

①
25th March 08

27 MAR 2008

Code A

Dear Tamsin.

I write in reply to your letter of 13th March and subsequently the 19th March. I thank you for the return of photographs.

I am sorry you are facing tight deadlines - but to speak on the telephone in order to clarify amendments is just too difficult. We do not have a land-line at present - are in the process of moving and so are back roads and forwards between properties. You may of course call me on my mobile - but I use mine - outgoing - only after 7.30pm. The whole affair is very time consuming and I'll do my very best to hurry things along. When you think that "lob/j" took over a year to complete - with drafts being checked and copies of documents being read & checked for detail before the witness statement was finished - you will appreciate that just reading it all on certain days - causes distress to the extent that I put it away and start again later!

I do not propose to send back 1/2 of LOB/J. but would wish you to understand, that the whole document is absolutely correct, and would wish you to use this for any preparation of "bits of evidence" now needed. This of course is the main and first statement made, and so my mind was "fresh" on everything and all detail.

In particular please note

Page 13 of 21. Para 2, 3 & 4

Page 14 of 21 1st Line and the whole of this page.

Pages 15-21 All this evidence is crucial and important

In particular Page 17 Para 4 and 5.

(2) Ref Statement as prepared by yourself.

I really do not think it is relevant to include any comments about Glen Heather as Page 3. This is in my view entirely irrelevant to the case and treatment (lack of) of Dr Barton at Gosport Hosp. I think that all facts about this ^(DR B) should be stressed as this is what the Q.H.C need to be aware of. Of course you will be aware that the Q.H.C. could not act on our original complaints because the Police were investigating at the time. So we have had to wait 10 years to get this far. It has nothing to do with the Nursing Home.

Para's 34, 35 through to 54 inclusive are all very important.

54. We were not asked permission to start the drugs. We were told there was the best way to manage her.

59. hob/6 ^{These} Notes were made while Mother still alive and my Sister & I were at Hosp? it continually. I telephoned the Portsmouth H.C.T. from the ward before my Mother died.

Hovchings -> They said everything must be in writing. The original copy showed entries in different nits on different days. The notes were copied in an office at Gosport Hosp and the copy sent in "internal Hosp mail" before my Mother died. A visit to the ward was made either the day of or the day before my Mother died by I believe Mrs ~~Hovchings~~. As Mother's condition was deteriorating rapidly - I acknowledged that they came to the ward but chose to stay by my Mother's bedside. As there were lots of questions I wanted answered it took time for a full answer.

Letter of 22nd Sept 1998 states 1st Para matters raised prior to her death.

You should also have the reply letter of 25th August 1998. I have enclosed my original reply of 25th August as you can see it confirms that I telephoned my complaint on 19th Aug. before my Mother died

hob 8 & 9. As far as I remember my written responses were a request for my response to their answers probably by the Police wanting the truth of the incidents. I would have to go into this in depth to give a better answer to your question after all this time.

- ③ Gillian and I both went to Gosport Police Station quite soon after Mother's death as we were not at all satisfied with the answers to our questions as you can see from my comments on the reply letter of the 22nd Sept. In case Gillian will have dates of our visits to Gosport Police.

Lawsin I've done the best I can with the paperwork I've got!

- ① Please photocopy this letter and let me have a copy for my file
- ② Please photocopy draft statement with my amendments and send copy for my files.
- ③ Please let me know you receive this in time.

I will be at home on

Code A

on 27th.

In London - not able to answer phone between 12 noon & 2.30pm - but phone any other time on 28th. - Be back home by 4pm

Do hope I've covered all you need, regards
Lesley (J. Brier)

Enclosed - 3 pages of letter in reply.
1 letter (original) 25th August 1998 from Portsmouth Health Care Trust.
8 pages of Draft Statement with pencilled Amendments throughout.

PORTSMOUTH
HealthCare
NHS
TRUST

Mrs. L. Lack,

Code A

Our ref

LH/YJM

Your ref

Date

25th August, 1998

Ext

4026

Dear Mrs. Lack,

Thank you for telephoning me last Wednesday, 19th August, 1998, to explain your concerns about the care provided for your mother, Mrs. Gladys Richards, on Daedalus Ward at Gosport War Memorial Hospital. I understand that she died on Friday. This will be a very sad time for you and your family, made worse by the traumatic events of last week. I would like to offer our condolences to you and your family.

I understand that following our telephone conversation, Mrs. Sue Hutchings visited you on Daedalus Ward (covering for Mrs. Barbara Robinson, Service Manager, who is currently on leave). I had intended to capture the details of our telephone conversation in this letter. Events, however, overtook me and I now have a copy of your hand-written report, describing what happened and asking some very logical questions. There seems little point in repeating these in detail here.

