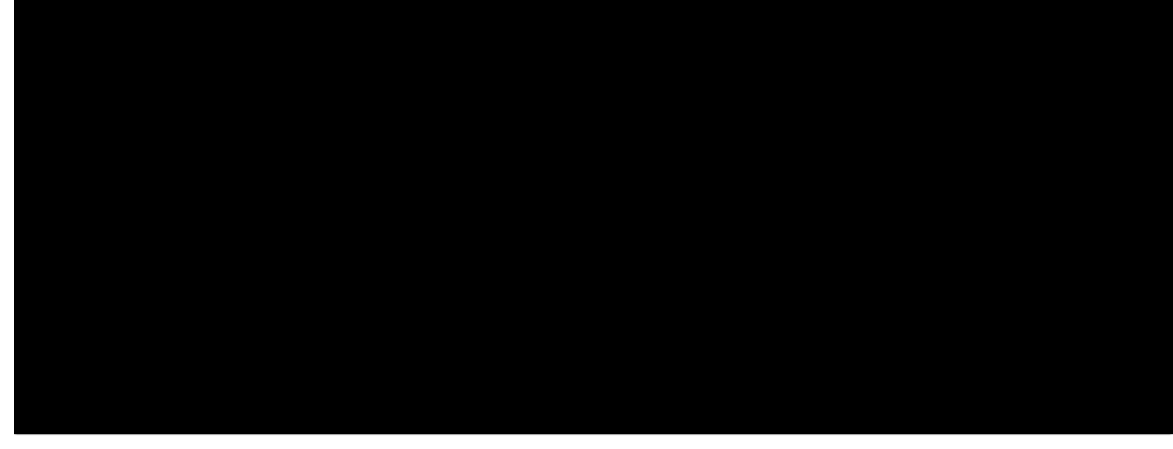
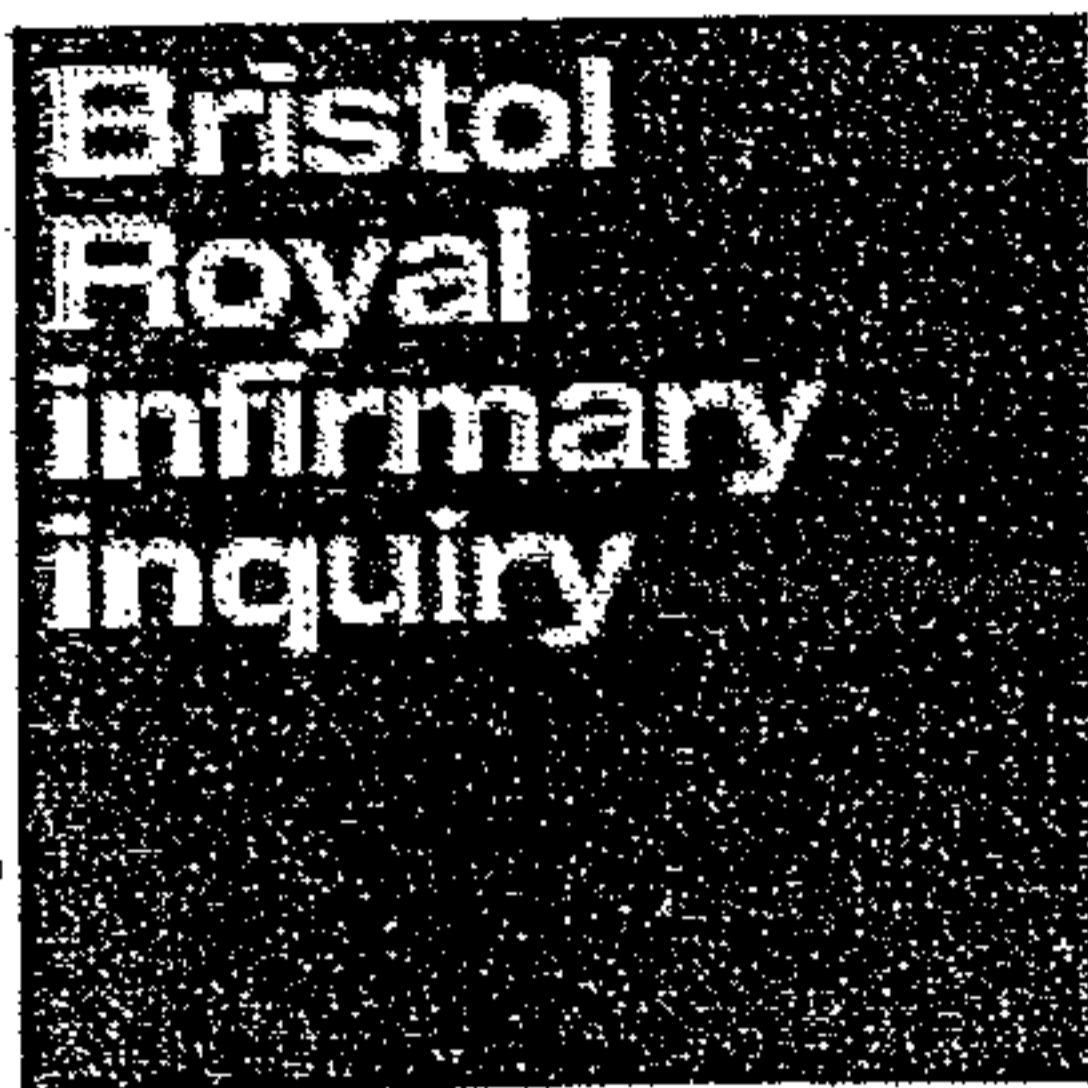


