



Brain Injuries Caused by Clinical Negligence

#LEONASSTORY

The information presented within this guide is set out to provide insights into brain injuries that could have potentially been caused by medical negligence.

Although we frequently interact with medical staff in our lifetime, on some occasions, treatment may not always have the expected outcome if mistakes have been made. An individual may receive permanent damage as a result of poor care, which results in devastating repercussions.

Despite the fact that they can range in severity, a brain injury caused by a medical professional can have a catastrophic effect on patients and their families. From doctors and nurses, to surgeons and midwives, if a brain injury has been caused by delay or misdiagnosis, poor treatment or a substandard surgical procedure, it's possible that a compensation claim could be made.

What is Clinical Negligence?

Otherwise known as 'medical negligence', clinical negligence is when a medical professional is at fault when they breach their duty of care, which then causes avoidable harm or permanent damage to a patient.



As this is a complicated and sensitive legal area, each case will be unique and handled with the utmost care. To help guide you through the causes of medical negligence the following guide will cover:

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Birth Injuries

Unforeseen issues during the birth of a child can cause a range of health problems, which unfortunately include brain injuries.

Known as an acquired brain injury (ABI), medical accidents or malpractice can play a part in this devastating outcome for an infant.

Although there are a number of causes of brain injury at birth, including force trauma, delayed labour or difficult labour, according to the [Office of National Statistics](#) about one in 670 babies suffer from a shortage of oxygen or reduced blood supply to the brain during delivery.

Conditions such as cerebral palsy, hydrocephalus and infant meningitis are just some of the injuries that are caused by birth problems, with potential for a clinical negligence claim.

Cerebral Palsy

[Cerebral Palsy Guide](#) suggest that around 20% of injuries that result in cerebral palsy actually occur near the time of birth, usually as a result of damage to the infant's developing brain.

There may be grounds to make a clinical negligence claim if signs indicated that a child was stressed and delivery was not initiated.

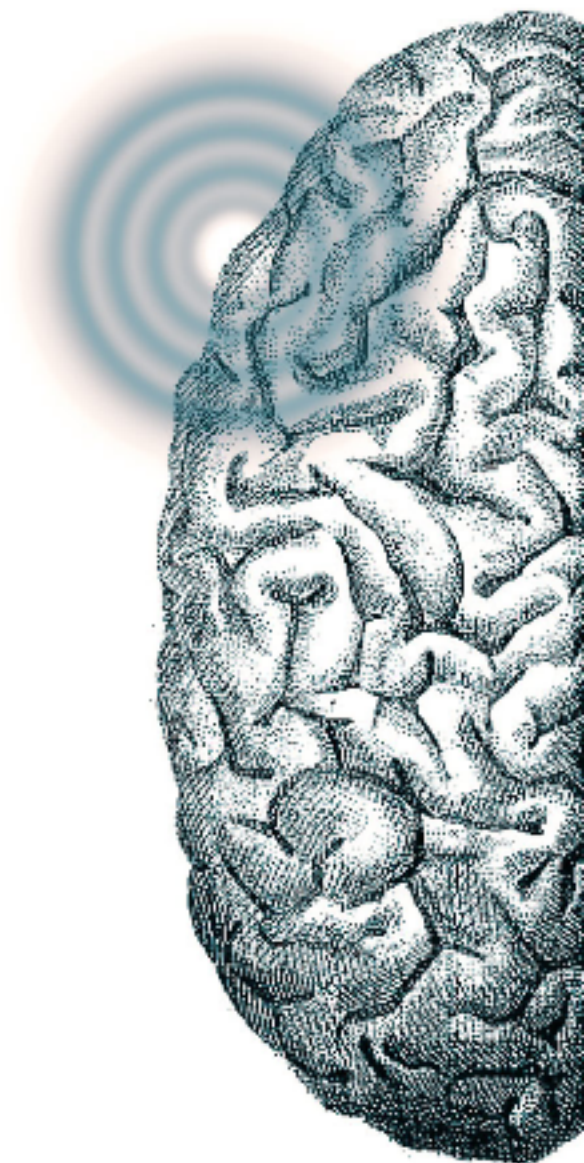
Cerebral palsy is a condition which affects muscle movement, coordination, reflex, posture and control. This neurological condition can be caused by a range of problems before, during or just after birth.