An investigation has already begun within our formal complaints procedure. The enclosed leaflets explain how the NHS complaints procedure works, and the future options open to you.

Mr. Max Millett, Chief Executive, will write to you in more detail when our investigation is complete, in about three to four weeks time. In the meantime please let me know if I can be of any further help.

Yours sincerely,

Code A

Lesley Humphrey
Quality Manager

PORTSMOUTH HEALTHCARE NHS TRUST CENTRAL OFFICE

St James' Hospital

Locksway Road, Portsmouth, Hants PO4 8LD
Tel: 01705 822444 Fax: 01705 293437

Draft (10.03.2008)

General Medical Council

Dr Jane Barton

Statement of Lesley Frances O'Brien

I, Lesley Frances O'Brien, will say as follows:

1. I make this statement with regard to the treatment of my mother, Gladys Richards, who was born on Code A and died on 21 August 1998 whilst a patient at the Gosport War Memorial Hospital ("GWMH").
2. My maiden name was Lesley Richards and I was also previously known as Lesley Lack. I have however since remarried and am now Lesley O'Brien.
3. Exhibited to this statement and marked "LOB/1" is a copy of the statement which I made to Hampshire Police dated 31 January 2000 with regard to the treatment of my late mother.
4. I made a further statement to the police dated 11 August 2004. Exhibited to this statement and marked "LOB/2" is a copy of my statement of 11 August 2004.
5. I confirm that I have had the opportunity to re-read my witness statements made to Hampshire Police and would like to make the following observations and amendments and also to exhibit further information.
6. I am a retired Registered General Nurse. I retired in 1996 after 41 years working in the nursing profession. ^{FOR 25 YEARS} Prior to my retirement I was involved in the care of elderly people, in ^{supervisory - advisory, and managerial positions} ~~supervisory - advisory, and managerial positions~~ L. O'Brien
7. My mother, in her younger days, was generally fit. She was widowed at aged 67 and from 1984 she lived with me. I am her second daughter and ^{we were} ~~I was~~ very close with her. L. O'Brien
~~She enjoyed very good health and was very independent. In around 1991 my mother suddenly decided that she did not like living with me and had contacted Social Services distressed and asking for sheltered housing. Sheltered housing was arranged for her but very quickly it became apparent that she could not cope. She would forget to light the gas or go for a walk and forget the key. After a three or four weeks it became apparent that she could not cope with living in sheltered housing and she came back and lived with me at home. At the time I was running a nursing home in Basingstoke.~~
As time went by ~~It~~ ^{at home while I was at work} ~~she would forget to light the gas or go for a walk and forget the key. After a three or four weeks it became apparent that she could not cope with living in sheltered housing and she came back and lived with me at home.~~

8. I would say that in her 80s my mother got more forgetful. She would eat with me at the dinner table and could have a normal conversation with me but did not have very good short-term recall. I therefore asked if she could be admitted to the home where I was working. This was called Ashcombe House in Basingstoke. My mother therefore came to live there.
9. This arrangement worked really well and was a superb situation for me. My mother had a nice room and because I worked at the home it meant that I could see her every day.
10. I would describe my mother as being ^{pleasantly confused} a little bit 'doolally'. She was not aggressive or nasty in any way. Sometimes she would say to me "Gill, I haven't seen Lesley". This was the wrong way round as Gill is my sister. I would take her home to stay with me at weekends sometimes. ^{and she was an avid scrabble player and enjoyed a game of cards}
11. I would say that my mother was in the nursing home for about three to four years in Basingstoke and during that time my sister, Gillian McKenzie, probably visited her twice.
12. I think that my mother had started with dementia. She never saw a psychiatrist who said that she had Alzheimer's. My mother was a lovely ^{old lady} ~~old girl~~ and she was not physically ill. I would say that she was about a size 14-16 dress size. While she was in the home in Basingstoke she enjoyed playing cards, joining in the tea dance and quiz games. ^{At no time was she considered to be frail.}
13. In 1997 I was thinking about retiring. ^{Three} ~~Two~~ of my daughters lived in Hampshire, one in the New Forest and ^{two} ~~one~~ in Gosport, and ~~another daughter lived in Chichester.~~ I decided before I retired that I wanted to move my mother to the seaside. My eldest daughter Karen Read is also a nurse. Karen knew a nurse at a home in Lee-on-Solent. The home was brand new and there was a room free for ^{my mother} ~~mum~~. The home was called the Glen Heathers Nursing & Residential Home in Lee-on-Solent, Hampshire.
14. I explained to mum that I was retiring to the seaside and she moved down to Glen Heathers approximately four to five months before I sold my house in Basingstoke.
15. Whilst my mum was in Glen Heathers my eldest daughter, Karen Read, who is the nurse, visited her every other day and used to do her hair and nails. I used to visit mum at the weekend. Sometimes my mum did not realise that a week had gone by since I last saw her.
16. Whilst my mum was in Glen Heathers they increased the drugs that she was on. She was not as bright and cheerful as she had been previously. I did question why she was on more drugs with her GP. Her GP told me that the nursing home had requested

