Information sheet
Medical Negligence

MEDICAL NEGLIGENCE IN OBSTETRICS, PAEDIATRICS & GYNAECOLOGY

Obstetrics
Sometimes medical negligence legal claims are made against doctors or hospitals for failing to investigate and monitor a pregnancy, and not advising parents of disabilities discovered, or offering them option to terminate the pregnancy. Newborn babies can be very badly injured or develop cerebral palsy if the labour or delivery are inadequately managed.

Medical negligence claims in obstetrics include:
• brain damage to a baby caused by failing to recognise a high risk pregnancy
• death of a baby by failing to treat the mother and baby for Group B Strep
• death of a baby by Keillands Forceps rotation
• Erbs palsy
• injury to the mother by incorrect suturing of an episiotomy
• injury to the mother by failing to recognise the extent of a vaginal tear
• injury to the mother by failing to manage her pre-eclampsia after delivery, resulting in seizures and kidney failure
• failure to diagnose an ectopic pregnancy
• brain damage caused by allowing the labour to continue when there were signs indicating a need for urgent caesarean section delivery
• brain damage caused to a baby by forceps delivery

Paediatrics
Parents or guardians can claim medical negligence compensation on behalf of a child. This compensation is normally managed by a trustee and the parents or guardians.

Common paediatrics medical negligence claims on behalf of children include:
• brain damage caused by drugs given during pregnancy or by the mismanagement of labour and delivery
• failure to properly insert Implanon implant, and
• failure to detect abnormalities in the foetus by 18-20 week ultrasound or chromosome tests.

Maurice Blackburn lawyers have successfully represented hundreds of patients and their families in complex and sensitive medical malpractice cases.
Gynaecology

Many of Maurice Blackburn’s lawyers are women, and clients are always given the option of dealing with a female lawyer if they would feel more comfortable.

Medical malpractice claims following gynaecological treatment include:

• unexpected pregnancy due to failed sterilisation (either through the use of metal clips, rings or tubal ligation)
• vaginal and abdominal hysterectomy (removal of the uterus)
• oophorectomy (removal of the ovaries)
• hormone replacement therapy
• management of uterine fibroids and ovarian cysts
• prolapse repair
• pelvic inflammatory disease
• failure to diagnose pregnancy (including ectopic pregnancy)
• injuries during termination of pregnancy procedures
• assisted fertilisation (IVF)
• ureter damage during hysterectomy
• urinary or faecal incontinence after surgery, and
• sexually transmitted diseases.

Our lawyer explained the legal jargon to us, provided unprompted updates and broke down language in simple terms we could understand.

—Medical negligence client