

Ref : PB/MEL/JNH/10070825-0001  
Filed on behalf of : The Claimant  
Witness : Sylvia Stevenson  
Statement No : One  
Made : 25 January 2011

IN A PROPOSED MATTER

B E T W E E N:

**PAULA STEVENSON**  
(Personal Representative of the estate of  
HAYLEY ELIZABETH FULLERTON Deceased)

Claimant

-and-

**BIRMINGHAM CHILDREN'S HOSPITAL NHS FOUNDATION TRUST**

Defendant

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**WITNESS STATEMENT**

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I, **Sylvia Stevenson** of 115 Newcastle Road Kilkeel Co. Down Northern Ireland BT34 4NJ Will say:-

1. I live at the above address with my husband Edward Stevenson. I make this statement following the death of my youngest grandchild Hayley Elizabeth Fullerton at Birmingham Children's Hospital. I am deeply traumatised by the treatment Hayley and our family received at the hospital, I begged for Hayley's life to be saved but no one listened.
2. Paula arrived home in Northern Ireland in June 2008 to show me her baby bump, I had been in Australia when she got pregnant and was concerned from the onset that something was wrong, so I arranged for her to have a scan that included a heart check on the baby with Dr. Frank Casey consultant paediatric cardiologist. Hayley was diagnosed with Pulmory Artresia with VSD, she would need medical intervention at birth and subsequent surgery.
3. Paula decided to stay and have her baby in Northern Ireland she had absolute trust in Dr

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Frank Casey and Paula's husband Bob trusted us to look after them both, I was thrilled to bits my grandchildren were aged 17 and 18 and I had helped rear them, a little baby in my home for Christmas, what more could I want.

4. Hayley was born on the 6<sup>th</sup> October 2008; she was a little bundle who would change my life forever. She spent nine and a half weeks in the Clarke Clinic at the Royal Belfast Hospital for Sick Children where she received excellent care from all the staff. I learned a lot about babies with congenital heart problems. I knew that if there were any changes in breathing to inform the staff. Anyone with a cold or infection had to stay away, particularly other children. When Hayley had the operation for her shunt and came home we adhered to the guidelines that the Clark Clinic had taught us and Hayley never had a days sickness in her short life.
  
5. We were never daunted or scared of looking after Hayley and she was never left on her own. It was a privilege and a pleasure to care for her. I was her playmate and enjoyed every minute I spent with her. The Clarke clinic provided a monitor in case Hayley needed help, we never needed because we paid such close attention to her and knew her inside out. The only time it was used was when the hospital wanted to check on Hayley.
  
6. Up until this point all of Hayley's care was provided by the Clarke clinic, but due to the fact that the surgeon was retiring we were told that Hayley would have to go elsewhere for her surgery. The family decided that it would be best for Hayley to have the surgery as the Birmingham Children's Hospital because of its outstanding reputation. We finally got the phone call which confirmed that Dr William Brawn was able to perform the operation. We were thrilled.

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7. Dr Brawn performed a miracle on my wee Hayley, I felt inadequate thanking him, we as a family thought we were blessed and that we were the luckiest people in the world.
  
8. Following the surgery Hayley had a prolonged stay in the Paediatric Intensive Care Unit (PICU). Hayley's prolonged stay in PICU was a worry to me, her lungs kept collapsing and for the first time in her life she had horrendous nappy rash on her bottom, it was very red and she used to look at me and whimper when her nappy was being changed. It was heartbreaking to watch, she knew I would never cause her to suffer. It was hospital policy not to use sudocrem but we could not stand it any longer as their efforts to clear the rash were not working. I therefore bought my own sudocrem and Hayley's mummy asked them to use it. This caused a lot of problems but Hayley had never cried after her heart surgery and to see her in agony with nappy rash was heartbreaking, little did we know our decision to go against hospital policy would result in Hayley's chest wound not being treated.
  
9. Finally Hayley was moved to ward 12 on the 31<sup>st</sup> October, she had been promised a bed in high dependency but that did not happen. Hayley's grandad and I stayed with Hayley during the day while Paula slept at the hotel and then she stayed at night time, we loved spending time with Hayley we just wanted her to get better and back home as soon as possible.
  
