



**Erb's Palsy Group**  
024 7641 3293

# Erb's Blerb 120

Magazine of the Erb's Palsy Group Winter Issue 2022

*Hello and welcome,*

## to our final newsletter of the year.

How quickly the years seem to fly past – we have a lovely selection of articles and information in this issue. Some of our younger contributors have put fingers to keyboards and sent some of their experiences, including a hilarious account from Theo Swift about his recent visit to Leeds General Infirmary and a report about a wonderful day out in London from Isla-May.

It's so lovely to have contributions from our members – so why not send yours in – we are happy to have your thought and experiences on any part of life with Erb's Palsy- so send them to us at [karen@erbspalsygroup.org.uk](mailto:karen@erbspalsygroup.org.uk)

**Karen Hillyer**

## NEW WEBSITE & E MAIL ADDRESSES

We are delighted to showcase our new website and website address – in line with most Charitable organisations we have adopted **.org** into our site address so you can now find us at [www.erbspalsygroup.org.uk](http://www.erbspalsygroup.org.uk) and like wise our e mail address is [info@erbspalsygroup.org.uk](mailto:info@erbspalsygroup.org.uk) and [karen@erbspalsygroup.org.uk](mailto:karen@erbspalsygroup.org.uk) - come and check out our new content !

On the subject of the new website- we are in desperate need of someone who could help us keep the content fresh and up to date – are you experienced in Wordpress websites? Could you spare a couple of hours a month to keep it up to date with upgrades and uploading articles and items etc.

We would provide all the copy – we literally just need someone to be able to load them and deal with the site upgrades and back ups – if you feel this is something you could help us with, **PLEASE** email [karen@erbspalsygroup.org.uk](mailto:karen@erbspalsygroup.org.uk) – you have NO idea how much we would appreciate it!

## VOLUNTARY SUBSCRIPTIONS



It's that time of year when we ask you if you can spare a few pounds to help keep us up and running.

With very few options for fundraising over the past 2 years our funds have hit a very low point, with probably only about 6 months worth of funds available to us. So if you could even spare £1 per month- it would help us with the costs of postage and printing etc. You will find a Subs form on page 19 you can pay via our website on the donate button, via a standing order mandate form is on page 18 - just complete this and return it to YOUR OWN BANK or you can set up a regular payment via the donate button on the website. The funds really do help us to keep providing help and support to families.

## CHRISTMAS CARDS

You can find details of how to order your Christmas cards on **page 9**. Sadly after 25 years we have had to put the price up to £3.00 per packet as the cost to us was more than the £2.50 per packet we have charged since we introduced them – however they still represent wonderful value for money and **ALL** the proceeds come directly to our Charity and no one else.



# Donations

Many thanks to our regular supporters **Karen Forster-Pearce** and her Dad, **Bernard Gilhespy** for a donation of **£80** which they raised by saving their small change – those pennies soon add up! **Thank you** so much for your long standing support.

**Hilary** and **John Manning** sent a donation of **£80** thank you so much it was very kind of you.

**Nicola Hartley** and **Lisa Swales** who work for **Dune Financial** kindly ran in the Asics 10k Hackney run for the Charity – they raised a fabulous **£175** and **£342** for us- we are so grateful ladies !

**Flossie England** also made the run and raised **£500** – **well done Flossie** you have been busy!

**Kate George** set up a page for her daughter **Hatty** and friend **Lily** to do a sponsored swim for the Charity – Hatty has Erb's herself and they raised a fantastic **£535** between them – **well done girls**, you did amazingly well !

**Shannah's** grandparents **Charlie** and **Kay Heaslip** celebrated a wonderful 60 years of marriage recently, they asked for donations to the Charity instead of gifts and we had a lovely donation of **£300** from them! **Many congratulations** to you both on a wonderful milestone.



We had a donation of **£65** plus **£16.25** from **Fiona Morrison** – **thank you** for your kindness

**Facebook donations** for this period totalled **£171.00** – **Thanks to everyone** who participated !



**Sporting Bears Motor Club**  
Classic and Sports Cars Driving for Charity

The wonderful people at **Sporting Bears Motor Club** chose our Charity as one of the recipients of their Fundraising this year- we were absolutely staggered and delighted to receive **£5,734** from them. This was a MUCH needed boost to our finances and our immense thanks go to **Matt** and **Juliet Shand** who have been working with Sporting Bears for a number of years and whose dedication helped us get this donation.



# END OF AN ERA...

## Sarah Taplin

I write this article with mixed emotions, in one way excited for Fiona and her family as they embark on the joys of retirement but saddened that my mentor and general 'go to person' is not around daily.

Fiona Jones has worked as a physiotherapist at Leeds Teaching Hospitals since 1989. Alongside Professor Simon Kay she helped develop a children's hand service that encompassed treating the child and their family in a friendly multi-disciplinary clinic. Starting with just a few therapists from a small cupboard once a month she helped develop this service into a leading centre for the management of children with obstetric brachial plexus palsy. I'm glad to report we are no longer in a cupboard and have weekly clinics reviewing at least 40 children with doctors, physios, occupational therapists, psychologists, specialist children's nurses and play therapists in attendance to meet all of the child's needs.

Over the last 30 years she has helped many children, families and educated numerous medical staff. Not only has she worked tirelessly to develop this service, she has also been our 'physio mummy' nurturing us to ensure that her legacy continues and we drive this service ever forward for the benefit of children and their families.

Her achievements will never be forgotten and I raise a very large glass to wish her a long, happy retirement.

**Sarah**



**Fiona on her retirement.**



# Hi everyone,

## Isla-May has a Sporting Bears dream Ride to Westminster Abbey

Once again Sporting Bears Motor Club offered a wonderful "Dream Ride" experience to one of our members – Isla-May had a wonderful day in London with her mum and dad- here she tells us in her own words about the experience.

### Isla-May & Mum and Dad London Sporting Bears AMAZING day, August 2022



We arrived at the Hilton Hotel and it was amazing. It had a spinning door!



Sporting Bears gave us some phenomenal cupcakes, I had two!



This is me, mum and dad with our dream ride- it was a Rolls Royce it was blue and sparkly.



The stairs lit up! Our room was on the eighth floor



Peter was our driver chauffeur he showed me around the Rolls Royce. It had lots of buttons including a back massager!



Peter said the glitter ceiling cost £13,000 pounds!



The Met police followed all the Rolls Royce's.



We went past Buckingham Palace.



It was a really sunny hot day. People were looking at us like we were famous!



Outside Westminster Abbey, it was massive and very old.



Inside Westminster Abbey we got a private tour. The Guide was talkative and she showed us King and Queen tombs. My favourite was the Unknown Warrior. She told us lots of interesting stories.



We saw the coronation chair. The tour guide told us that a school child once wrote on the back.

We then slept at the Hilton it was luxurious, we had a tasty breakfast.

**Thank you! It was a once in a lifetime experience.**



**THANK YOU**  
**Sporting Bears Motor Club**



# Erb's Palsy Study Day: Best Practice to Ensure Best Outcome

The study day highlighted how the contributions of each member of a multidisciplinary team play an integral role in offering comprehensive treatment for patients. The range of speakers was vast: from surgeons and therapists to solicitors and patients, giving a well-rounded view of the team and what each individual had to offer to ensure best practice for the best outcome.

Being 17 I had limited knowledge of the type of care I had received as a patient with Erb's Palsy. However, I still learnt a great deal from each of the different presenters who I will briefly mention. I also had a wonderful time talking to some of the therapists attending about my experience and the type of treatment I've had.

There were a range of therapists offering insight to different aspects of the care. Sarah Taplin, a physio from Leeds General Infirmary (LGI), explained the way the injury presents and is assessed using different scoring systems. She also mentioned why early referral to specialist centres was required and what indicators to look for. Other therapists based at the Royal National Orthopaedic Hospital included Tony Betts, physio, and Karen Vaughan, occupational therapist. Tony described the benefits Botox can have when treating co-

contractures. This was a method I have little knowledge on as it isn't widely used, so it was interesting to hear the theory behind it. Karen covered many aspects of her role including observation and assessment as well as how occupational therapists can aid the transition between primary and secondary school and from paediatric to adult services within the NHS.