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hobbier

more drugs to keep the patients manageable. This went against the grain of everything I had put into practise whilst I was a nurse, and in charge of the Nursing Care of Elderly people.

- 17: My mother would still read a daily paper every day and was still very communicative but due to the drugs she was on was not as bright and cheerful as she had previously been.

18. For my mother's birthday celebrations we always had a little party at Glen Heathers. We had a party for her 89th birthday and also for her 90th birthday. I would always take a cake. I have a big family and we would all go and see mum, her grandchildren and great grandchildren and she always enjoyed the company. Her 100th birthday celebration was her 92nd.
19. Exhibited to this statement and marked "LOB/3" is a copy of photographs taken of my mother at her 90th birthday party. [I would be grateful if you could forward me copies of these photos - as discussed, I think that this would be very helpful].

- ~~20. I was not altogether happy with the care that my mother received at Glen Heathers. I made some notes regarding my concerns.~~

- ~~21. Exhibited to this statement and marked "LOB/4" is a copy of my notes regarding my mother's treatment in Glen Heathers Nursing Home dated August 1998.~~

22. Whilst my mother was at Glen Heathers she had a series of falls. Then on 29 July 2000 mum had a fall and it transpired that she had broken her hip. There was some problem with the care that she received in the nursing home as they were slow to react to the situation. In the end the home telephoned me and said that my mother was going to be admitted to the Royal Haslar Hospital by ambulance. I went and met the ambulance at the Royal Haslar Hospital.

23. My mother was admitted into Haslar on 29 July 1998. Initially the hospital was not sure if my mother would survive the night as she was very poorly. She was in a lot of pain as the sharp edges of the broken bone at the top of her hip were pushing into her muscle. This was shown by the x-rays.

24. My daughter Karen joined me at Haslar Hospital. My mother had been given morphine and I was told that a decision would be made the next day about whether or not to operate. I also met with the consultant.

25. Prior to this fall my mum had still been mobile. She used to go for walks on the seaside. The consultant therefore said that it was worth doing the operation. We did say that if my mum's health failed on the operating table then she should not be resuscitated. However, much to our surprise and delight, my mother came through the operation fine.

26. ~~Mum~~ ^{My Mother} made an amazing recovery after the operation. She was on sedatives immediately after the operation but within 48 hours of the operation she was much brighter and was up on her feet, walking with a zimmer frame and doing exercises. She was compos mentis and recognised myself and her grand-daughter. She was making a fantastic recovery. My mum had been eating three meals a day while she was in ~~Glen Heathers~~ ^{Haslar Hosp.} and I would describe her as being quite robust.
27. Subsequently to my mother's death I had an opportunity to examine the medical records and noted that whilst she was at the Royal Haslar Hospital the fluid balance chart documents that she was eating properly.
28. Exhibited to this statement and marked "LOB/5" is a copy of the fluid balance charts.
29. I visited my mum in the Royal Haslar Hospital every day. She was capable of asking for food. I used to take her in little treats like a Marks & Spencer lemon mousse or a portion of strawberries and cream. I felt that ~~mum~~ ^{my mother} was very much back to her old self. For example, she made some comments about a cleaner that was working in the ward.
30. ~~Mum~~ ^{My Mother} had no problem with her wound site post operatively. She could also go to the toilet with assistance.
31. My sister, Gillian McKenzie, came down when mum had the operation. Gill arrived when mum was in theatre and then stayed at my house for the next two to three days.
32. Whilst mum was at the Royal Haslar Hospital she was not having any pain relief, just the odd paracetamol.
33. ^{Mother} My ~~mum~~ was then transferred from Haslar to the GWMH. I was told at Haslar that they could only keep mum for so long in order for her to convalesce. She was only in there for 11 days which is not very long. Before my mum was moved to GWMH I went to visit the hospital with my sister Gillian. The staff showed me a four-bedded ward and I thought it would be fine. They said that once she had been admitted it was probably best not to come for a little while in order to let her settle in. My mum was then transferred from Haslar to GWMH on 11 August 1998. I went on the next day to see her.
34. When I got to the hospital to see her she was in a single room on the left-hand side of the corridor. The room had glass windows and the curtain was drawn. I was very surprised to find that mum was not rouseable. Her eyes were closed and I would describe her as being "out of it". I went to find a nurse to find out what they had given to her. This was a huge contrast to how she had been at Haslar where she was having no analgesia and could walk around pain free.

