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Adopted sons 'unjustly' taken from parents

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The children were aged 10 months old and three years old when they were taken into care

A couple whose two sons were taken into care and adopted may be victims of a miscarriage of justice, says a solicitor.

The couple had taken their nine-month-old son to hospital after noticing swelling on his head in September 2008.

After a scan, the parents said they were told there was a skull fracture and signs of previous bleeding on the brain.

The mother has since been diagnosed with a genetic condition called Ehlers-Danlos syndrome [EDS], which she says could explain this.

Leading solicitor Bill Bache - who **helped overturn Angela Cannings' wrongful conviction** for murdering her two babies in 2003 - is now working with the family.

"The parents may well have suffered the most appalling injustice," he said.

"If the anomalies that were identified were, in fact naturally occurring, then they've had their children taken away from them for absolutely no good reason whatsoever.

"If a parent suffers it, then it may well be that the children will also inherit it. And I believe there are a lot of cases where this connection might be very important indeed to the resolution of what has actually happened to the children."



The sons - then aged 10 months and three years - were taken into care by Derbyshire County Council in October 2008.

In December 2008, the Crown Prosecution Service said there was no criminal case to answer, according to Derbyshire Police.

However, a Family Court fact-finding hearing held a year later judged the children to be at risk and they were adopted.

The mother requested hospital medical records. One stated there was no fracture, while another stated it was more likely to be a fissure

than a fracture.

Then, two years ago, she was diagnosed with Ehlers-Danlos syndrome.

The genetic, inheritable condition affects the joints in the body.

It can also cause skin to damage easily, means it can be slow to heal and can sometimes cause severe bruising, according to Kay Julier, managing director of the charity Ehlers-Danlos Support UK.

The mother said: "Having received the Ehlers-Danlos diagnosis this can easily now explain my son's condition when presented to hospital."

What is Ehlers-Danlos syndrome?

Ehlers-Danlos syndrome (EDS) is a collection of genetic disorders of the connective tissue affecting how collagen is made.

Medical literature says that 1 in 5,000 people have the hypermobility type, which the mother in the Derbyshire care proceedings has.

However, Ehlers-Danlos Support UK believes the true number is higher, as some sufferers are undiagnosed or misdiagnosed.

Kay Julier, managing director of Ehlers-Danlos Support UK, said: "Distressingly, it is not uncommon for parents of children with EDS, whether diagnosed or not, to be accused of child abuse.

"Sadly, EDS is not widely recognised or understood in primary care and even less so in the social services sector, which only exacerbates the problems for these families."





The couple are being helped by solicitor Bill Bache, who brought Angela Cannings' successful appeal over the deaths of her two sons

The father said the moment the children were taken into care was "the worst day of his life".

"To hear your child screaming, 'Daddy please save me', and knowing there's nothing at all you can do, it just kills you," he said.

"You just stop living because you are ripped apart."

Ehlers-Danlos Support UK said it had received calls from 12 families diagnosed with EDS who were facing child protection proceedings.

Ms Julier said: "These symptoms, sometimes coupled with dislocated joints, can raise alarm bells for professionals who are not familiar with EDS."



Timeline

September 2008 - The parents took their nine-month-old son to hospital after the mother noticed swelling on his head. They say that, after a scan, they were told there was a skull fracture and signs of

previous bleeding on the brain.

October 2008 - The children were taken into care by Derbyshire County Council while their future was decided by the Family Courts.

December 2008 - The couple were told there was no criminal case to answer.

Late 2009 - A Family Court hearing was held to consider the facts. The boys were later adopted.

December 2014 - The mother was diagnosed with Ehlers-Danlos syndrome, which affects her body's joints.

Mr Bache said in the short term he "can't see anything happening about the adoption", but he believed it could be possible to review the findings in a way he hoped would reflect well on the couple.

The biological parents have said they will never give up.

"There's been a total of four cases in the history of the UK where the adoptions have been overturned," said the mother.

"It's very difficult to overturn an adoption but it's not impossible."

You can see this story in full on BBC Inside Out East Midlands at 19:30 GMT on BBC One on Monday 23 January or [via iPlayer afterwards](#).

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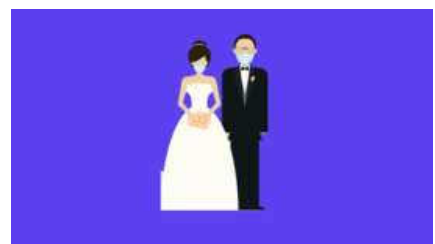
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