Both the surgeons, Grainne Bourke and Robert Bains, were from LGI. Ms Bourke spoke about the importance of early referral to ensure primary nerve grafting would be as effective as possible, if required, and the advances in radiological imaging (e.g. 3T MRI, ultrasound and diffusion MRI) which are improving the assessment of injury before surgical exploration. I found both of these topics very interesting because I had read papers on the accuracy of MRI in diagnosis and another on timing of repair as part of a school project, so listening to their relationship to the outcome was fascinating. Mr Bains continued by introducing the extensive range of secondary surgery, such as tendon transfers, which can be offered to improve movement and functionality.

Dr Maggie Bellew, a psychologist at LGI, talked about the importance of hands not only for functional tasks



**Some of the Trustees & volunteers**



but for communication and appearance and how that may affect a patient: something I can relate to as I have struggled when communicating with my siblings as my middle finger can't fully extend! She also explained her role as part of the multidisciplinary team which isn't only to support the patient but the parents and wider family as well.

Clair Hemmings is a partner at Tozers solicitors and spoke about the reasons people litigate. Personally I found this was very relevant: many people don't understand why people make a claim after this injury, which can lead to a breakdown in trust. Many people express their views on claiming against the NHS to me and the number that completely misunderstand the process, yet have very strong views, is phenomenal. I think talks like Clair's are important to educate people and reduce the stigma around claiming or even just criticising the NHS. Especially for people working within the organisation, like the therapists in attendance, because claims aren't to condemn an individual but instead highlight where there may be a lack of training.

Last to present was Kim Hawksby who is a very well-known member of the group! The insight she offered the healthcare professionals attending was invaluable, with parts that were hilarious and others that were heart-wrenching. Her presentation gave a rounded view of problems that come hand in hand with Erb's, many of which rang true for me too. The focus on Erb's not just affecting the arm but also balance and over time other parts of the body due to overuse is definitely something I have been noticing lately.

What I gained from the day may have been slightly different to the professionals attending. Although I did gain a wealth of knowledge in areas I had only previously dabbled in, I learnt that the therapists attending were so willing to learn and spread their developed knowledge with the teams back in their local centres. It was clear that everyone acquired new knowledge which will help them follow best practice to ensure best outcome for anyone with Erb's Palsy they may treat.

**Flossie England**



**Mr Bains**



**Flossie**



# Tootle Round London Town

It was back... finally after 2 years of cancellations due to Covid the Asics Landmarks 10k returned to the streets of London and we were lucky enough to be there and taking part.

On Sunday 10th July 2022 at 9.30pm we joined the thousands of runners outside Green Park. The weather was glorious, the sun shining, and it was hot, really, really hot!

We took out our places at the start line and was met by a sea of different coloured vests representing many different charities, so many people giving up their Sunday mornings to raise funds for a charity close to them by running 6.2 miles. To be a part of this and to be running on behalf of The Erb's Palsy Group really felt like such a privilege.

The route was quintessentially London in every way taking us past St. James' Palace and a busy Trafalgar Square in the first few miles, to a lovely flat stretch along the River Thames where we would take in the view of the London Eye and enjoy a much needed cool off in the sprinklers set up for the run (genius). Then just as our legs began to tire, we were taken over Westminster Bridge, where Big Ben loomed in front of us and finally past Westminster Abbey to the finish.

It was one of the most enjoyable runs we have ever taken part in and is certainly a firm favourite. Writing this now, over three months on, the memories are still fond and the run now shares a sentiment with us both which undoubtedly means that we will be back to take part again, hopefully in 2023.

Thank you to the group and to Debbie and Karen for asking us to be part of such a joyous event and for allowing us to represent the charity. A massive thank you also goes to everyone person that donated to our Justgiving pages, in total we managed to raise over £500.



 Dune  
Financial

Nicola Hartley  
Chartered Financial Planner  
Dune Financial Planning Ltd

 Pryers  
SOLICITORS LLP

Lisa Swales  
Partner and Solicitor  
Pryers Solicitors LLP





# CHRISTMAS CARD SNEAK PREVIEW FOR 2022!

**The Trustees are delighted to let you know that we now have our 2022 selection of Christmas cards available for sale.**

Each card measures 144mm by 144mm and a cellophane packet of 10 cards with envelopes is £3.00. **100%** of the proceeds from the sale of the cards comes directly to the Charity!

All available to view and purchase at [erbspalsygroup.org.uk](http://erbspalsygroup.org.uk)

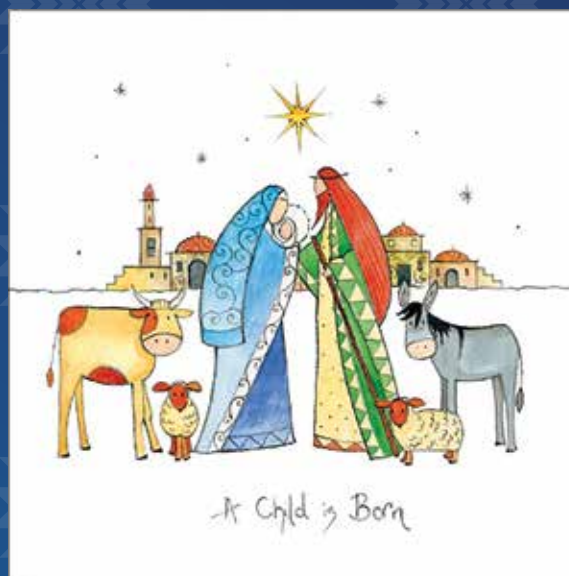
If you don't have access to the website and prefer to pay by cheque please send your order to: 60 Anchorway Rd, Coventry CV3 6JJ  
Cheque payable to Erb's Palsy Group.

Please can you make sure we know which design you want and your details for posting - we would be grateful if you could add £1.00 to your cheque for a contribution towards postage.

**Thank you**



Festive Robins



A child is born



Santa in woodland



Winter Woollies



lawyers ahead of the curve

Royds Withy King LLP  
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RWK Goodman have successfully settled a case on behalf of a 7 year old girl who sustained a right-sided brachial plexus injury at birth. The hospital trust, whilst not formally admitting negligence on their part, agreed a settlement to compensate our client for her Erb's palsy injury. As the case involves a minor, the facts have been anonymised.

Our client, born in 2015, suffered a mild but permanent right-sided brachial plexus injury during her birth. Our main allegations of negligence put to the Defendant Hospital Trust were that this injury had been caused by applying more than routine traction to her head when delivering her and applying fundal pressure as a manoeuvre to assist her delivery when shoulder dystocia was diagnosed, as opposed to the appropriate supra pubic pressure as described in the Royal College of Obstetricians and Gynaecologists Guidelines. These allegations were supported by experts in the field of Obstetrics and Midwifery whom we had appointed to report on the case.

A causation condition and prognosis report was obtained from a consultant in Orthopaedics with a specialist interest in obstetric brachial plexus injuries, which confirmed the injury was caused as a direct result of excessive force and confirmed that sadly the condition would be permanent.

A formal letter of claim was sent to the Hospital Trust setting out the breach of duty of care as is required under the Pre-action Protocol for Clinical Disputes. The Trust denied, in full, the allegations of negligence put to them, but indicated that they would, nevertheless, like to explore a settlement of the claim.

A Round-Table Settlement Meeting was scheduled to take place between our team, including our appointed Counsel, and the Defendant's team, on the basis that we would discuss the issues giving rise to the injury during our client's birth.

The Defendant Trust attended the meeting and indicated that whilst they had denied liability within their Letter of Response, they were keen to explore full settlement of the

case, acknowledging that there was indeed some risk to them of losing the case entirely if they proceeded to take the case to Trial.

