Learning from Lanarkshire – Informed Consent in Outpatient Hysteroscopy

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Our dirty little secret

NEW!! 2015 Med Neg Law

Don't get sued



- NHS doctors who inflict intimate and agonising surgery on women with NO anaesthetic
- Hetty Baynes was subjected to a uterine biopsy and was left screaming in pain after the procedure
- Hetty Baynes was due to have a routine examination for uterine fibroids

By HB for the Daily Mail, 21 January 2015[1]

[347 RESPONSES ON-LINE]

Arriving at the Chelsea and Westminster Hospital two weeks ago … little did I know that within half an hour I would be emerging from the consultant's office in a state of shock, having been through one of the most physically traumatic experiences of my life. (…)

Men are offered sedation for gastroscopy, colonoscopy, bronchoscopy



Isitme1969, Manchester - "This happened to me in November 2014. It was agony. Immediately afterwards I cried with the relief of it being over. I lay there sweating, trying to hold back the tears. Yes, feeling like a wimp. I was told over and over 'it's almost done now' only it wasn't... it seemed to go on for ages. Women should be told in advance what it involves and be offered pain relief. I wasn't even advised to take some ibuprofen beforehand. I understand the NHS needs to save money. But at the expense of patients in that much pain?! Crazy."

Roobarb, London – "Women need to know the full facts of the procedure so they can make a fully informed CHOICE as to how they want it carried out, whether by GA, LA, conscious sedation or with nothing. I was given no choice and would rather have gone through 10 labours."

Brookles – "at the Women's Hospital in Birmingham. I asked for anaesthetic as I'd had a colposcopy a few years ago and still remember the pain. I was told it wouldn't hurt – it b****y well did hurt. I screamed and cried with the shock of the pain. I'm usually quite hardy but this was horrendous. Not even a paracetamol was offered. This cannot be right surely?"

Women often get just 'vocal local', then tea & biscuit for shock after hysteroscopy [2]



"Medically caused pain (postoperative and procedural) is our dirty little secret that we pretend is not an adverse event."[3]





Montgomery v Lanarkshire Health Board [2015] UKSC 11[4]

"Nadine Montgomery, gave birth on 1 October 1999 at Bellshill Maternity Hospital, Lanarkshire. As a result of complications during delivery, her baby was born with serious disabilities. Mrs Montgomery sought damages on behalf of her son alleging negligence of the respondent Board's employee, Dr McLellan, who was responsible for her care during her pregnancy and labour.

Mrs Montgomery has diabetes. Women with diabetes are more likely to have large babies and there is a 9-10% risk of shoulder dystocia during vaginal delivery (the baby's shoulders being too wide to pass through the mother's pelvis). Though this may be resolved by emergency procedures during labour, shoulder dystocia poses various health risks to the woman and baby.

Mrs Montgomery had raised concerns about vaginal delivery but Dr McLellan's policy was not routinely to advise diabetic women about shoulder dystocia as, in her view, the risk of a grave problem for the baby was very small, but if advised of the risks of shoulder dystocia women would opt for a caesarean section, which was not in the maternal interest."

Cochrane[5] and OPT[6] state 5%; 9% risk intolerable pain during hysteroscopy.

Hope for the best or inform my patient?

"… an adult of sound mind is entitled to decide which, if any, of the available treatments to undergo, and her consent must be obtained before treatment interfering with her bodily integrity is undertaken.

The doctor is under a duty to take reasonable care to ensure that the patient is aware of any material risks involved in proposed treatment, and of reasonable alternatives.

A risk is "material" if a reasonable person in the patient's position would be likely to attach significance to it …"[4]

Inform patient of risk severe pain (dilatation, injection, distension, biopsy, electro-surgery, morcellation)

Offer analgesia, LA, option GA

Option safe sedation, epidural (if available)

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