

Sodium Valproate and the Dangers to the Unborn

A paper in the Journal for Neurology, Neurosurgery and Psychiatry¹ has shed new light on the damage which can be caused to unborn children by taking sodium valproate, also known as 'Epilim', during pregnancy.

Sodium valproate has been on the market for decades and is usually prescribed to treat the effects of epilepsy. However, it has also been used to treat other conditions such as bipolar disorder and migraines.

Since the drug was introduced, a number of children born to women taking sodium valproate have been found to have neurodevelopment problems including cognitive impairment, diminished verbal IQ and autistic spectrum disorders. These cases have often been grouped together under the heading of 'Fetal Valproate Syndrome', or the more general 'Fetal Anti-Convulsant Syndromes'.

The risks associated with taking sodium valproate during pregnancy have been suspected for some time, but the Journal of Neurology, Neurosurgery and Psychiatry paper has now solidified the link with neurodevelopmental disorders in children. The paper also indicated that the risks may be lessened with other anti-convulsant medications such as Carbamazepine.

Where a pregnant woman suffers from epilepsy there may be difficulties with either withdrawing or changing her medication. However, clearly these must be weighed in the balance with the risks posed to their child by continuing with a particular drug. A medical practitioner will be considered to have been negligent and in breach of their duty of care to their patient if they fail to give such advice to them as the 'reasonably skilled' practitioner would do.

Given the evidence which is now available regarding the potentially serious side effects of sodium valproate in pregnancy, a medical practitioner may be expected to have a discussion regarding the relative risks and benefits of continuing with this medication. Failure to do so could give rise to a claim for compensation on behalf of children who then suffer injury as a result the drugs given whilst they were in utero.

The Independent Fetal Anti-Convulsant Trust, which was launched in November 2012 to campaign for greater awareness of the risks of the anti-convulsant medications when taken during pregnancy, estimates that approximately 1,200 children are exposed to sodium valproate each year.

¹ 'The Prevalence of Neurodevelopmental Disorders in Children Prenatally Exposed to Antiepileptic Drugs' by Bromley *et al* (Journal of Neurology, Neurosurgery and Psychiatry January 2013)

If you believe that you or your child could have been affected by the issues referred to in this briefing note and would like some preliminary legal advice, please contact either Deborah Blythe or Lucy Wilton using the contact details below.

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