Statement of the Applicant

Maryam Begum

Statement Number 1

Dated 08/06/2023

Case:HC24001

IN THE HIGH COURTS OF JUSTICE

FAMILY DIVISION

IN THE MATTER OF THE CHILDREN ACT 1989

BETWEEN

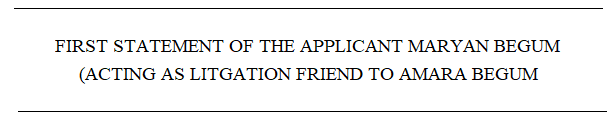
MARYAM BEGUM

Applicant

-and-

CARDIFF & VALE UNIVERSITY HEALTH BOARD

Respondent



1. I, Mrs. Marayam Begum am the Claimant in this claim, acting as litigation friend on behalf of my daughter Amara Begum. The facts in this statement come from my personal knowledge.
2. My daughter Asmara Begum is 15 years old. She is a very happy child, who enjoys nothing more than going out and playing with her friends. She is a well-behaved Muslim girl who often attends Mosque and helps me at community events. Amara attends Fitzalan High School as a student. She is popular with both the students and teachers and is very good at Science, particularly biology. She understands information about chemicals and plants, and often talks about them to me when she comes home from school. She wanted more than anything to become a doctor, and help people.
3. Every day, I drive myself and my daughter to Fitzalan High School. I work in the school kitchen preparing lunches for the students. Usually, I wake up at 7.30am. I then prepare Amara’s breakfast and get ready for work. I then wake Amara up she gets ready and She comes downstairs for breakfast. We are Muslim and pray before I drive her to school.
4. I usually set off to work, with Amara as a passenger at 8.30am. The drive takes about 20 minutes. There is usually heavy traffic as you come towards the school on Broad Street, due to other parents parking to drop off their children. Also, many children cross the street without looking. I make sure to take extra precautions by driving very slowly down Broad Street
5. On Monday 5th June, at around 8.45am, I was driving Amara to school. A child ran right out in front of me and into the road. I attempted to emergency brake and swerve to avoid them. However, this led me to colliding into an oncoming car.
6. I do not remember much after the accident. I have been told that both Amara and I were rushed to Health Hospital in Cardiff.
7. When I regained consciousness, around 2.00pm, I was told by the nurse that the impact of the oncoming car had been on the passenger side where Amara was sitting. She had suffered several broken bones, internal bleeding, and was in surgery to relieve pressure on her brain. I was distraught by this news. I immediately went to the neurological surgical unit to be with Amara.
8. Amara left surgery at around 4.00pm that afternoon. Amara was transferred to intensive care. Amara looked terrible, her face and head were swollen and bruised. I sat next to her and held her hand, and prayed.
9. At around 5pm I was visited by Dr Khan who was a consultant neurologist at the hospital. He informed me that the operation to release pressure on her brain had been successful. However, the impact had been very bad. He did not know whether she would wake up. If she did wake up it was very likely that she would be brain damaged and suffer with disabilities all her life.
10. After hearing this news, I sat by Amara’s bed all day and night praying to Allah that she would be ok. I would stroke her hand and talking to her about her friends, and about her favorite subject Biology.
11. On Wednesday 7th of June, in the afternoon, around 2.00pm, Dr Khan came to see me. I asked him how Amara was doing. He said that at this point it was highly unlikely that Amara would wake up. He said that although he had not conducted any tests it was likely she was brain dead. If the ventilator was removed Amara would pass away very quickly. He said that at this point it would be in her best interests to pass away peacefully. I was terribly upset and cried by Amara’s side but knew that the doctor was right. I did not want Amara to suffer any more.
12. At 4.00pm Dr Khan came back with a nurse; I do not remember her name. All I know is that she was a called a SNOD. Dr Khan told me that it would soon be time to take Amara off the ventilator but before they did that, he asked whether I would consider donating her organs. He told me that the law now allows doctors to take children’s organs without the permission of their parents, but he felt that it was better to sit down and ask the parents for their view.
13. Dr Khan asked me whether Asmara and I had ever discussed donating organs. I told him that Asmara had been learning about health law and ethics in school. She had come home after a class and said that she might want to donate her organs. I told her that this was against our beliefs as Muslims. I told her that I did not want her to donate her organs and she was too young to make a decision. She was upset with this, and said that she still might sign the organ donation register anyway. We argued and she went to her room. We did not discuss this again until some weeks later
14. Some weeks later, we spoke again, and she said that she had now changed her mind, and would not donate her organs upon death. Although, she said that she still wanted to help people who needed transplants. She said that she could still donate one kidney, part of her liver, bone marrow and blood, and would do so, if she got the chance. Amara said that she could do this in accordance with Islam, as these donations can occur when she is alive. I said that this was very risky. She said that she had looked up some of the risks, and was happy to take the risk if it would help others.
15. Dr Khan told me that several of Amara’s organs were injured so she would not be able to donate these. However, she would be able to donate part of her spine. He said that he was part of a team that was undertaking experimental research into donation of parts of the spine. He informed me that it was highly unusual to donate a spine.
16. Dr Khan informed me that he thought Amara would have wanted to donate her organs upon death. He said that this was indicated, as she wanted to help people. He said that he would therefore start preparing Amara’s body for the experimental surgery. He would do this when she was still alive. He said that whilst this preparation was no longer in her best interest, it would make sure that her spine was in the best possible condition to donate.
17. I told Dr Khan that I did not want the preparation or the donation. I was convinced after the second conversation with Amara, that she would not want it due to her beliefs. She would never had known about an experimental procedure, and could not have agreed to it.
18. Dr Khan begged me to reconsider. He told me about a girl named Rebecca who he was looking after. He said that she was paralyzed and would die without this operation. I was angry and upset by being told this. He seemed to insinuate that my decision would lead to Rebecca’s death. I feel very sorry for Rebecca, but told him again I did not want to go through with the operation.
19. I believe that the facts stated in this witness statement are true.

Signed: Maryam Begum Dated: 8th June 2023