10. On the 2<sup>nd</sup> November I was informed that Hayley was being transferred to Ward 11. I phoned my daughter and she was very upset since Hayley had moved to ward 12 she had stopped pulling her hair out and loved watching the children on the open ward. The liaison lady said that Hayley was being moved to High Dependency which was what we had expected, but then she came back a short time later and said that a child had been moved out of intensive care into the HDU bed and it was no longer available. The staff

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said the reason Hayley did not get a bed in HDU was because Paula had insisted on having a bed beside Hayley to sleep during the night. That was a lie. Paula would never have compromised Hayley's move to HDU as she had a lovely hotel bed to sleep in during the day.

11. Despite raising our concerns about the move Hayley was dumped at the door in ward 11 far away from the nurse's station, I could not understand this. If Hayley needed to be in HDU, why the change? I tried to convince myself she was expected to get better very quickly and return to Northern Ireland. None of the nurses paid any attention to the monitors going off, I sat looking at them alarming one day and noticed they had been donated by the Midland Bank. I asked the staff what the problem was and I was informed that no one knew how to operate them. I was shocked. This was a ward with seriously ill children recovering from major heart surgery. I felt as though the Midland Bank should have donated gaming machines instead. It seemed like such a waste and I was concerned by what the alarm meant for Hayley.

12. One day the alarms went off so much I was becoming very worried. I expressed my concerns and the staff said to me 'you are here all day anyway, we will just turn them off and you can keep an eye on Hayley'. I was terrified, so I got as close to Hayley as I could and put my thumb and forefinger on her neck checking she was still breathing for the rest of the evening. I never felt so scared in all my life. I would have done anything for Hayley. When my daughter arrived she was horrified, Hayley could have died and I was her only source of life line. I left the hospital that day my legs and voice had been getting weaker, I could not walk back to the hotel after that, I felt as though my body was going into shock with worry.

13. Hayley started sleeping a lot after that so I asked why this was. Dr Ben Anderson told me

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it was her body recovering after major heart surgery; I believed that for a while and trusted that they knew what they were doing.

14. After a while I started to notice that Hayley's head was bobbing and she was struggling with her breathing, I did not know then that head bobbing means respiratory distress, I asked the staff what this meant and they explained that it was in her notes and that they had seen worse. By this stage I was incandescent with fear. I knew Hayley's lungs were not working, the rest of the family knew her lungs were not working properly but no one listened to us.

15. On Sat 7<sup>th</sup> November I informed Dr Ben Anderson that I felt Hayley was very poorly, he said that he did not understand the terminology as he was Australian, so I graphically explained how ill I thought Hayley was. He said she was fine. I could see Hayley was struggling to breathe. I asked 'what about her lungs?'. I was told that they were fine too. My biggest worry was that her lungs were not working and this would cause additional problems for her heart. This was my youngest grandchild I loved her more than life itself. I was concerned that if the accumulation of fluid was not being cleared she would effectively be drowning. I appreciate that I am not a nurse but I am observant and I have a lifetime of experience of caring for babies. I know when a child is seriously ill. It was not hard to tell just looking at Hayley.

16. We had terrible trouble getting Hayley's dressing changed and getting her weighed. We would ask pleasantly and we were always promised but we had to keep on asking. It was awful watching the oozing pus coming from her wound. What we did not know at the time was that the Tissue Viability nurse had written on Hayley's notes stating that it was a waste of time as we did not comply with hospital policy and used sudocrem. I did not understand how using sudocrem on Hayley's bottom had any affect on her chest wound.

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17. We used sudocrem so that Hayley would not have to suffer the pain of severe nappy rash along with everything else she had been through. I had a big issue with this; I could not understand why the Tissue Viability nurses refused to change Hayley's dressing because of the cream we used on her bottom. I thought this was very unprofessional and uncaring. I felt as though my poor Hayley was shown no compassion. I have since spoken to Forest Tosara Ltd, the manufacturers of sudocrem, because I was so confused about the whole situation. When I told them what had happened they were distressed. I received a phone call from the company apologising that their product caused so much grief; I had to console them and explain that their product was a miracle. I received more sympathy from Forest Tosara than the hospital.
18. On Sunday 8<sup>th</sup> November I was nursing Hayley, when a total stranger came up to me. She was visiting another child on the ward and said "your child cannot breathe". This shocked me. The family had thought this for some time and had been asking the professionals for help, but assured Hayley was fine. Now a complete stranger who did not know Hayley could see she was in trouble. I went to the nurse's station and told them but they informed me that there was not problem. I was so frustrated. How could a lay person see that she was in trouble but the staff dismiss it.
19. Dr Ben Anderson was on duty that day, although he now denies having any contact with Hayley leading up to her death which is a lie. I said to him again about Hayley's lungs and breathing but merely got the same explanation; "she's fine".
20. On Monday morning the 9<sup>th</sup> November the doctors arrived for their ward round. I struggled to my feet and said "I'm embarrassed to ask about her lungs". Dr Ben Anderson was telling Dr Stumper how fine Hayley was when my husband intervened and told them

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that Hayley was not fine. As a result an x-ray was organised. I waited all day for to be told the results but no one came. I finally went to the nurse's station at tea time and saw the SHO. I asked her had Hayley's results come back because she knew how worried we were. In response she stretched her arm out at me like a gendarme dismissing me so back I went to the ward. I was very upset.