Whilst we had yet to obtain expert reports on the issue of quantum, based on previously reported cases and the condition and prognosis evidence we had already received, we found the Defendant's monetary offer of settlement to be a good one for our client. After some hours discussing the intricacies of the case with the Defendant and negotiating increased offers from them, their final offer was accepted by our Client's Litigation Friend on behalf of her daughter.

The sum agreed by both parties, out of Court at the Round Table Settlement Meeting, allowed for the provision of future care, ongoing Physiotherapy, and the purchase of aids and equipment to assist her with daily tasks she found difficult as a result of the Erb's Palsy, as well as a lump sum of money to be paid to her mother for the past care she was required to give her daughter as a result of the injury, which otherwise would not have been needed.

Following settlement of our client's claim with the Defendant, the Court's approval of the settlement was required to ensure our client's interests were fully protected.

It was important to ensure the sums were appropriately invested on our client's behalf to allow her funds to access for the remainder of her life. After hearing from both sides, the Court approved the settlement and our client's funds have now been suitably invested on her behalf.

If you believe that you or your child may have an Erb's palsy claim or a linked maternal injury claim, then do please contact us as we will be only too happy to discuss matters with you. It really is so important that children and their families are compensated for the injury caused to them to allow them access to any care, treatment and equipment they might need throughout their lifetime in order to be able to live a full life free of concerns over the cost of treatment and care.

**Rebecca Callard**  
Associate





## Get the pens and pencils ready!

Entries are now open for our annual Christmas Drawing Competition, in association with Ison Harrison Solicitors.

Draw us a festive Christmas design and the 3 best entries will be turned into Christmas Cards for your friends and family! Plus, each winner will receive Amazon vouchers to spend on some early Xmas treats!

**First place: £50 Amazon voucher**

**Second place: £30 Amazon voucher**

**Third place: £10 Amazon voucher**



### How To Enter

- Draw a festive picture – it can be anything! Just make sure it's in landscape.
- Send a high-resolution photo of your design to [xmascard@isonharrison.co.uk](mailto:xmascard@isonharrison.co.uk)
- In the subject line of the email, please type 'EPG XMAS'.
- Include your **name and age** when sending us your photo.
- Closing date for entries is 25th November 2022.

Good luck!



## Mediation (ADR) – a means to a settlement?

There are a variety of ways that a settlement can be achieved in a clinical negligence claim and these include the following:

- An offer of settlement
- A joint settlement meeting (JSM) or Round-table meeting (RTM)
- Mediation

An offer of settlement can be made by either side at any point in the process. However, commonly “Part 36” offers are made in clinical negligence claims. Part 36 offers have consequences and penalties attached to them if they are not accepted and ultimately it is determined that they should have been.

Offers can be a good way of achieving settlement and the consequences of Part 36 incentivise the parties to make and indeed consider well pitched offers as the claim progresses. However, achieving a settlement in this way can be quite a long and drawn-out process.

In our experience one of the quickest and most effective ways of achieving settlement is through a settlement meeting. A day is put aside where the legal teams meet, discuss their respective arguments and negotiate. Whilst a settlement meeting is an emotionally charged day for the Claimant and there are no guarantees that a settlement will be reached, it is an extremely beneficial process for two reasons. Firstly, it gives us the opportunity to learn about any strengths and weaknesses in the Defendant’s case (although this is equally so for them) and secondly, it allows for various offers to be made in one day which, if formal written offers were made, could take months.

I have recently been involved in a case where, rather than settlement being achieved through formal written offers or a settlement meeting, the parties engaged in formal mediation.

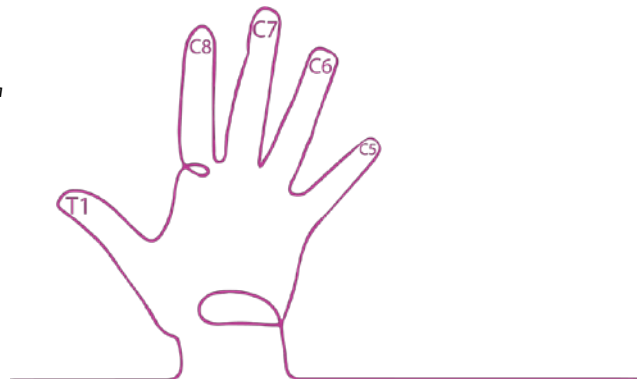
### Mediation

Mediation is a form of Alternative Dispute Resolution (ADR). As described by an ADR service provider:

*“Mediation is a flexible process conducted confidentially in which a trained neutral mediator actively assists people and/or organisations to work towards a negotiated agreement of a dispute. Both parties are in ultimate control of the decision to settle and the terms of resolution”*

The process of a mediation is not dissimilar to a settlement meeting in that:

- One day is set aside for the purpose of the legal teams discussing the case
- Various offers can be made on the same day.



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The important distinction between mediation and a settlement meeting is that in mediation a neutral 3rd party is involved – a mediator.

In my case, as soon as everybody had agreed to the mediation, I liaised with the Defendant to agree on an appropriate mediator. Having scrutinised a number of available mediators, we made our choice, and the date was set!

The build up to the mediation involved slightly more preparation than would have been the case for a settlement meeting as the mediator needed to have access to all of the relevant documents and a general overview of the case. Confidentially I also explained to the mediator what the Claimant was hoping to achieve in general terms.

The Trust had accepted liability in my case and therefore the parties were agreed that the Trust were liable to pay damages but were disagreed in terms of the amount. The Claimant had a severe brachial plexus palsy which was having a significant impact on everyday life.

The mediator that we chose was extremely experienced and very approachable. Ahead of the mediation he offered to speak with the Claimant to guide them through the process and explain to them what his role was. An important thing to note is that Mediation is “without prejudice” which means it is “off the record” or confidential between the parties. However, if a settlement is reached it is legally binding once put into writing and signed.

Given the pandemic and travel arrangements our mediation went ahead in a hybrid scenario with myself, our Barrister and the Claimant being in London and everybody else (including the mediator) attending virtually by Zoom. Thankfully, with the progression of technology we were not only all able to “meet” in one space but also have the facility to summon the mediator to talk to us confidentially.

Every mediation is different but, in our case, we began with all the parties meeting (with the mediator present), and the Defendant setting out their view on the valuation of the case. They then put forward an offer to us. We responded and made a Counteroffer. This format went back and forth throughout the day until we unfortunately reached an impasse. The Defendant put to us what they said was their final offer which we considered to be too low, and we were therefore making arrangements to go home. This is where, for us, the mediator played an important role.

Throughout the day we had engaged with the mediator about the offers that we were intending to make and where we saw that the strengths and weakness lay in the case. All our discussions with the mediator were confidential as were those he had with the Defendant. When it came to crunch time, we explained to the mediator why we were not going to accept the Defendant’s “final” offer and that being the case that there would be no point making a counter proposal. With the negotiations collapsing and our being on the verge of leaving, the mediator suggested a range of options to us and how he could broach matters with the Defendant. We listened to what the mediator proposed, agreed a plan and waited whilst he spent some further final time with the Defendant. I am pleased to report that, through whatever means he employed, the mediator certainly earned his fee that day as late in the afternoon the settlement was agreed at £1.4 million (which incidentally was significantly more than what the Defendant said that their final offer was).

## Conclusions

There are different ways of resolving a claim both in terms of liability (legal culpability) and the level of compensation (quantum). Whilst there is an obligation on the parties to consider alternative dispute resolution (ADR) in the interests of saving costs, it is up to the parties to decide on the best method of achieving a settlement, in their case.

Mediation is not free and not appropriate in every case. But for us, in this particular case where liability was admitted, the value was so high and the Defendant took the stance they did, mediation served us well. Without the mediator’s involvement there is a high chance that we may have had to walk away without a settlement deal that day.