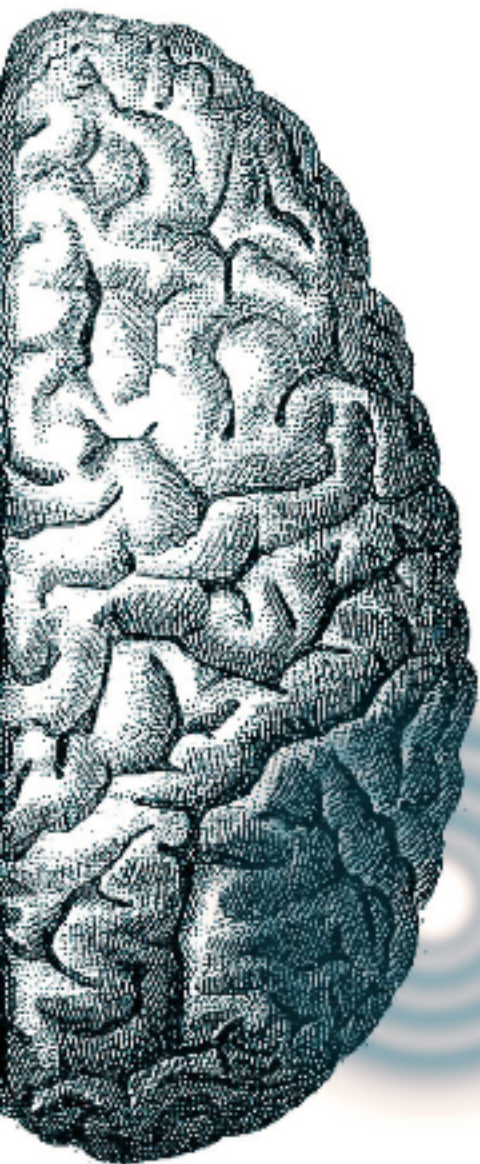
These can include infections during pregnancy, difficult birth of a child, improper use of forceps, delay in delivery and failure to proceed to caesarean section when indicated, bleeding in the child's developing brain and gene changes which affect the development of the brain.

There are also complications which occur following the delivery that can cause cerebral palsy including:

- Delayed, misdiagnosis or failure to treat jaundice
- Delayed, misdiagnosis or failure to treat meningitis
- Delayed, misdiagnosis or failure to treat low blood sugar, otherwise known as hypoglycaemia

It's likely a child born with cerebral palsy will need a lifetime of round the clock care and if it was caused by malpractice of medical professionals, you will be entitled to make a claim for compensation.





Meningitis

Meningitis is caused by a viral or bacterial infection of the membranes surrounding the brain and meninges (spinal cord) and it can become a traumatic condition with fatal consequences.

If a pregnant woman or infant contracts meningitis and there has been a delayed response in diagnosis or treatment, there could be grounds to make a clinical negligence claim.

In addition, if the condition has been diagnosed but incorrect treatment is supplied, this may also be potential malpractice.

Group B Strep is a form of meningitis which can become life-threatening to babies and some adults.

Although group B Strep is present in a small proportion of infants, research from the

[Meningitis Research Foundation](#) has suggested that GBS is the biggest cause of neonatal meningitis in the UK and Ireland.

During pregnancy, you can be tested for group B Strep and can also be supplied antibiotics prior to labour. However, if medical professionals fail to diagnose or treat mother or child, the infection can lead to a fatal case of meningitis.

Diagnosis Failures

Everyone makes mistakes, but when medical staff fail to diagnose a brain injury correctly it can lead to devastating consequences for the patient and their family.

If a medical professional does not carry out appropriate tests, ignores the symptoms, does not carry out accurate investigations, interpret the tests or investigation incorrectly or administers the wrong treatment, it can lead to serious problems and a deterioration in condition.

A brain injury misdiagnosis can result in serious life changing disabilities, as well as life-threatening injuries. If this has happened to you or a loved one, then you could be entitled to compensation for a clinical negligence claim.