BRISTOL HEART CHILDREN'S ACTION GROUP

Steve Parker (Chair)





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Families of op-tragedy babies to sue hospital

Kamal Ahmed
Sunday July 15, 2001

The National Health Service is facing legal actions totalling millions of pounds from families whose children were killed or suffered brain damage following treatment at Bristol Royal Infirmary.

Solicitors acting for the Bristol Heart Children's Action Group have lodged 12 cases against the hospital from families whose children were left mentally damaged after controversial cardiac surgery. Each case is for at least £100,000, with a number of cases claiming more than £1 million for the trauma and treatment costs families have had to bear.

A further 25 cases have also been lodged by families whose children died.

On Wednesday the Government will release Professor Ian Kennedy's report on the Bristol heart scandal, which is expected to be a damning indictment of the medical profession.

The two-and-a-half-year study on the high child mortality rates at the hospital will attack an NHS 'culture of secrecy' which it says goes far wider than the hospital itself.

The report will recommend much greater openness in hospitals, with patients being given information on surgery survival rates. The Government is considering publishing league tables of surgical units so that patients can compare standards across the country.

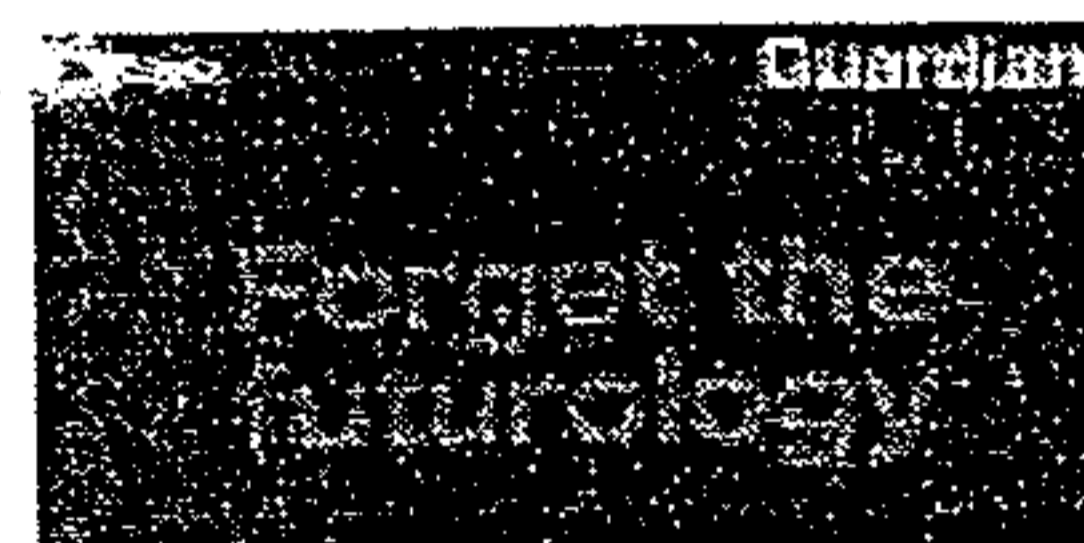
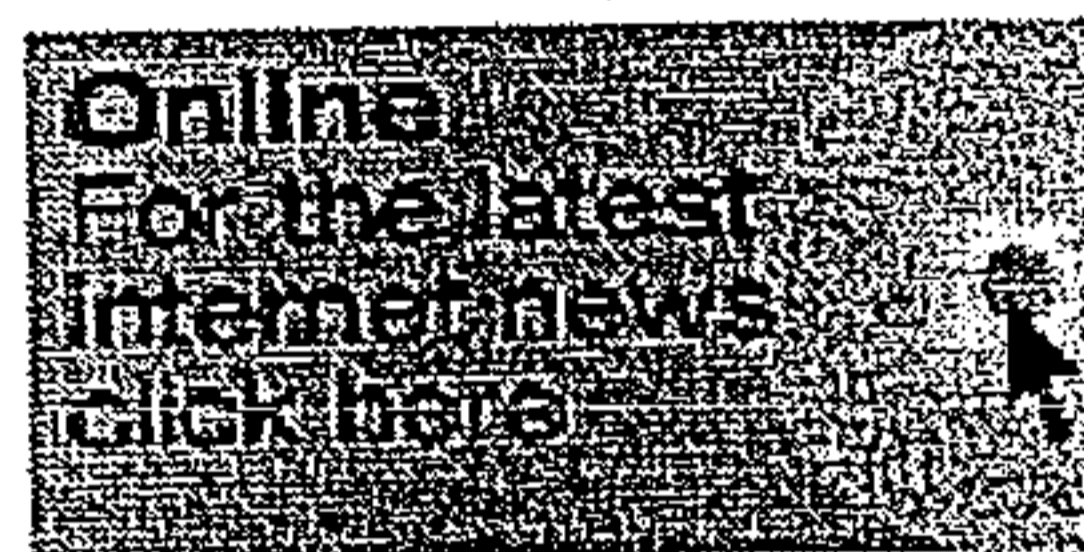
Representatives of the families will use the publication of the report to demand a 'no-liability' ex gratia payment from the Government for all those involved in the scandal, which could have affected up to 300 families.

Maria Shortis, of the action group, said that the Government had to be seen to be acting fairly towards the families without forcing them through the courts. At least one family could have to wait up to 12 years because of the length of time legal actions can take.