## How can Tozers help?

For any further information, or for advice on bringing a claim please contact our dedicated medical negligence legal experts.

[enquiries@tozers.co.uk](mailto:enquiries@tozers.co.uk)

01392 207 020



**Michelle Beckett**

**Associate & Solicitor**

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01392 667 639

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## Time to bring a legal claim?

**“The time for action is now. It’s never too late to do something”.**

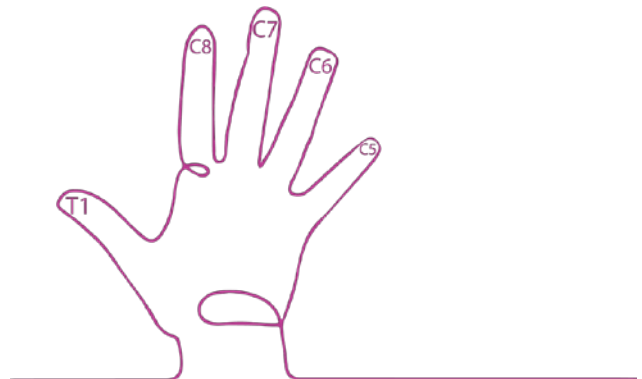
The writer Antoine de Saint-Exupery was right on the first point; but as litigation proves, not always on the second. If you feel that your child’s Erb’s palsy may have been caused by avoidable mistakes during his or her birth, or you have Erb’s palsy yourself and you want to consider a legal claim, the time for action is always now, because it can be too late to do something.

If you contact solicitors to help you consider bringing a legal claim for negligence, one of the very first questions they will ask you is when the birth occurred. That is to determine something called **limitation**, which is the deadline for starting a legal claim at court. It is a vital question because if you are already too late, in most cases that will create an impossible hurdle to clear. The courts do not like new claims being raised about events occurring decades beforehand, so the principle of limitation sets a cut-off, after which the would-be claimant has missed the boat. This rule intends to treat the rights equally of both patients and the NHS. Having no time limit would mean that a hospital or GP would never be certain that a claim may not arise, even from treatment given years before.

Limitation differs according to different areas of law but here we are only concerned about deadlines for personal injury and medical negligence. Even within that bracket, the law is complex and there are varying limitation periods.

In broad terms :-

- For an adult (i.e. over 18) who has mental capacity, the deadline is 3 years from the negligent treatment.
- However, that 3-year clock only starts running if the individual **knew** or **should have known** that the treatment may have been negligent and that the injury may have arisen from it. I will return to this **date of knowledge** point further below because it can often create arguments between the parties.
- If the claimant is a child (i.e. under the age of 18), the 3 years do not start to run until their 18th birthday, no matter whether the allegedly-substandard treatment occurred during their birth or when they were 17. So a child will not need to issue proceedings at court until they are 21 although as explained below, doing this so late does carry other disadvantages.
- If the claimant lacks mental capacity at the time of the negligence occurring (or indeed as a result of the negligence), limitation is suspended; unless they later regain capacity, which then starts the clock running.



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With one important exception, the above principles are fairly clear. For lawyers advising new potential clients however, the contentious area is always the date of knowledge, because the clock does not always start running from when the poor medical care happened. That would be unfair to many claimants, such as those whose injury is not apparent for some months or even years later. Instead, section 14 of the Limitation Act 1980 states that a claimant will only be deemed to have knowledge once:

They are aware of having a significant injury; they are aware that the injury is attributable to the act or omission of a medical professional; and they know the identity of the defendant.

That may suggest that a claimant who is too late to start a legal claim can simply get around that by saying that they didn't know one or more of these facts. However they cannot, because the date of knowledge is objective rather than subjective. That is, the test is not always when the individual actually knows the three criteria above; but rather when they could reasonably be expected to know. As might be anticipated, this can create a lot of arguments between the two sides, and there is a great deal of caselaw where judges have needed to apply these tests to the circumstances of actual cases. Courts need to look at when it would have been reasonable for the claimant to suspect and investigate that they had a significant injury which appears to have resulted from substandard clinical treatment, based on either facts observable or ascertainable by him; or facts ascertainable by him with the help of medical or other appropriate expert advice which it is reasonable for him to seek.

We at Tozers often need to consider these tricky questions of limitation in new, potential clinical negligence cases – but happily, seldom in Erb's cases. This is because an injury resulting in Erb's Palsy will usually occur during birth, so there will be up to 21 years in which to start a claim; and any permanent Erb's will be categorised as a 'significant injury'.

Sadly however we are frequently contacted by individuals over the age of 21 wanting to bring a claim, who we are not able to assist. I am unaware of any 'date of knowledge' argument ever being successfully made on behalf of someone who has not contacted solicitors until after age 21, because it would be extremely difficult to clear the above hurdles.

So if you or your child with an obstetric brachial plexus injury is aged less than 21, and you want to investigate a possible claim for negligence, does the passage of time even matter at all? Well, yes, but for other reasons not related to limitation.

The more time that has passed between negligent medical care occurring and a legal claim being started, the more likely it is that essential evidence including witnesses may not be available.

Doctors, nurses, midwives and other clinicians may have retired or even died in the meanwhile and although it may seem as though that will work to your advantage, since they will not be around to exonerate their own involvement, it can harm the claimant's case as well. They will not be subject to cross-examination at Trial and they won't be supplying witness statements prior to that, documents which can do more harm than help to the defendants.

The same point about the passage of time adversely affecting witness evidence can apply to a claimant as well. No matter how clearly you believe you remember details of the birth when your child's Erb's palsy was sustained, it is easy for the defendant barrister to suggest (in the Judge's mind, if not your own) that you cannot possibly be certain about what happened 15 or 20 years ago.

In addition, important documents may well have disappeared. Since maternity records of both mother and baby must be retained for 25 years then it is unlikely those will have been destroyed; but entirely possible that after many years they will have simply got lost. Other documents which are not subject to a 25-year retention rule, such as internal investigation reports or NHS Complaint records, may well be important in investigating a claim but will no longer be available.

I hope the moral of all this will be obvious. If you are thinking about a legal claim for your child's or indeed your own Erb's injury, speak to recommended, specialist solicitors sooner rather than later. There is little to gain from delaying; but potentially much to lose.

## How can Tozers help?

For any further information, or for advice on bringing a claim please contact our dedicated medical negligence legal experts.

[enquiries@tozers.co.uk](mailto:enquiries@tozers.co.uk)  
01392 207 020



## Stuart Bramley

Partner & Solicitor

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01392 667 659

Contact our legal experts

Ready to talk?

# Sponsored Swimathon



**Hatty George** (age 9 with left Erb's Palsy) and her best friend **Lily**, decided to raise money for the Erb's Palsy Group by doing a sponsored swimathon. They committed to swimming 1000metres each, which is much further than they'd ever swum before, and was 40 lengths in their local 25m pool.

On Sunday 4th September, they were both feeling very nervous, but they showed courage, perseverance and friendship and achieved their goal in 55minutes of continuous swimming.

And equally impressive - they managed to raise **£555** for the EPG **plus £123 gift aid!**

Their families are incredibly proud of them both, and so was their school - they were invited by the headmaster to stand up in front of the whole school and talk about why they did the swim and what it means to have Erb's Palsy.

**Kate George** (Mum)

## THANK YOU AND WELL DONE **HATTY** AND **LILY**







It is no secret that Corona Virus has hit us all hard. For the Erb's Palsy Group this means we are two years behind on donations and our funds are dipping lower than ever before. We want to keep delivering the best care and guidance to families and professionals but to do this we need your help!

Whether you are looking to throw a dinner, a quiz, cycle or bake every pound you raise will help support those living with Erb's Palsy!

