

# Mother's payout over Down's syndrome birth

By Daily Telegraph Reporter

A MOTHER whose son was born with Down's syndrome after a missed screening has won the right to damages from the NHS.

Edyta Mordel, 33, sued the Royal Berkshire NHS Foundation Trust over a failure to detect the condition in her son, Aleksander Mordel, before his birth in January 2015.

She claimed she had asked for a screening and would have undergone further tests if it had detected signs of the disorder.

Both she and her partner, Lukasz Cieciora, said they would have had the baby aborted if they had known he would have the condition.

The trust contended that Ms Mordel had declined the initial test and later regretted her decision.

But, giving judgment at the High Court in London yesterday, Mr Justice Jay ruled in Ms Mordel's favour - paving the way for her to receive a payout. The value was not mentioned but it is likely to be six figures.

The judge concluded that a sonographer and a midwife "failed to discharge their duty" to Ms Mordel by not querying her apparent refusal to have the test, in light of her earlier indication that she wanted it.