

Witness Name: Maureen Cuthill
Statement No: WITN4075001 - WITN4075004
Dated: 8th February 2020

INFECTED BLOOD INQUIRY

FIRST WRITTEN STATEMENT OF MAUREEN CUTHILL

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 13th March 2020. I adopt the paragraph numbering in the Rule 9 request for ease of reference.

I Maureen Cuthill will say as follows: -

1. Introduction

1. My name is Maureen Cuthill, my date of birth is GRO-C 1949 and my address is known to the Inquiry. I was born in GRO-C East Lothian and married Gordon Cuthill on 1st June 1968. His date of birth was GRO-C 1946. Gordon and I were childhood sweethearts, we started courting and were eventually married. I have three children; Stewart who was born in 1969 and twins James and Jennifer who were born in 1971.
2. When Gordon and I married, I was a shop worker and Gordon was a creamery worker. When the children were young, I was a housewife and Gordon worked as a coach driver.

2. How Affected

1. Gordon was involved in a road traffic accident on the 28th September 1974, whilst driving his coach on the Autobahn in Germany. He was taken by helicopter to Nuremberg Hospital and was not expected to live because of his extensive injuries. Gordon suffered fractures to his spine, neck, cheekbone and skull. He had burns to his to his thighs and legs and various other injuries including facial injuries. His left leg was badly crushed, and he had to have a right leg below knee amputation. Multiple blood transfusions were administered during this operation.
2. I was totally unaware of the accident and what had happened to Gordon at the time. There had been no communication from him or anyone else. It wasn't until three days after the accident that my son Stewart came running into the house saying that he had seen a newspaper headline about a coach accident. It seems he had recognised his father's coach from a picture. It was around the same time that newspaper reporters began arriving on our doorstep.
3. Once I had heard about the accident, I felt I just needed to be with Gordon. I organised care for my children, and Gordon's boss very kindly took me by coach to London. From there I managed to get the ferry to Germany. Whilst on the ferry, I telephoned the hospital in Germany and they told me Gordon only had a few hours left to live. I was extremely worried, and just wanted to be with him. I can't recall an awful lot after that, it was all very much a blur. I eventually made it to Germany and had pre-arranged to stay with a German lady at her home. She turned out to be very unpleasant and unwelcoming to me, which I found very difficult to deal with when I was so worried and upset about Gordon.
4. Thank goodness, on my arrival at the hospital, Gordon was still alive but remained critical. The doctors then informed me that they wanted to also amputate Gordon's left leg. I was reluctant to allow them to do that but agreed only if it was endangering his life.

5. After a few more weeks, the doctors said they could try to get him back home to Edinburgh. I was told in no uncertain terms that they did not expect him to complete the journey and that he would probably die on the way.
6. In November of that year, Gordon was placed in a plaster cast from his chest down to his feet for the long journey home. He was put on a Lufthansa commercial flight from Germany to London accompanied by a doctor and a nurse. The aircraft had to be adapted to accommodate his stretcher and attendants but did not have the facilities for barrier nursing or any privacy. He then had to take a further flight from London to Edinburgh before he eventually reached the Edinburgh Royal Infirmary. He remained in the plaster cast for a week after his arrival to allow the doctors to stabilise him after the trauma of the journey. When the plaster cast was eventually removed, Gordon had developed multiple sores all over his body.
7. A couple of days after arriving back in Edinburgh, Gordon was given more blood because his blood was very low.
8. I recall there was a discussion with the medical staff at this time about removing more of his right leg, amputating it above the knee, but Gordon adamantly refused to let them do this.
9. At the Edinburgh Royal Infirmary in November 1974, Gordon underwent a big operation to essentially tidy up the stump on his right leg, and to also pin and plate the left leg. I believe he would have had more blood in that operation. He also had three or four further operations at the Royal Infirmary to tidy up his heel which had also been badly injured.
10. In December 1974 Gordon was transferred to Edinburgh City Hospital.
11. There was never any advice or information at that time as to the risk of infected blood products.
12. Shortly after that, I went to visit Gordon and found he was not there. The man in the next bed said that "*he is away to space*". He told me how

hospital staff had turned up wearing protective gear. I learned that Gordon and another patient had been taken to an infections ward that day. I was told that he had something called Australian antigen positive. I understand that to be a term for hepatitis B (HBV). I exhibit to my statement at Exhibit **WITN4075002** an unsigned letter dated 24th January 1975 from the Infectious Diseases Unit to Dr. Ireland, George Street, Ormiston in which it states that Gordon was transferred to Ward 16A of the City Hospital because he was found to be Australia Antigen Positive whilst in the Royal Infirmary.