35. I found a care assistant who used to work both at GWMH and also at Glen Heathers Nursing Home. I am afraid that I cannot remember her name given the passage of time. She said to me that mum had been given Oramorph as she was in pain. I explained to the staff that if my mother needed the toilet then she would become agitated. She would be unable to get the words out that she needed the toilet and would make small noises and wriggle around a bit ~~touching herself~~. *Her needs should be forseen and the question asked "Do you need the toilet?"* K'Brn
36. On 12 August 1998 I stayed with mum. As she had been given Oramorph she was not able to have any food or any drink. Up until her transfer on 11 August 1998 she had been having three meals a day.
37. On 13 August 2008 I had the "day off". My daughter Karen went to visit mum on my behalf. Karen told me that when she arrived mum was shouting with pain and she called the ward staff who told Karen that my mum had dementia. Apparently my mum had a horrible anxious expression and was weeping. This was very unlike mum as she never cried and she was also groaning. The hospital staff said that there was nothing wrong and it was just dementia. I was telephoned at home at 9.30 on 13 August by one of the nurses. They said that they thought that my mother might have done something but they would look into it in the morning.
38. On 14 August 2008 I went to GWMH in the early morning at around 10 am. My mother was completely out of it. Her eyes were closed and I could not rouse her. I went with her to the x-ray. Sliding the plate underneath my mother caused her pain. I was allowed to accompany into the x-ray room and they gave me an apron. My mum was then taken back to the ward. On page 9 of my statement of 31 January 2000 (LOB/1) at paragraph 7 I explained that once my mother had been x-rayed I was called into an office by Philip Beed, the Ward Manager who was accompanied by Dr Barton. I cannot remember now whether it was Dr Barton or Philip that said "Your worst fears of last night appear to be true and we have rung Haslar and they have accepted her back".
39. My mum was therefore transferred back to Haslar Hospital. Mother went in the ambulance and I drove to Haslar. The consultant came straightaway. *to the A&E Dept*. He was a very nice man and showed me the position of mum's leg. *and explained what they would do with no delay.* K'Brn
40. She was admitted to Haslar for a second emergency operation and this was done within an hour. The staff at Haslar said that mum could go back to GWMH. I said "Please no" or words to that effect and the consultant said that they would keep her in Haslar for a couple more days.
41. For two and a half days, whilst in Haslar, my mum again made tremendous progress. She had a full leg splint. She was on a drip at first and then was eating and drinking. She was pain free and not having any analgesia. The consultant pulled back the

bedclothes and showed me the position of her leg and hip. Mum did not need any injections of morphine and could weight bear and transfer and use a commode. The Haslar staff took her drip down and she was easily manageable. Mum could chat. I had a friend at the time who also had a relative on the ward in Haslar and she said to me that my mum kept on talking even after I had gone home.

42. On 17 August 1998 mum was transferred back to GWMH. Haslar said that she was fit to do so. I did not really like the idea at the time ^{and} but I did not raise ~~any~~ ^{my} concerns. *L O'Brien*
43. My sister and I arrived at GWMH and the minute we arrived we could hear terrible screaming. I knew instantly that it was my mum. I can picture very clearly in my mind my mum saying "The pain, the pain". I was so shocked that I left my sister Gill in the hospital with mum and went back to the Haslar Hospital to see what state she had been in when they transferred her.
44. Subsequently I found out that my mum had been transferred from the ambulance into the GWMH ward on a sheet. When I came back to the GWMH I helped to place my mum squarely on the bed and she then stopped screaming.
45. Philip Beed was coming in and out of the room. I found Philip to be quite nice at the time and did not find him objectionable. It was only in retrospect after he had completed reports that I was not happy with him.
46. On page 12 of my statement of 31 January 2000 at paragraph 8 I referred to "a charge nurse". By the charge nurse I mean Philip Beed. That is how we would traditionally refer to male nurses.
47. At this point my mother could still swallow and the pain relief she was administered was Oramorph.
48. Dr Barton then arrived. This is the second time that I had seen her in my mother's room although I had seen her in the corridor at other times. Despite my mother having been given Oramorph she was still in pain and screaming. ~~I was in a panic and~~ ^I kept asking questions. I told Dr Barton that I had spoken to the consultant at Haslar Hospital and they had said to me that they would happily have her back. Dr Barton said that was not appropriate. She said she did not think it was appropriate for an old lady in my mother's condition to be moved again and that they would keep her pain free and review her again in the morning.
49. Further x-rays were taken but I was not allowed to accompany my mother and I never saw the x-rays afterwards. I do not know what time of day the x-rays were taken. I was with my mother all day except for when I went up to the Haslar Hospital for about half an hour. *When I was not with my Mother - my sister was.* *L O'Brien*