Failure to diagnose strokes

According to [Stroke.org.uk](https://www.stroke.org.uk), there are over 1.2 million stroke survivors in the UK. Strokes vary in severity – some are mild, which may go unnoticed and result in little damage, whilst others can result in severe brain damage and can potentially cause death. Stroke is also considered as the fourth largest cause of death in the UK.

Symptoms of strokes can be remembered using the FAST acronym:

- Face – the face may drop on one side and they may be unable to smile
- Arms – may be unable to lift one or both arms due to numbness or weakness
- Speech – this may be slurred or garbled, or they may be unable to talk at all
- Time – if you spot these symptoms, it's time to dial 999 now.

If you suffer a Transient Ischaemic Attack (TIA) or 'mini-stroke', this can also serve as a warning sign of a more severe stroke.

If a medical professional failed to diagnose a stroke and you or a loved one have suffered a long-term disability, further complications or have been negatively affected, then you may be able to claim for compensation. At Forbes Solicitors, we will take you through this complicated and emotional process to help you get what you deserve.

Failure to diagnose a brain haemorrhage

A brain haemorrhage is caused when a blood vessel in the brain bursts causing localised bleeding which can cause brain cells to die. A brain haemorrhage can lead to serious brain damage or potentially death.

It can be caused by a number of things, but two of the most common reasons behind haemorrhages are a head injury or dangerously high blood pressure.

Symptoms of brain haemorrhages can include sudden headaches, unexplained seizures, weakness in one arm or leg, tingling and

numbness, changes in vision, difficulty speaking or swallowing and vomiting or nausea. If you or a loved one has suffered a damaging brain haemorrhage and it was not diagnosed, you may be eligible for compensation.





Misdiagnosis

Sometimes complications result not in a failure to diagnose, but in misdiagnosis, which can have an equally devastating or life-changing effect on a patient's and their family's life.

While no amount of money can reverse disability or bring someone back, it can go some way to helping ease any new financial commitments and contribute to the price of ongoing care.

As with all compensation claims the amount of damages awarded will depend on the level of pain and suffering, the level of future care and any loss of earnings as a result of your injuries that were caused by birth problems, with potential for a clinical negligence claim.

Injuries caused during s

Surgical errors can come in many forms and can cause a range of problems for a patient. In some cases, a surgical error can be a devastating event, which can potentially result in

When operating on or near to the head, it's possible that a medical professional can make a mistake, or if the patient is starved of oxygen during the procedure, this can also result in a brain injury.

Although there is always going to be a common risk involved with surgery, if it results in a brain injury at the fault of someone else, you may be eligible to make a claim for clinical negligence.

Additionally, if a patient is deprived of oxygen during a procedure, it can cause a brain injury. It may be possible to complete the procedure and achieve t





Anaesthetic

In extremely severe cases, anaesthetic errors can result in permanent disability including brain damage for a patient.

Anaesthetists can be at fault if they fail to regulate a person's blood pressure during a procedure, which could potentially result in a stroke or a brain injury. Additionally, anaesthetic should only be controlled by a specialist and if it is administered incorrectly, then it's likely they will be at fault if complications arise. Devastating injuries can be caused by improper use of anaesthetic and failure to monitor or check the equipment, including a long-term coma, allergic reactions or a brain injury.

If there has been an instance where the anaesthetic has been used incorrectly during surgery resulting in permanent damage, you may be entitled to make a claim for clinical negligence compensation.

Surgical Mistakes

Unfortunately, mistakes in surgery do happen, and though they are rarely ever deliberate, they can result in life changing consequences for both the patient and their family – especially if it results in a brain injury.

Surgery does carry many risks, and a brain injury is one of them. Such injuries can occur if the brain is starved of oxygen and when this happens brain damage can happen rapidly. If you are having brain surgery, then there is always a risk that a mistake can have devastating results such as brain injury, brain damage and disability.

If you or a loved one have contracted a brain injury due to a surgical mistake then you may be entitled to compensation. While money will not change what has happened it can go some way to help meet your needs.





**Our clinical negligence
experts are here to help.**

Get in touch today

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