



WILSON BROWNE
LLP

RETINOPATHY OF PREMATURITY

Scenario

The Clinical Negligence Team were instructed by the parents of a child born prematurely in the early 1990s at the Kettering General Hospital.

There was no suggestion that the premature birth itself was negligently caused but the child was blind and the team were asked to look at the cause of the blindness. The child was doing well at school and whilst there were some difficulties arising from the child's prematurity itself they were otherwise well.

Solution

The Team obtained copies of the child's full medical records and instructed a paediatrician and an ophthalmologist to review the records and report on the treatment received by the child in the period immediately following birth.

Both experts worked together to assess the care given and identified the cause of the blindness as Retinopathy of Prematurity (ROP).

ROP is a condition that affects the retinal blood vessels of pre-term babies and can be caused by over- or under-oxygenation or by oxygen fluctuations.

The team were able to establish firm evidence that in the period immediately following the birth of the child, when they needed oxygen therapy to survive and to develop, the Hospital had failed to monitor the oxygen levels properly and to correct fluctuations quickly enough. This had caused the child's blindness.

Outcome

The Team set out the child's claim to the Hospital. They investigated the claim themselves and confirmed that they accepted that the failure to properly monitor the oxygen had caused the blindness.

The Team were then able to obtain further expert evidence to help them to value the child's claim. Evidence as to future needs in accommodation, as to loss of earnings and about equipment (such as Braille writers) was obtained.

A negotiated settlement was then reached and proceedings issued in Court simply for the purpose of approving the damages settlement.

Since this was a claim for a child the bulk of the monies was then paid into Court to be released when the child turns 18. A Damages Trust has been set up by the Team to manage the funds when they are paid out to ensure that they last the child for their lifetime.

For more information about this or any other potential clinical negligence claim please contact James Wright on **01536 410041** or by email at jwright@wilsonbrowne.co.uk.