# FUNDRAISING

## FOR WORK

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- a Pub Quiz - get into teams, charge a fee to take part and nominate your most exuberant colleague as quiz master!
- a swear jar- and make sure people put in a pound every time they use a naughty word.
- running a sweepstake- whether it's for the Six Nations or the Apprentice, assign everyone a team or participant, charge to play and split the pot between the winner and the EPG a karaoke night or an open-mic night

## FOR KIDS

---

- A DODGE BALL TOURNAMENT - HAVE A LITTLE PRIZE-GIVING CEREMONY AT THE END WITH AWARDS FOR MOST CREATIVE DODGER AND GOOD SPORTING ATTITUDE!
- A SPONSORED SILENCE - A CLASSIC, BUT ALWAYS A CHALLENGE
- A TREASURE HUNT - THEME IT ACCORDING TO THE SEASON
- A ROUNDERS TOURNAMENT
- A SUPER HERO DAY - DRESS UP AS YOUR FAVOURITE SUPERHERO - DON'T FORGET, NOT ALL HEROES WEAR CAPES.
- A CAR BOOT SALE - THIS IS A GOOD OPPORTUNITY TO HAVE A BIT OF A CLEAR OUT TOO.

## CHRISTMAS IDEAS

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- THROW A VIRTUAL CHRISTMAS QUIZ
- HOLD AN ONLINE CAROL-OKE SESSION WITH YOUR FRIENDS
- HOLD A 'DECK YOUR DESK' COMPETITION TO SHOW OFF VIA ZOOM
- ORGANISE A CHRISTMAS FAIR
- HOLD A MINCE PIE DECORATING CONTEST
- ORGANISE A CHRISTMAS JUMPER DAY
- DO A SANTA DASH
- RUN A DIGITAL WREATH-MAKING WORKSHOP



# Standing Order Mandate

To be completed by you and returned to **your bank**

*To: The Manager*

(Bank or Building Society): \_\_\_\_\_

(Address): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Please debit my account number: \_\_\_\_\_

Account Name: \_\_\_\_\_

and pay **Barclays Bank Plc**, Coventry, High St

Sort Code: **20-23-60**

Account Number: **53286460**

Account Name: **Erb's Palsy Group CIO**

Reg. Charity No. 1157720

at MONTHLY intervals the sum of £ \_\_\_\_\_

(amount in words) \_\_\_\_\_

Commencing on (date): \_\_\_\_\_ until further notice from me.

This instruction cancels any previous order in favour of the beneficiary named above under this reference.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# VOLUNTARY SUBSCRIPTION FORM 2022-2023 ERB'S PALSY GROUP

I wish to contribute towards the running costs of the Erb's Palsy Group and,  
enclose a voluntary subscription of £.....

Cheques/postal orders should be made payable to the Erb's Palsy Group.

Name: .....

Address: .....

.....

Membership No (if known) ..... Date: .....

\* \* \* \* \*

Please send this form, together with your subscription, to:  
Karen Hillyer, 60 Anchorway Road, Coventry, CV3 6JJ.

## GIFT AID DECLARATION

I would like the Erb's Palsy Group to reclaim tax I have already paid on this and any future  
Membership subscriptions and donations until I notify otherwise. I am a UK tax payer.\*

Signature ..... Date: .....

Name: ..... EPG Membership No: .....

Address: .....

.....Postcode .....

\* You must pay at least as much income or capital gains tax as we reclaim,  
ie 25p for every £1 you give. **If you do not pay tax, then you cannot complete the declaration.**

Please send this form, together with your subscription to:  
Karen Hillyer, 60 Anchorway Road, Coventry, CV3 6JJ.



# The wonderful Theo-James Swift

Age 7 years tells us in his own words about his recent trip to Leeds hospital.

## Leeds Part 1:

The day started off great, I got out of school at lunchtime. My mum did make me get changed into my shorts in the middle of reception though – well she didn't (she has made me put this bit in) she told me to go to the toilet but I couldn't be bothered so just stripped off in the school reception.

We set off and my Nana had brought me lots of snacks which was good, Greggs sausage rolls are amazing. We stopped at Skelton Lake services just outside of Leeds because it is my favourite. I saw a Bentley Continental GT and got wrong for spying through the windows – it was a very nice car though! It has a good park there too and lots of different food places to choose from. I like KFC!

We got to Leeds and I made friends with a baby who had Erb's. I played with her and was really gentle like my mum told me to be. Then Sarah came out to get me. Her and Dr Rob (Robert Bains) were waiting for me in the room. They made me take off my shirt and prodded me for a bit. They said they didn't know what to do with me and Dr Rob said I make his brain hurt. I asked him if he definitely had one and if he had seen it on an MRI. I know I have one because I've seen mine. He had no proof! I've got a massive gap in my collarbone and it's constantly broken. They think they will have to fix it now because it sometimes hurts me and Dr Rob said it was collapsing in on itself.

They talked for AGES and I was so bored so I decided to play with the locks on the door. Then I made Sarah show me her office and I locked her in, she did find it funny though. I decided to fire her and give her a payout of £10 million. She accepted and is no longer my physio because she is spending all of the money and has moved to Dubai. I also had to point out that their poster was wrong. It asks you to find 8 birds but there was 14 around the room. I told Sarah to take some down because it was incorrect. That hurt my brain!

When we left my mum asked me if I understood the plan. I didn't have a clue. They said surgery lots of times and seemed very confused, but they took too long so I stopped listening. My mum then took me for dinner to Zizzi. It was amazing. I went to the toilet but seen a door open that said private, so I went for a look. There was a full security set up. My mum found me sitting with the manager spying on everyone. I was turning the lights and the music on and off. It was so funny – my mum didn't think so. They had a piano too and I kept playing it. I thought I was pretty good but my Nana said I was disturbing everyone.

After that we went home and I just have to wait for an appointment through to see Prof Kay. I think he is going to decide what to do with my shoulder. I think they should just operate but my mum isn't sure. She's a right wimp though, not like me.

## Theo and Herbie at the fun day



# CHRISTMAS GIFT IDEAS

As we approach Christmas, you might be in need of some ideas for gifts for your little ones, which can also help with their physiotherapy for their injury – here are some great ideas from The Happy Puzzle company.



**The Teeter Rocker** – is fantastic fun for any little ones! This helps with gross motor skills, balance and hand and eye co-ordination, it's available in three colours and costs **£29.99**



**Stretchy Strings** are great fun, these stretchy strings can be twisted, squashed, plaited and even stretched up to 6feet long! - these are so useful for hand function these cost **£6.99**



**Door Pong** is full of laughs and fun -ping pong without the need for a table- this helps with hand and eye co-ordination and for gross motor skills and spatial awareness **£24.99**



**The infinity loop** is a lovely tactile coil of steel which can be manipulated around the arm and hand, it helps with concentration and gross motor skills **£5.99**

These are a few of the wide range of puzzles and activities available from the company – why not look at their website for more **[www.happypuzzle.co.uk](http://www.happypuzzle.co.uk)**

# Protecting Your Financial Assets in Relationships

Have you received a financial gift or some inheritance? Maybe you have been awarded damages or compensation in court or received a financial gain from an out-of-court settlement? How would you feel if somebody else was able to take a proportion of this for themselves?



Relationship breakdown is not always at the forefront of a person's mind when they are head-over-heels in love and taking exciting steps to move in with their partner or get married/enter into a civil partnership. However, it is vital to ensure you are fully informed of the law in the unfortunate circumstances that the relationship does go sour and the options available to you to protect your finances to be able to make the right decisions for you.

## Cohabitation

Cohabitation is when an unmarried couple or a couple that is not in a civil partnership are living together in the same property. It is not uncommon when people purchase a property together for one person to make a greater financial contribution than the other towards the purchase price, the monthly mortgage repayments or other costs of living. Sometimes couples will have a verbal agreement between them regarding the financial contributions they have made whilst others may never discuss this.

