



ON THE RECORD

CLINICAL NEGLIGENCE NEWS

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Blood error on man with haemophilia

A haemophiliac was given the wrong blood clotting medication during revision hip surgery at Manchester Royal Infirmary (MRI), despite it being a specialist centre for blood disorders. Roger Kirman says lessons have to be learned by the hospital or more patients will be harmed after the hospital trust admitted negligence.

Seventy-one-year-old Roger, of Cheadle Hulme, who was given Hepatitis C from the NHS infected blood scandal of the 1970s and 80s and was only cured in 2016, was left devastated by the blunder at the MRI. He had moved to Manchester so that his care could be provided there due to its reputation as a centre of excellence for haemophiliacs.

The error caused his blood clotting levels to fall dangerously low following the operation and caused a significant bleed in his thigh. Worryingly, the incorrect medication had been checked by several different nurses, who also consulted doctors. The mistake was remedied eight hours later when a specialist haemophilia nurse came on duty and noticed a discrepancy with the medication stock. She raised the alarm and gave the correct clotting factor.

Roger's hip surgery took place on the afternoon/evening of 21 June 2016 and went well until he was given the wrong blood clotting medication post-surgery. In October 2018, nearly two years after the incident and Roger's subsequent complaint to the hospital, the surgical unit at the MRI was inspected by the Care Quality Commission (CQC) and was told it needed to improve.

Roger says following the error he has stiffness and a constant pain when walking and cannot use a stick

to help him because of joint pain it causes in his left arm due to his haemophilia. He says he now also has poor balance. The hospital trust has now admitted the error and that it caused him to suffer an extended bleed after a legal case was brought on Roger's behalf by specialist solicitors at JMW. However the trust denies that its failure has caused Roger ongoing problems.

Roger, a father of three daughters and grandfather of three, commented: "I have had numerous operations throughout my life due to the impact the haemophilia has on my joints but this was the worst hospital experience I have ever endured.

"I am very upset about the error especially when bearing in mind Manchester Royal Infirmary is supposed to be a centre of excellence for haemophilia patients. I would have thought that all staff on the wards involved with my care would have been aware of the nature of haemophilia and the medication used to control it. The individual staff members bear some of the blame but I really feel there is an issue with management at the hospital not learning from mistakes and ensuring things are done properly."

Nick Young, a specialist medical negligence solicitor at JMW who is representing Roger in his legal battle, commented: "This error should never have happened and it is extremely concerning that a patient with a well-known condition cannot put faith in medical staff to know how to ensure their safety during surgery.

"The problems with surgical safety at the MRI are outlined in the critical CQC report. The findings were extremely disappointing and frustrating for Roger who saw that the problems were continuing despite him raising his concerns via the hospital's complaint process."



Woman infertile after ectopic pregnancy misdiagnosed

As well as the many high-value brain and spinal injury settlements our team regularly secures we also have solicitors who are skilled at dealing with other distressing injuries.

Kimberley Peet, one of our specialist medical negligence solicitors, has helped a woman to secure £100,000 in compensation to cover the cost of IVF after negligent treatment for an ectopic pregnancy left her infertile.

'Claire', 34

Pain and bleeding

Two days after Claire's pregnancy was confirmed she began to experience a sharp pain in the right hand side of her abdomen and some blood loss. She was concerned that she may be suffering from an ectopic pregnancy so she attended A&E with her husband. Claire was referred to the gynaecology ward for assessment and her pain became worse and more uncomfortable. Blood tests were taken and an ultrasound scan requested.

However, when the ultrasound scan was carried out it was misinterpreted by the sonographer who negligently reported that the pregnancy was in her uterus and was definitely not ectopic. The sonographer told Claire that there was no heartbeat and that it looked like she was having a miscarriage. She was sent home with pain relief and advised to return for a review scan in two weeks' time.

Claire was told not to return if the pain and bleeding continued as this was considered normal.

Ruptured fallopian tube

Once at home Claire continued to remain in pain on her right side. This became progressively worse and she developed a swollen stomach and felt light-headed and dizzy when she stood up. Claire and her husband were concerned about what was happening and considered going back to hospital, however, as they had been told with absolute certainty that she did not have an ectopic pregnancy Claire decided not to return and waste anyone's time.

Claire continued to deteriorate and nine days after her original hospital attendance she collapsed. Her husband called NHS 111 and tried to get an appointment with an out of hours GP but when he explained her symptoms they were advised to go straight to A&E.