21. Finally she appeared in the doorway and gave a very brief explanation of how fine Hayley was, told us that she needed a bit of physio and then left. My Hayley was dying and yet nothing was being done. She did not stand a chance and the family felt powerless to help her.

22. Junior Sister Sheila Bennett had put Hayley and our family in isolation. Someone mentioned something about swine flu being the reason for Hayley being in isolation but no one had ever mention this to us before and no one came to check her temperature or anything. The whole family felt as though we were being locked away because we dared to ask questions about Hayley condition. We felt as though we were being punished and Hayley was suffering as a result. Junior Sister Bennett was unprofessional, unsympathetic and often very rude. She looked at us with utter contempt when we dared to ask questions.

23. On Tuesday 10<sup>th</sup> November Dr.Zedinka Reinhart arrived at Hayley's bedside, my daughter Paula told her how ill Hayley was that she had been overlooked and neglected, I thought she was going to be our saviour. I sat in the corner listening to all the help Hayley was going to get and I felt relieved that my wee pet was going to be saved, but they were empty promises yet again and nothing happened. She informed us that Hayley may have to go back to PICU even though it might be seen as a backwards step. My family and I were not concerned about the so called backwards step we were just thrilled

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to hear those words. Again it never happened. Now I regret not carrying Hayley to PICU myself.

24. The day wore on and I got more panic stricken about Hayley's condition. Dr Stumper appeared at Hayley's bedside whilst the surgeon was opening her wound again. I got up from the chair dragged myself over even though I could not bear to watch. It took all my strength to hold up my face and say to him "what about Hayley's lungs?" he barked back at me "physio". I asked him "will that make her better". He barked "yes" and left the room. My daughter said I had looked like a mother begging for her child's life in a third world country.

25. Wednesday 11<sup>th</sup> November 2009 was Hayley's last day on this earth. Hayley had loved life and her family was completely devoted to their little girl. Her daddy had learnt how to ride a bike with a little seat attached so he could take Hayley to watch the pelicans being fed. Her mummy was going to take her for lunch at Movie World and I, her granny could look forward to them coming back to Northern Ireland twice a year to watch her grow and teach her our way of life.

26. We received a call from the hospital early morning to say Hayley was poorly, I knew in my heart she was dead or dying. When we arrived at the Hospital Justine Kidd told us how very sorry she was but poor Hayley was gone, I cannot describe how I felt.

27. Whilst we stood in the corridor our lives in pieces, there was a nursing auxiliary with a green shirt on gawping at us. I could not believe it, she knew how much we loved Hayley and we felt that this was completely disrespectful. I went into the ward to see Hayley dead in her mummy's arms. My wee pet was gone.

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28. I took her in my arms held her close told her how much I loved her and how sorry I was for not saving her.
29. I went out to the nurses station and said to Junior sister Sheila Bennett "what happened to my poor wee Hayley?". She did not even lift her head and just said "I do not know it happened at the change over of shifts". I asked who would tell me and she said the Doctor would be round later. She offered no words of sympathy or compassion. I could not believe the type of people they had working on a children's ward. I went back and nursed my dead grandchild. We were given a choice to take Hayley to the Rainbow Room, for dead children, in her pram or carry her. Hayley's grandad carried his dead grandchild under his coat. It was utterly devastating for all of us. What a pathetic sight.
30. As we were leaving Ward 11, in all my grief, I was aware of someone watching us again; I turned around to see the nurse wearing the green shirt stood gawping with her hands on hips.
31. Birmingham Children's Hospital is supposed to be a centre of excellence yet we were treated dreadfully. We were made to feel like a burden just for asking about Hayley's condition and for wanting her to get better. It was as if our only crime was that we loved Hayley and wanted her to get better.
32. I am heartbroken by the death of my granddaughter which was completely avoidable.
33. The matters referred to in this witness statement are within my own knowledge except where stated otherwise.
34. I believe that the facts stated in this witness statement are true.

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