There are two types of ownership of a property: legal ownership and beneficial ownership. The legal ownership relates to the person or people with the right to occupy the property, whereas the beneficial ownership is the person or people with the right to receive an income from the property or a share

of the proceeds of sale. Usually the legal owners of the property are also the beneficial owners of the property. However, the legal ownership does not always accurately reflect the beneficial ownership of the property. A common situation where this may apply is when one of the owners has made a greater financial contribution towards the property than the other and there was a shared intention between them that they would receive their 'fair share' back when the house is sold in the future.

When it comes to selling your property, the proceeds of sale will be divided in accordance with the legal ownership set out on the title deeds, unless it can be shown that the beneficial ownership is different to that which is set out on the title deeds. One way you can clearly evidence the beneficial ownership is by entering into a Cohabitation Agreement or Declaration of Trust at the time of purchasing your property. In the absence of either of these documents, you could find yourself in costly legal disputes when attempting to realise your beneficial ownership in the property in the future.

A Cohabitation Agreement is a legally binding contract between two parties, which can set out the terms and conditions of them owning and living in a property together. Those terms and conditions may cover all kinds of scenarios, such as:

- How the mortgage and other household expenses are to be paid, by whom and in what proportions;
- What should happen if one owner wants to sell the property and realise their investment and the other does not;
- The arrangements for one party to buy the other's share;
- How and when the property is to be sold;
- If the parties stop living together, how the house contents and gifts acquired jointly shall be divided between them;
- Whether there will be any financial support between the parties during and after cohabitation ends;
- The living arrangements and financial provision to be made for the parties' children, if cohabitation ends.

A Declaration of Trust is a simpler document which sets out the beneficial ownership of a property when it differs from that contained in the legal title.

The benefit of having a Cohabitation Agreement or a Declaration of Trust is that there is no uncertainty about the beneficial ownership of a property, you avoid the cost of lengthy litigation in disputes over your beneficial shares and you can preserve your much-valued assets.



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**0113 284 5000**

or email [family@isonharrison.co.uk](mailto:family@isonharrison.co.uk)

## Marriage and Civil Partnerships

Once you become married or enter into a civil partnership, your assets begin to form a 'matrimonial pot'. When that marriage or civil partnership breaks down irretrievably and ends in divorce/dissolution, parties will seek to divide the matrimonial finances between them. The law governing the division of the matrimonial finances is the Matrimonial Causes Act 1973. The starting point in resolving the finances out of a marriage/civil partnership is an equal division of the matrimonial assets. Not all assets will be considered matrimonial and it is possible to ring-fence assets that have been acquired before the marriage/civil partnership. However, if pre-marital assets have been injected into the marriage/civil partnership, perhaps through a purchase of a family home or mingled in other ways that have led them to be enjoyed throughout the marriage/civil partnership, there is a risk that those assets then become matrimonial property and available for distribution.

In order to protect your assets from becoming available for distribution in the unfortunate case of divorce or dissolution, you may wish to consider entering into a Pre or Post Nuptial Agreement. A Pre-Nuptial Agreement is entered into prior to your marriage/civil partnership and a Post-Nuptial Agreement is entered into some time after you take your vows.

Pre/Post Nuptial Agreements provide the benefit of certainty as to how your finances will be divided, transparency as to each parties' financial position prior to entering into a marriage, can protect a party's assets from being used to satisfy the other party's debts, and minimise acrimony upon divorce/dissolution as well as offering a number of other benefits. Most importantly, you are able to ring-fence your assets that you do not wish to be considered as part of the 'matrimonial pot' in any future marital breakdown and preserve what is rightfully yours.

Pre/Post Nuptial Agreements are not currently legally binding against the Matrimonial Causes Act 1973. However, provided that:

- The agreement makes reasonable provision for the parties and their children's needs;
- You enter into this agreements a reasonable time before your ceremony takes place or after your ceremony has already taken place;
- You have a full understanding of your spouse/future spouse's financial circumstances;
- You take independent legal advice;
- Enter into the agreement at your own free will; and
- Have a full understanding of the implications of entering into the agreement;

they are more likely to be upheld by a court as a "circumstance of the case" under section 25 Matrimonial Causes Act 1973, as per the ruling in the landmark Supreme Court case *Radmacher v Granatino* [2010] UKSC 42.



**Written by Rachael Harwin**  
Solicitor

Rachael is a Family Law Solicitor at our Garforth office.

## What to do next?

We understand the difficulties and uncertainties facing our family clients whether that be planning for the future to safe guard their damages, going through a separation or disputes in relation to children. It is each of our Family Lawyers' objectives to make this a journey the smoothest and most suitable for you taking into account your own personal circumstances. Whilst you may be at the beginning of the journey, we are already planning how we will get you to where you want to be at the end.

Should you wish to speak with one of our family lawyers to discuss this article or any other family related issue, please email us at [family@isonharrison.co.uk](mailto:family@isonharrison.co.uk) or call on **0113 284 5000** and ask to speak to one of our private family law team members.



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# Achievements



**Flossie** travelled to London to run the ASICS 10k. Despite a keen dislike of running, and a blisteringly hot day she managed an impressive time of 1:07:13. **Good job Flossie!**

**Elana:** In the last Blerb we saw Elana was nominated for the 'overcoming disability in sport award' for her achievements in swimming. Elana went on to win the award and her family are overjoyed for her. **Congratulations from all of us Elana!**



**Eva** has smashed her A-Levels and been awarded a place at her first choice University! She will be training to be a Social Worker. What an amazing achievement, **well done!**

**Samuel** has been awarded Level 3 extended diploma with distinction in Media Studies! He is heading off to Salford Uni to study TV & Radio Production. **Best of luck!**

**Abbie** has passed her Art foundation course and will now be going to Reading University to study Fine Art. **Keep up the hard work!**

**Steffan** received a merit and a pass in his ICT course. He will be now starting Media TV & Radio studies. **Fantastic work Steffan!**





**Ava** has right Erb's and took part in a gymnastics competition recently. She was awarded 2nd place on vault and 3rd place on floor. Everyone is very proud of you **Ava, well done.**



**Theo** has been awarded a Star Player award in football for showing hard work, a kind and caring nature and trying his best. An all round great achievement! **Keep it up Theo!**



**Maci** has been invited by her dance teacher to join the competition dance team. Mum, Dad and the entire group say **well done.**



**Max** and his brother Theo completed a sponsored cycle challenge during their summer holidays and raised money for the EPG. **Great effort boys.**

# Max's Summer Cycle Challenge

Our family were watching Ant & Dec's Saturday Night Takeaway when Max declares that 'when' he wins a holiday from the programme, like so many others he sees on the show, he will go to Disney Land to meet Mickey Mouse. A little confused, his Dad and I ask him why he thinks he will win a holiday. He informs us, in his typical matter of fact manner, that everyone else is, so when he does that is what he will do, plus he will get to go on the show to meet Ant & Dec too which would be very cool.

We explained to him that the people winning holiday's have usually done something exceptional – working hard during the Covid lockdowns, suffered some difficulty in their lives, or raised lots of money for charity. It was like a lightbulb moment in slow motion, he took just a very brief second before declaring that it was no problem at all, he will just have to raise money for the Erb's Palsy Group. THEN he will meet Ant & Dec AND go on to win a holiday to Disney to meet Mickey \*face palm\*

How do you manage the expectations of a determined 6 year old with a great plan? We wouldn't want to discourage him from raising funds and awareness for the group, but equally didn't want his hopes to be dashed when he doesn't get to meet Ant & Dec.

The wheels were in motion, he quickly decided it would be a trike ride challenge and the sooner we cracked on, the sooner he could get on with the tricky business of considering what to say when you meet your idols.

We set up a Go Fund Me page with a conservative target cycling 20miles in the hope to raise £200. After all, Max had only ever cycled a little way – having struggled greatly with balance on a conventional bike he now has a specially adapted tricycle which has single handed steering and breaking to accommodate his Erb's.

Although he could take his time to spread the 20 mile distance over several weeks, we were unsure how this would go and whether he would lose interest quickly. We figured £200 would be enough to benefit the Group, without putting too much pressure on Max.