13. I had also had Hepatitis B when the children were young, because of jaundice. I believe I contracted it because I used to walk with the children through an area near our village which had a tip full of rotten chickens. A couple of people in our village also contracted it. I became really ill and I even lost my eyesight at one point. The doctor wanted me to be hospitalised, but that wasn't an option because I had a young family. I was told to rest and eventually I got better. Gordon contracted the jaundice from me in around 1972 but he was not as poorly as I had been with the infection.

14. Gordon was then transferred to Princess Margaret Rose Hospital in January 1975 which is a specialist orthopaedic hospital. Whilst at this hospital he underwent further operations to improve his mobility and for rehabilitation. Whilst at the hospital, Gordon had a fall injuring the remnants of his right leg. He had to have an operation to set his femur and to further tidy up his stump of his leg. He was given more blood at that stage.

15. During this time in hospital he was in isolation and was barrier nursed. I was able to see him because I had developed HVB antibody. The children, however, were not allowed to see him at all and they really missed him. He finally left hospital in June 1975.

3. Other infections

1. As stated above, both Gordon and I contracted HVB at one point. I do not believe Gordon received any further infections other than HCV as a result of being given infected blood products. I exhibit at **WITN4075003** a letter from Sister Cathy Scott, Clinical Nurse Practitioner in GI/Liver Medicine at the Royal Infirmary of Edinburgh to Dr. Martin, Newton Port Surgery, Haddington which shows diagnosis of Hepatitis C and pending tests for full liver screen, hyaluronic acid, HIV and HBV.

4. Consent

1. I do not believe that Gordon was treated or tested without his knowledge or consent or for the purposes of research. It's not something I can say definitely one way or the other.

5. Impact

1. When he came out of hospital, Gordon worked for a few years assembling IBM keyboards in a factory. However, it was difficult for him as he suffered significant stump pain.
2. I had to get a job and at first worked part time and then progressed to full time as an Auxiliary Nurse caring for the elderly.
3. I recall Gordon visiting the GP on many occasions with flu-like symptoms over the last 10 to 15 years of his life. He was then taken ill in around 2009. He had been to the doctor a few times complaining he was feeling sick and had pains in his left side. He said he kept being asked about how much alcohol he drank. Gordon would have a drink, but he was not anything like a heavy drinker. I myself am teetotal so would never have tolerated that in the house. I know that in some of Gordon's medical records he is stated as saying he drank a bottle of vodka a week, but that is not true. Gordon was just saying that because he was constantly being pressed about how much he drank.

4. Various tests were done, and I recall Doctor Martin of Newton Port Surgery, Haddington calling me and told me to "sit down". He told me that Gordon had hepatitis C. This was the first time we were ever aware of this. Gordon then had an ultrasound and an endoscopy.
5. I also remember seeing Doctor Galloway, who I believe was a locum doctor at the Edinburgh Royal Infirmary. He told me that Gordon had five tumours on his liver and that it was inoperable. He referred us to another doctor, Mr Hidalgo at the Edinburgh Royal Infirmary who was a liver expert.
6. Through Mr. Hidalgo they tried a treatment which involved injecting each tumour through the femoral artery with chemotherapy. This unfortunately didn't work. I can recall Gordon bleeding heavily.
7. Gordon remained in hospital and was very ill. One of the nurses, Sister Kilpatrick, told me about Gordon having been given infected blood. She said quite specifically, he would have been given two types, one was Afro/American, and one was Asian. Gordon's blood was genotype 1 and 4. I remembered hearing about infected blood years ago, in the 1970's.
8. Gordon had two lots of chemotherapy but after that it was clear that nothing was going to help him. He would see Mr Hidalgo regularly but then he was at home and being cared for by me.
9. Gordon refused to have anything to do with Macmillan nurses or the like. He insisted on only being looked after by me. I did everything for him myself, although the family did help out as and when they could.
10. I can remember in the October before he died, we went away to a hotel in the countryside for a few days. After Christmas he declined quite rapidly, and he suffered terribly. He was in constant pain. Gordon was always a very proud man and it was so sad to see him lose his dignity towards the end of his life. He suffered with constant diarrhoea and terrible pain, but he was too proud to admit it.

