Suggested questions/talking points for cross-examination of Mrs. Maryam Begum

1. Please could you confirm Amara’s age and birthday? This is because she is 5 days shy of turning 16, where in law she gains ‘Gillick competence’.
2. How would you describe Amara’s character?
3. Is Amara a determined/headstrong/intelligent individual? Expect to receive a leading question about Amara’s standard of understanding, as this is what the Court will be using to determine whether she possessed the requisite competence to make decisions and determinations about her health.
4. In your statement you mention your daughter’s schooling and you mention a few of her favourite subjects; Biology, Health Law and Ethics. Are you aware of your daughter’s school curriculum, do you discuss what Amara has learned about in school with her?
5. You mention in your statement that you often had conversations with Amara about her subjects, for example, Biology. Did Amara ever discuss organ donation, or the organ donation register with you? Trying to get the witness to talk about implied consent to treatment.
6. I would like to ask about conversations you might have had with Amara regarding organ donation. Can you confirm whether at any point you engaged in conversations with Amara about organ donation and specifically what was said about her signing the register? Trying to get the witness to talk about implied consent to treatment.
7. It seems that Amara was quite vocal about her views on the subject of organ donation, even to the extent that you mention in your statement that you argued about it. It strikes me that she was quite emphatic on the subject. Might it be possible that Amara also had these conversations with other family members?
8. Can you confirm that Amara said she had been researching organ donation in the weeks preceding the accident?
9. Is it fair to say that this demonstrates that Amara had a keen interest in organ donation, above that which is ‘normal’ for a 15-year old (nearly 16-year-old)?
10. Please can you confirm Amara’s diagnosis? Did the Doctors explicitly state whether Amara’s heart and respiratory systems are effective?
11. Can you confirm that you and Amara are members of the Muslim faith?
12. And what is the Islamic law view on organ donation?
13. You mention that you were told by Dr Khan on Wednesday 7th June that it was ‘highly likely’ that Amara is brain dead in medical terms. It is my understanding that there is no conclusive test for brain death, and it is a clinical diagnosis. Would you agree?
14. It is my understanding that under Islamic law, organ donation is permitted where clinical brain death has been declared. Am I right in saying this?
15. You said a moment ago that brain death has been declared for Amara, in her treating clinician’s best medical opinion. Can you once again confirm that you were informed that Amara’s brain stem has stopped working?
16. So, I am right in saying that in your daughter’s case, brain death has occurred?
17. Therefore, am I right in saying that under Islamic law, the ‘spirit’ has left her body?
18. It is my case that Amara was clear in her views regarding organ donation, was a headstrong and independent individual with strong beliefs about her health decisions, and would have wanted organ donation to occur, in the interests of helping others.