until a child is fully developed and there is a clearer picture of the support they will need throughout adult life, interim compensation payments can often be secured much earlier.

This can provide you and your child with the vital support and assistance needed now, whilst working towards the establishment of lifelong care packages for when they are adults.

We can also help you gain access to support services and welfare advice making life as easy a possible so you can focus on looking after your child.

Our specialists are;



Amanda Stevens Chief Executive

Amanda is a former hospital manager and has more than 25 years legal experience. She is recognised for going above and beyond for her clients and was named Catastrophic Personal Injury Claims Lawyer of the year in 2019. She is a specialist in complex, severe or long-lasting injury cases, such as acquired brain and spinal cord injury for both adults and children (including many cerebral palsy cases)



Kent Pattinson Senior Solicitor

Kent has more than 30 years' experience and is a specialist in handling catastrophic injury and high-value claims, including ground-breaking multi-million settlements. He has a track-record of securing early payments in cases for clients, highlighted when securing £2.4m interim damages for a severely disabled 12-year-old claimant which enabled her family to find suitable and much needed new accommodation, at a time when uncertainty in the law relating to this kind of issue was very difficult. The girl's family said it was 'life-changing'.



Chris Moore Senior Solicitor & Joint Head of Clinical Negligence (Hull & Leeds)

Chris is joint head of Hudgell Solicitor's clinical negligence practice and is recognised as one of the country's leading figures in supporting victims of serious clinical negligence, handling some of the most complex, high value cases. Chris consistently settles multi-million pound awards for clients suffering from avoidable Cerebral Palsy and Erb's Pals, where the defendants strongly deny any responsibility.



James Sherwin Senior Solicitor

James joined Hudgell Solicitors at the start of 2020. He deals with a wide range of medical negligence claims including birth injury, orthopaedic injuries, complex bowel perforation cases, delayed cancer diagnosis and fatalities. In Chambers and Partners 2019 James was described as "a real fighter for his clients and a calm head in any circumstance" as well as "a lawyer you want in your corner"

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