



NEWS

Out-of-court settlement for girl conceived with abnormal donor sperm

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By *Nina Chohan*

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A London fertility clinic has settled a claim over a 4-year-old girl who was born with a genetic defect after a mix-up in the sperm used in her conception.

In 2009, the girl's mother, ARL, underwent [IVF](#) at the London Women's Clinic using donated sperm and gave birth to a girl in October of that year. During her pregnancy, the woman was told that a scan had showed a rare genetic defect in the [fetus](#), which she later claimed was due to a mix-up of the sperm being used. The woman's solicitors said that clinic had used sperm during the IVF treatment that had been initially screened and noted to be abnormal, but was labelled as normal.

The genetic defect, called [balanced reciprocal chromosomal translocation](#), is rare and leads to a higher chance of a miscarriage and of giving birth to a disabled child. When choosing to start a family of her own, ARL's daughter will most likely be required to undergo IVF and the use of assisted reproductive technologies to screen out the abnormalities.

Nico Fabri, solicitors for the London Women's Clinic, admitted to a breach in duty and apologised to ARL. An undisclosed out-of-court settlement was reached between the clinic and ARL, which was approved by a judge in the London High Court. The settlement is to help compensate ARL's daughter for the fertility challenges she will face in her future, her solicitors said.

Speaking after the settlement, ARL said: 'Choosing to undergo IVF with an anonymous sperm donor was not a decision I made lightly, but I believed the London Women's Clinic was one of the leading fertility centres in the country and I spent £30,000 with the clinic expecting a high-level service'.

'I'm left worrying about what the future holds for my daughter and the problems she may face in

later life. Every parent wishes the best for their child but knowing that she may face such heartache and agonising decisions is incredibly difficult to live with and the source of much anguish', she added.

Matthew Waite, of law firm Irwin Mitchell and who acted for the woman, said: 'This is a shocking case that begs the questions, how on earth was it possible for this mix-up to happen and could it have happened more than once'?

'Whilst we welcome the settlement from the clinic, we would like to know what systems failed to allow the mix-up to happen – why was the abnormal donor sperm not destroyed, could it have happened more than once and what action has been taken to ensure the same mistake can never be made again?', [the statement](#) said.

SOURCES & REFERENCES

[Girl awarded £35,000 after sperm donor mix-up](#)

ITV | 27 January 2014

[London Women's Clinic Gives Mum Abnormal Donor Sperm In 'Shocking' Label Mix-Up](#)

Irwin Mitchell (press release) | 27 January 2014

[Sperm donor mix-up girl awarded £35k in damages](#)

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