

Dated: 03 04 08. Code A

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 management positions.
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 very close. She enjoyed very good health and was very independent. As time went by it became apparent that she could not cope at home whilst I was at work. She would forget to light the gas or go for a walk and forget the key. At the time I was running a nursing home in Basingstoke.
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 Code A 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. 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 lady 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 of my daughters lived in Hampshire, one in the New Forest and two in Gosport. 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. 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 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 wherever she was. We had a party for her birthday every year from when she was 80. I would always take a cake. I have a big family and we would all go and see her. Grandchildren and great grandchildren and she always enjoyed the company. Her last birthday celebrated 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.
- 1998
20. 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.
21. 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.
22. 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.
23. Prior to this fall my mum had still been mobile. She used to go for walks around the home and outings to 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.
24. 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 Haslar Hospital and I would describe her as being quite robust.

25. 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.
26. Exhibited to this statement and marked "LOB/5" is a copy of the fluid balance charts.
27. 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 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.
28. My mother had no problem with her wound site post operatively. She could also go to the toilet with assistance.
29. 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.
30. Whilst mum was at the Royal Haslar Hospital she was not having any pain relief, just the odd paracetamol.
31. My mother 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.
32. 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.
33. 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. Her needs should be foreseen and the question asked "Do you need the toilet?"

34. 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.
35. 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.
36. 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".
37. 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 Department. He was a very nice man and showed me the position of mum's leg and explained what they would do with no delay.
38. 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.
39. 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.

40. 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 I raised my concerns.
41. 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.
42. 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.
43. 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.
44. 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.
45. At this point my mother could still swallow and the pain relief she was administered was Oramorph.
46. 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 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.
47. 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 would be.

48. 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.
49. 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.
50. 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.
51. At the time I was aware, from my nursing experience, what a syringe driver does.
52. 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 as we were told by staff that this would be the best way of managing my mother's care. We were not asked to consent to the commencement of this treatment.
53. 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 because she was previously very well nourished and had bodily reserves that would sustain her for a while.
54. 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.

55. 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.
56. My mum died on 21 August 1998.
57. Exhibited to this statement and marked "LOB/6" is a copy of notes that I made whilst my mother was still alive. As I was not happy with the care in the GWMH at the time I started to keep notes contemporaneously. I had telephoned Portsmouth Healthcare NHS Trust prior to my mother's death and they confirmed that all complaints needed to be in writing. The original copy showed entries in different inks on different days.
58. 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 – This is my answers to their response which were not the truth and were evasive comments.
 - (b) LOB/9 – This was produced when I was asked to comment on the answers which were given after investigations on the response.
- are two different responses that I made to the Portsmouth NHS Trust letter.
59. My sister, Gillian, and I both went to Gosport Police Station quite soon after our mother's death as we were not at all satisfied with the answers to our questions from the trust and felt the matter required further investigation.
60. 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:

Code A

Lesley Frances O'Brien

Para 20

29 JULY 2000 Au

21

29 JULY 1998 Admitted

36

Wholly he he were closed.

How did you know about her pain if she
were out of it.