It has been pointed out that at the time of the government inquiry into the BSE scandal Ministers agreed to set up a no-fault compensation scheme to help families who had been affected by new-variant Creutzfeldt Jacob Disease, the human form of BSE.

'The parents involved in these cases have effectively suffered 069B-027-184

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thought that the best had been done for their children. Then there was the discovery that they had been given bogus information and they had to suddenly deal with the fact that they thought that they had somehow failed their children.

'This is not about money, it is about recognition.'

The families involved in one of the most damaging medical scandals for decades hope that the publication of the report will allow them to put the five-year battle against the medical profession behind them.

The General Medical Council found three doctors guilty of professional misconduct after surgery carried out on babies and young children between 1984 and 1995 at the Bristol hospital.

James Wisheart, one of the surgeons, and Dr John Roylance, the former chief executive of the trust, were struck off. Another surgeon, Janardan Dhasmana, was banned from operating on children for a total of four years.

Parents were not told that complex heart operations carried out at the hospital had mortality rates much higher than the national average. Babies who underwent the surgery were 1.9 times more likely to die: of 53 babies, 29 died.

'What people need is information,' said Trevor Jones, whose two-year-old daughter Bethany died in 1990 following surgery at the hospital.

'The public should be able to compare accurate data, even the records of individual surgeons. Only then can trust be restored.'

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