50. I did not stay overnight with mother on 17 August. From 18 August 1998 onwards Gill and I stayed and slept in mum's room. We took it in turns to relieve each other so that she was never left alone.
51. On page 13 of my statement of 31 January 2000 I refer to a conversation with Philip Beed. He told myself and my sister that mum had a massive haematoma. From my nursing experience I would expect some discoloration of the site if there was a massive haematoma and that the wound site would be hot to touch and the patient would show signs of a temperature. I know that from my nursing experience. However my mum's wound site was lovely. I think that she had some internal damage at the neck of the femur which did not show on the x-ray. In GWMH mum did not have a full length splint which the consultant said that she should have.
52. I went into an office with Philip and my sister. He said that it will be easier for the nurses to wash my mother and to change her and move her because the morphine would help her with the pain. He also said that they were not looking for the source of the pain. Gill said "So you will use a form of euthanasia?". I said "I just want her to be pain free". They refused to take her to Haslar Hospital.
53. At the time I was aware, from my nursing experience, what a syringe driver does.
54. Later in the day on 18 August Dr Barton came into my mother's room. I describe this incident at the top of page 14 of my statement of 31 January 2000. Dr Barton stood in the doorway and looked at my mother with her arms folded. There were absolutely no niceties. She said "Well, the next thing you know will be a chest infection". I looked at Dr Barton and thought "My mother doesn't have a chest infection now". Then Dr Barton just left without anyone saying anything more. The syringe driver had been started before we got there on 18 August **[Is this right? When you were asked for your permission to start the drugs had these already been commenced??]**.
55. I feel that I was denied the right to say goodbye to my mother. Once she was on a syringe driver she did not have any water or fluids and took a long time to deteriorate. *This was I think was because she was ^{previously} very well nourished. and had bodily reserves that would sustain her for a while.* *LOBrien*
56. Whilst mum was on the syringe driver she was not having any fluids. They put a catheter in and the bag was just hanging over the side of the bed containing congealed urine. I asked a nurse to change the bag and she said she wouldn't do until it was full. I said that my mother had had no fluid so was not going to be passing any more urine.
57. My mum was clearly dehydrated. I used a sponge and would wipe her lips. She was unconscious but she would have a reaction and try to suck in when the water was next to her lips.

58. My mum died on 21 August 1998.

59. Exhibited to this statement and marked "LOB/6" is a copy of notes that I made after my mother died. As I was not happy with the care in the GWMH at the time I started to keep notes contemporaneously. I then wrote up these notes into this form of report so that the hospital could look into my complaint. [Is this right Lesley?].

NO
LOB/6

60. I put a number of questions into the document. On 22 September 1998 I received a response from Max Millett, the Chief Executive of Portsmouth Healthcare NHS Trust. This attempted to answer my concerns. I exhibit the letter of 22 September 1998 marked "LOB/7". I was not satisfied with the response and made further comments to the hospital. Exhibited to this letter and marked:-

(a) LOB/8 *Is my answers to their answers which were not the truth and were evasive comments.*

(b) LOB/9 *I was asked to comment on the answers which were given after investigation or replies* L O'Brien

are two different responses that I made to the Portsmouth NHS Trust letter. [Lesley, why are there two different versions of this? As far as I can tell they are both in your handwriting. Did you send them both to the hospital?]

61. [Lesley, I need to put something in about the subsequent complaint. Was it your sister that complained to the police? I will not be able to put too much into this statement but I think it would be useful to put in something along the lines of "My sister and I were not happy with the response of the hospital to our concerns and therefore referred the matter to the police."]

— See letter L O'Brien

62. I understand that my statement may be used in evidence for the purposes of a hearing before the General Medical Council's Fitness to Practise Panel and for the purposes of any appeal, including any appeal by the Council for Healthcare Regulatory Excellence. I confirm that I am willing to attend the hearing to give evidence if asked to do so.

I believe that the facts stated in this witness statement are true.

Signed:

Lesley Frances O'Brien

Dated: