

## Clinical Negligence: Encephalitis: £11.5 million

Satinder Hunjan QC

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**Satinder Hunjan QC** has successfully secured around £11.5 million in a clinical negligence claim for the Claimant following the failure of a tertiary level children's hospital in failing to expeditiously treat the Claimant for encephalitis after his urgent admission to hospital.

The claim was settled on a lump sum and periodical payments basis; the lump sum being £2.5 million and periodical payments of £130,000 per annum for life.

The importance of the case is to underline the necessity of urgent treatment following what can initially appear to be fairly "ordinary" symptoms that children suffer from. In this case, the Claimant had suffered from headaches, an upset "tummy", some dizziness and vomiting. He was kept from school and then during the night suffered a fit. He was taken urgently to hospital. The claim succeeded upon the basis of establishing that a diagnosis of encephalitis should have been considered by 30 minutes of his arrival at hospital and the Claimant immediately treated with an antiviral, Acyclovir.

The scenario here is the worst scenario for parents who are often left with uncertainty in their minds as to what to do when children all too frequently have the type of symptoms from which the Claimant was suffering; the importance is to act with absolute urgency if there is a deterioration in getting the child to hospital and at hospital for there to be the urgent institution of treatment.

There are inevitably very complex issues of causation which arise in these cases; in the present case, the Claimant was successful in demonstrating by the careful presentation of expert evidence that had the Claimant been treated appropriately there would have been a substantial difference in the outcome.

Satinder was instructed by Madeline Seibert and the leading clinical negligence team at Slater Gordon.