Max was astonished to have reached his target within days of setting up the page. Then the hard work of cycling would begin!



He managed to get a few miles under his belt quickly, the first cycle we did was exciting and despite the fact that it started raining, the vibes were positive. However, Max's great progress was stunted when we all experienced a heat wave which halted cycling as it was just too hot to expect him to cycle and still enjoy it. Not only that, but we also had a family holiday booked so he ended up having a 3 week gap of no cycling.

Once we returned from holiday and the heat had died down it was back to work... but now the novelty had well and truly worn off. Max's knees were aching, his brother Theo had taken a nasty tumble off his bike as he was cycling it along with Max and there had been lots of talk of wanting to give up, and questioning why he had even started the challenge to start with.

This is what we had been afraid of... the initial excitement disappearing and the reality that he still had well over half way to go with limited motivation. We gently reminded him why he was doing it. It wasn't to meet Ant & Dec, it wasn't to go to Disney. This was about raising awareness. We had decorated his trike with EPG logos, we all wore EPG t-shirts, we had balloons hanging from the flag of his trike and we even had leaflets to pass to people who stopped us in the street – and stop us they did! By this time the money was still rolling in and Max had raised towards £450 and there was no going back now.

We were doing lots of shorter rides so he didn't get too tired or overwhelmed by the task and sure enough, slow and steady the miles were ticked off.

As we approached the end of the target of 20miles we went all out, freshened up the trike decoration, donned our tshirts with pride and set off for the final ride of the challenge. As we approached the home straight Theo and Steve cycled on as Max was waning in strength and was cycling at a glacial speed. But as we rounded the final bend and Steve and Theo were cheering him on he pulled up and could not stop smiling!

We posed for some photos to mark the occasion and quickly updated the social media channels of Max's success. He was so proud of himself, but not half as proud as Steve and I are of him, and of Theo for encouraging Max all the way.

There was a flurry of final sponsorship donations and in total Max had not only managed to raise £830 for the EPG, he had raised awareness, and his own self belief that he can achieve amazing things.

**What he can't do sadly,  
is meet Ant & Dec!  
Maybe next time Max!**



# University guide for us parents.....

Scary stuff I know, we've just sent our Sam off to university for the first time this September.

How on earth did we get here? I have no idea, but I've let him go and spread his wings, not so sure about my husband mind, I think he's the one who still has the apron strings attached.

## **Anyway, down to the basics.**

Help your teenager, how? Well that's a million-dollar question that even I've struggled with but somehow, I did apparently. I supported Sam through college by leaving him be and helping when he asked for it. He knew from an early age that he wanted to work in the TV and film industry and doing level 3 Advanced media studies at college helped him along the way.

Another idea is start looking at Universities as early as possible. Open days are also a very good option. You get to meet students from the course, their insider knowledge is invaluable, [including why the student union bar is the best place for a drink as it's the cheapest] introduction to the course and



a chance to meet possible future lecturers is so helpful. We felt just by listening to one or two presentations helped us to feel how enthusiastic the tutors were. One university we attended went on so much about the golden beaches on their doorstep we gave it a thumbs down as we learnt barely anything about the Television course.

On open days you are also able to view the accommodation, Sam saw the accessible rooms and decided straight away he wanted a normal room, even with his Erb's he could have applied for one but he said there were other people who probably needed it more than he did.

Also maybe go to an open day a day early or stay overnight so you can get a feel for where your teenager could be living. They will want to know what the nightlife is like, how many takeaways are nearby, is there a Deliveroo or Just Eat point in the vicinity so that they don't have to cook?

Well I say cook, if your teenager is anything like my Sam its what tin can I heat up tonight with a few frozen veg that won't get eaten.

Other people to look for on Open days are the disability services and student support. They will be able to help with any questions you have about additional support or in our case, 'how to embarrass our son' just by opening our mouths to say something.

Applications are very important and need to be submitted quite early on in the year via UCAS. Try not to be intimidated by all the forms etc. to be honest we left Sam to and just checked his diction and spellings. There is also a small fee that you have to pay UCAS but they sort everything out and send it out to all of the applied universities, thankfully that was one minefield we didn't have to walk through.

Once the deadline passes don't worry. We waited an age for Sam's acceptances to come through and luckily, he was accepted on all 5 courses he had applied for. That was a hard choice to make as the courses were all unique in their own way. We spent several weekends in both Southampton and Salford, we looked at where the accommodation was in regard to where the University was, where was the local supermarket, was there a local corner shop? what was the campus itself like?

Eventually Sam decided on Salford and put that down as his first choice, then the paper trail of emails started, If you can get your teen to forward them to you and make yourself a folder.

When applying for a student loan etc. apply for DSA [disability students allowance] both are on the Gov.uk website. The DAS will contact your son/ daughter when they have applied and sort out a time and date for an assessment. Sam's was online and I sat with him to remind him or give him a nudge every so often, the assessment lasted about an hour, so not too long.

Sam was awarded a good amount of money that has been used to buy him support items for his room and lecture classes, items such as a Dictaphone, software for his laptop so he can record his lectures when needed to an ergonomics assessment that agreed to let him have a specialist chair and a laptop stand along with a whole host of other things.

One of the other things we did was make Sam a folder with contact details in for the DSA, local supermarkets and a map of the area and most importantly details of his Erb's consultant if any problems arise.

When you finally take them off to university, plan ahead. We reserved a lot of items such as kitchen utensils etc at various shops near to the university to avoid taking up room in the car. Poor Sam was very squashed by the time we had been shopping thankfully it was only a 10 min drive to the campus.

Take your time settling them in, it's a huge move from being waited on hand and foot to doing everything yourself and expect lots of phone calls home saying how do I make this and what wash do I have to put my clothes on, as well as drunken Sam text messages with the words I love you .....

## Finally it's also very hard for us parents to let go so take plenty of tissues and chocolate as you'll need it.

A few weeks in we've had the I want to come home phone/video calls but he's settling in well and making new mates on his course, Sam is very lucky to be studying at Media city where the BBC and ITV broadcasting studios are and he has bumped into a couple of famous You Tubers so far not that I'd have a clue as to who they are.

*Jackie x*



# Hello friends!



Hi friends! Good to see you again! Now Summer holidays are a distant memory, I had such fun at Halloween, did you go Trick or Treating? Did you go to a party? Or do some creepy crafts at school? Then of course we have Bonfire night which is always chilly but I love to see fireworks and sparklers. Once the cold nights start coming in, it can mean it's time to get ready for Christmas, or maybe you might celebrate Hanukah, or another festival at another time of year. Below I have added two colouring sheets. Feel free to colour one, or both in on one of those rainy days!



## JOKE CORNER

I have some festive jokes for you to make all your friends and family laugh – or groan!

What happens if the Elves misbehave?

**Santa gives them the sack!**

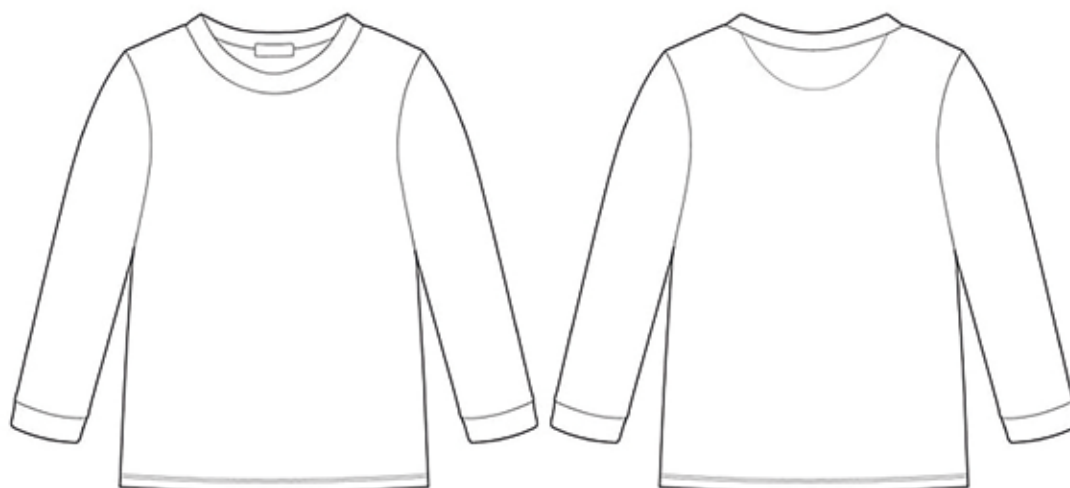
Which of Santa's reindeers has bad manners?