11. Gordon was adamant that he was not going to die in hospital. He was offered a hospital bed at home to make things easier for him, but he declined the offer. He said that we had slept together all these years, and nothing was going to change now. In the last weeks of his life we would sit and cuddle each other. I remember him asking one of the Macmillan nurses how long did he have left and she replied, about two to three weeks. He was devastated by this news. He said he thought that he may have a little bit longer with me. It was very upsetting to see him like this and know that we had such little time left together. Gordon only wanted me and close members of his family to look after him.

12. In the end, Gordon's liver just broke up and he died on the 28th January 2011. The death certificate states the cause of death as Hepatocellular Carcinoma.

6. Treatment/Care Support

1. We were never offered or received any counselling or support as a result of what had happened to Gordon.

7. Financial assistance

1. My brother, John Carson suggested that I should make an application for some financial assistance. He had become aware of the Skipton Fund and he helped me make an application in around 2016. We had seen something on the television about this, so enquired and they sent us a form.

2. Unfortunately, the application was refused solely on the grounds that because Gordon had received blood in Germany, it might have been the German blood that was infected. We appealed the decision, but nothing came of that.

3. By the time we appealed, the Scottish Infected Blood Support Scheme had been set up as a successor to the Skipton Fund and the other similar funds.
4. With the help of my brother, we took up my refusal with my MSP, Mr Ian Gray. However, nothing seemed able to be done. Mr Gray helped me appeal to SIBSS in August 2017, but I was unsuccessful. I exhibit at **Exhibit WITN4075004** a letter to me dated 16th August 2017 from NHS Services Scotland, Scottish Infected Blood Support Scheme which states:

'In this case with the absence of relevant records from either country, it is impossible to identify with certainty where Mr. Cuthill contracted hepatitis C. However, the nature of the SIBSS scheme does not require certainty, but rather it requires applicants to be able to show that it is more likely than not that an infection occurred through transfusion, in Scotland. This is the balance of probabilities test that must be applied. In the circumstances of Mr. Cuthill's infection, the body of evidence suggests that it is more likely than not that the infection occurred in West Germany than in Scotland.'

5. Gordon had two genotype infections and given that his arrival at the Edinburgh Royal Infirmary and subsequent extraction to an infectious disease hospital is similar in time scale to the incubation period for hepatitis C, I think it is entirely possible that he contracted one or both of these infections at the Royal Infirmary Edinburgh.
6. In my view, this is terribly unfair. An unduly high burden is placed on applicants to try and prove, beyond doubt, that the infection was from a specific source. It's simply not just. This has been made a particularly difficult task given that the NHS destroyed Gordon's medical records. I and my solicitors Watkins & Gunn have made extensive efforts to try to locate Gordon's medical records but have been told none can be found.

8. Other Issues

1. Something which has hindered any chance of getting financial support and assistance, has been the fact that Gordon's records from 2011 covering the period from the time he was first diagnosed with hepatitis C have been destroyed. Included within the records was a form signed by Gordon, which registered the fact that he had hepatitis C. I was told by Sister Kilpatrick that this form may be used for any subsequent recourse for future appeals or legal action.
2. When I applied for Gordon's files, I was told that patients who had died but were who were seeking therapy, should have their papers kept for seven years. However, Gordon's papers were destroyed before that time period.

Statement of Truth

I believe the facts stated and this witness statement are true.

Signed.

GRO-C

Dated...

8 - 2 - 2020