In A&E Claire was listed for surgery that day and told that doctors suspected an ectopic pregnancy. Claire's right fallopian tube was found to be severely ruptured and had to be removed. The following day she was given the devastating news that because of the amount of bleeding in her uterus and abdomen her left fallopian tube had been badly damaged and that she would probably not be able to conceive naturally. She was then told that IVF would be more successful if she also had the left fallopian tube surgically removed.

Claire and her husband were distraught about her avoidable infertility as they had planned on having three children. However thanks to the settlement JMW achieved they have the ability to pay for private fertility treatment in the hope of achieving their dream of having a family.

**CESA
legal
panel**



JMW has been appointed to the newly formed legal panel of the Cauda Equina Syndrome Association (CESA), which supports people who have been diagnosed with the devastating spinal condition.

As well as being one of the select few firms chosen to provide specialist legal advice to CESA's service users JMW also recently partnered with the organisation for some awareness raising. Sally Leonards, a JMW partner who specialises in spinal injuries spoke to the BBC Radio 4 and BBC online about her experience of delays in diagnosing CES and the life-changing consequences this has had for her clients.

Rainbow Ramble

A team from our clinical negligence department recently completed the annual Rainbow Ramble which was in aid of one of our key charities Rainbow House.

JMW was the official sponsor of the event which saw hundreds of people walk the lanes surrounding the HQ of children's disability charity Rainbow House, in Mawdesley, West Lancashire.

We had a great day and were really happy to once again support this important event for the charity. Rainbow House provides conductive education for children with disabilities which enhances their health and physical well-being to help them achieve their potential and have the best possible quality of life. It needs to raise hundreds of thousands of pounds a year to be able to provide its services which are a lifeline for families

Find out more about Rainbow House at www.thelegacy-rainbowhouse.com.



JMW National Three Peaks challenge raises £11,000

A team from JMW has raised £11,000 for charity after undertaking the gruelling National Three Peaks challenge, one of Britain's toughest outdoor feats.

In a harsh test of physical and mental strength the team of 15 attempted to climb the highest mountains in England, Scotland and Wales: Ben Nevis, Scafell Pike and Mount Snowden within 24 hours.

The climbers were faced with challenges including sleep deprivation, long travelling times between the peaks and heat exhaustion when they took on the challenge in June.

Two unfortunately had to drop out of the feat early on after succumbing to heat stroke. However the remaining 13 completed the challenge; several reaching the top of Mount Snowden within the 24 hour deadline and a few others missing it by just minutes.

The team was made up of solicitors, partners and support staff and included Catherine Gaynor, Dominic Coyle, Eddie Jones, Grace O'Driscoll, Oliver Orton, Jo-Anna Jellings, Joe Ailion, Lucy Mellor, Sarah Wilkinson, Megan Dent, Richard Allan, Sadie Thomson, Andy Marshall, Matthew Handley and Dafydd Jones.

Their fundraising efforts in aid of JMW's charities of the year Ronald McDonald House Charities and Tommy's were very successful. Money raised by the team through personal and work connections topped £5,495 which has now been match funded by JMW to take the total to £11,000.

Kay Ali, deputy director of partnerships at Tommy's, commented: "We are delighted that colleagues at JMW have raised such a fantastic amount for Tommy's! Their fundraising will help us to continue our research into the causes and prevention of baby loss and support women and their families throughout their pregnancy journey. This includes Tommy's Rainbow clinics in St Mary's Hospital and Wythenshawe which give specialist care and support to women who are pregnant again following a previous stillbirth. Tommy's is very proud to be JMW's charity partner and we can't wait to see what more we do together!"

Lisa Lyth, corporate fundraiser at Ronald McDonald House Charities UK, added: "We are so thankful to the team at JMW for their recent team fundraising behind the National Three Peaks! Their incredible efforts will help us provide free 'home away from home' accommodation for over 200 families whose children are in hospital far from home. A massive well done to everyone involved and we can't thank you enough for your support!"

Eddie Jones, head of clinical negligence at JMW and one of the climbers, concluded: "This was an incredibly difficult feat and everyone at JMW is very proud of the team for taking it on and raising so much money for two fantastic charities. The board was delighted to be able to support our efforts with match funding which will hopefully make a huge difference to the families the charities help."



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