**Rude-dolph!**

What do you call an Elf that sings?

**A wrapper!**

Ha Ha  
Ha Ha  
Ha Ha



### JUMPER CHALLENGE!

Now it is well and truly jumper season, I wonder if you could have a go at designing your very own jumper? It could be warm and snugly, colourful, with your favourite character on it, maybe it is a Christmas jumper, or it could be what you would rather wear to school. It could have sparkle, zips or tassels – anything goes!

I would love to see your jumpers, please feel free to email me a photo of them to [info@erbspalsygroup.org.uk](mailto:info@erbspalsygroup.org.uk)



ANSWERS: beach, icecream, sandcastle, holiday, sunshine, bucket, suncream, camping, seaside, swimming.



# ANNIVERSARY BALL BOOKING FORM

**Saturday 30th September 7pm - 1am**

**Leeds Marriott Hotel**

Email [Robinson.debbie@sky.com](mailto:Robinson.debbie@sky.com) or [debbie@erbspalsygroup.org.uk](mailto:debbie@erbspalsygroup.org.uk) or Post: 26  
Browning Hill, Coxhoe, Durham DH6 4HB

Full Name: .....

Address for correspondence: .....

.....

.....

Email Address: .....

Telephone: .....

Number of Tickets Purchased: .....

Date of Online Purchase/Payment: .....

Menu choices MUST be listed at time of booking unless following a vegan, gluten free, dairy free, nut free, halal, etc. diet – please then indicate dietary requirements and the venue will cater accordingly.

**Starters:** Goats Cheese, Heritage Beetroot, Basil Starter OR Roast Tomato and Red Pepper Soup

**Mains:** Roast Fillet of Pork, Air-Dried Ham, Apple and Sage Compote, Roast Leeks OR Spiced Butternut Squash, Sweet Potato, Ginger, Coconut Milk and Jasmine Rice

**Dessert:** Milk Chocolate Cheesecake with Vanilla Sauce OR Lemon Brulee Tart with Berry Compote

**TABLE ALLOCATION:** Where tickets are booked in Groups of 10 we will allocate you to the same table. If purchasing as individuals or couples, please indicate below if you are planning on attending with other guests and wish to be seated with them. We will endeavour to arrange table plans to suit your wishes but this is dependent on final numbers. Table plans will be available on entry to the event.

**PLEASE NOTE:** This is a Ticket Only Event and Tickets will only be issued once full payment and this form have been received. Thank you.

**OVER 18'S ONLY**





Name	Starter	Main	Dessert	Special Dietary Needs



# 30th Anniversary Ball

**SATURDAY 30th SEPTEMBER 2023**

Leeds Marriott Hotel, 4 Trevelyan Square, Boar Lane, Leeds LS1 6ET.

Dress Code: Smart - Black Tie or Cocktail Attire

**Ticket Price: £50**

**7.30 – 8pm:** Drinks Reception in events foyer accompanied by 'Illuminations Duo'

**8 – 9.30pm:** 3 Course Dinner with wine on the table followed by teas and coffees – please see menu below

**9.30pm – 1am:** Entertainment including Raffle, PhotoFrame, Casino Tables and Resident DJ Disco

Tables will be in rounds of 10 so please feel free to book a full table or simply a ticket for yourself and be allocated a table amongst Trustees, families and other guests. Tickets are £50 each or we can offer a full table of 10 for £450 (1 free seat!)

**PLEASE NOTE:** This is a ticket only event and **MUST** be pre-booked. Over 18's Only!

## **TO BOOK TICKETS:**

To book a ticket, please go to our website, [www.erbspalsygroup.co.uk](http://www.erbspalsygroup.co.uk) and order accordingly from the shop. Where prompted please provide the information requested including full name and contact details and please add a note to the effect of '**Charity Ball Payment for X number of guests**'.

You must then complete the appropriate Booking Form available in this edition of the Blerb and forward it as soon as possible to Debbie Robinson via Email at [Robinson.debbie@sky.com](mailto:Robinson.debbie@sky.com) or [debbie@erbspalsygroup.org.uk](mailto:debbie@erbspalsygroup.org.uk) or by post to 26 Browning Hill, Coxhoe, Durham, DH6 4HB.

Tickets will only be issued once payment is confirmed AND booking forms are received.

The booking form is your opportunity to state whether you are happy to be allocated a seat randomly or whether you wish to be part of a bigger party. All guest names and any special dietary requirements must be completed at this stage.

## **The Menu is as follows:**

Starters: Goats Cheese, Heritage Beetroot, Basil Starter OR, Roast Tomato and Red Pepper Soup

Mains: Roast Fillet of Pork, Air-Dried Ham, Apple and Sage Compote, Roast Leeks  
OR,

Spiced Butternut Squash, Sweet Potato, Ginger, Coconut Milk and Jasmine Rice

Dessert: Milk Chocolate Cheesecake with Vanilla Sauce OR, Lemon Brulee Tart with Berry Compote

**Bookings will close when all tickets are sold, so please don't delay! First come, first served.**



Entertainment throughout the evening will be provided by:

### **ILLUMINATIONS DUO:**

Emma and Evan (who has left Erb's) are a perfect combination of singer/acoustic guitar and drummer, playing a mix of both modern and classic tunes. They will be joining us for reception drinks through to the end of the meal.

The resident DJ will then take over with popular music choices until the end of the night.



**ILLUMINATIONS DUO**

### **PHOTO FRAME:**

With an unlimited photo opportunities and a host of props, have fun with our floral photo mirror! Beware – we will get a copy of everything for inclusion in the Blerb!



**PHOTO FRAME**

### **CASINO TABLES:**

Come and have some fun on the (quick-fire) poker, black jack and roulette tables – personalised fun money will be provided on the evening for all guests, with prizes for the top players.



**CASINO TABLES**

### **RAFFLE:**

Why not enter our raffle – simply complete your details on the envelopes that will be provided on the tables and make a donation of your choice (minimum recommendation £5) – the envelope is your ticket. Prizes currently donated:

**One Night Leeds Marriott Stay**

**Gin Hamper**

**Large Lego Set**

**Tiffany Bracelet**

**Online First Aid Course**

**ACCOMMODATION** can be booked independently via the following link for a reduced rate:

<https://www.marriott.co.uk/event-reservations/reservation-link.mi?id=1665409948480&key=GRP&app=resvlink>

## contacts

**Chairperson, general enquiries, newsletter editor, Donations and Subscriptions;**

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## information

We have a wide range of fact sheets and leaflets available – please check the website for full details [www.erbspalsygroup.org.uk](http://www.erbspalsygroup.org.uk) all of our leaflets can now be e mailed to you for ease of sending. All requests should be sent to Karen Hillyer (details as above)

In addition to these fact sheets we have a wide range of Information booklets available to post to members or health care professionals. These include the following;

- **Erb's Palsy, A comprehensive guide for professionals and parents on the prognosis, treatment and support of Erb's Palsy**
- **Care of a baby with Erb's Palsy**
- **Rights in the workplace and education – a guide to your rights under the Equality Act 2010**
- **All About Me book – a booklet for you and your child to complete for use in school and other external settings**

These can all be obtained by contacting Karen Hillyer.

*Bye for now!*  
x

