

Witness Name: Clare Elizabeth Foyer

Statement No.: WITN3570001

Exhibits: None

Dated: 17.9.2019

## **INFECTED BLOOD INQUIRY**

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### **WRITTEN STATEMENT OF CLARE ELIZABETH FOYER**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 16 July 2019.

I, Clare Elizabeth Foyer, will say as follows: -

#### **Introduction**

1. My name is Clare Elizabeth Foyer. My date of birth is GRO-C 1961 and my address is known to the Inquiry. I have a partner and three children.
2. I intend to speak about my mother, Betty Foyer, and her infection with Hepatitis C ("HCV"). In particular, the nature of her illness, how the illness affected her, the treatment she received and the impact it had on her, our family and our lives together.
3. I confirm that I have chosen not to be legally represented and that I am happy for the Inquiry team to assist me with my statement. I do not wish to remain anonymous.

4. My sister, Christine Helen Foyer, is also providing a witness statement to the Inquiry. My memories have been aided by my sister, and by my mother's own diaries which have provided me with names and dates.

#### How Affected

5. My mother was born on [GRO-C] 1929. Prior to contracting HCV, Mum worked regularly as a school dinner lady. My father, Jan Bernard Foyer was a Polish soldier. At the end of the Second World War he was demobbed to Britain. He met my Mum in Gainsborough, Lincolnshire and they courted for several years, marrying in 1951. They had a very happy life together.
6. Although my mum was a healthy person and rarely ill, she was subject to occasional protracted nose bleeds. As a child she had described having an extremely heavy nose bleed which had been very difficult to stop. I do not believe that she had any formal diagnosis of blood clotting problems.
7. I was at university when Mum first became ill. It was 9 June 1982 when my mother's hairdresser had noticed that Mum's skin was yellow. The next day, Mum attended the GP surgery in Ashby, Scunthorpe, and saw Dr [GRO-D], who took a sample from her. She was feeling sick and concerned about the yellow colour of her skin.
8. I can see from Mum's diary that on 10 June, in different coloured ink, Mum noted: "I have got hepatitis". Although I believe that Mum was told about her hepatitis as a result of her appointment with Dr [GRO-D], I cannot be sure when she was told, or by who, as she would regularly go back to certain dates in her diary to fill in further information at a later date.
9. I do not believe that Mum was told anything further regarding her hepatitis. There was no explanation as to how she had contracted the infection, how to prevent the spread of it, or even what type of hepatitis she had.

10. She did not understand how or when she could have been infected with hepatitis. Over the years when my Mum discussed her infection with us, she tried to search her mind for every possible explanation, even the most unlikely and slightly ridiculous ones: "Did I prick my finger on a rose? A rabbit once bit me, I found it hard to stop the bleeding. Could I have got it from that bite?" She was perplexed and trying to understand what had happened to her but there was no apparent explanation.
11. Mum's lifestyle was such that it was extremely difficult to understand how she could possibly have contracted hepatitis. My mum had no tattoos or piercings, she did not have multiple partners and she did not use drugs. She had a happy life with my father and they were both faithful to each other. My sister and I were very close to our mother. She talked to us about everything in her life. She was a very open, thoughtful person. It was confusing for all of us that she had contracted hepatitis.
12. On 15 June 1982, a man from the Department of Health came to see Mum. She recorded in her diary that he was there to register her for something, although it is not clear what he was registering her for, the visit seemed very official and quite scary for Mum. In hindsight, I believe that he may have been there to register her newly diagnosed hepatitis status.
13. On her next visit to the GP, dated 16 June 1982, Dr GRO-D told my mum that he was "very pleased with her". The comment was vague and difficult to interpret; it sounded as though Mum was recovering, and with no information to the contrary, we believed that Mum would be well going forward. However, Mum did not go back to work and my father took in a sick note for her.
14. Mum records in her diary that in that period she was quite active and busy at home as usual, and when I came home from university on 29 June 1982, her skin was a normal colour. The next day I went with Mum to Scunthorpe General Hospital for an appointment but I cannot remember much about it.

15. On 7 July 1982, Mum's gallbladder was X rayed, and on 2 August she had further x-rays and blood tests. I do not believe that during this time Mum had any sort of explanation as to why she was having tests or if they related to the hepatitis diagnosis. My mum had great respect for the medical profession and did not feel as though she should question or challenge any of the doctors. She just accepted and believed they were doing the best for her.
16. During this time, Mum also appeared to be having problems with a polyp. On 3 August 1982, she records feeling unwell and contacted Dr [GRO-D]; he told her she may have to see Miss [GRO-D], a Consultant Gynaecologist.
17. My Mum noted in her diary that she took some capsules as instructed ,at 9am on 9 August. However, I am not aware of what those capsules were. The next day, she had further x-rays in Scunthorpe Hospital.
18. On 24 August 1982, Mum noted that she attended an appointment with Dr Hayworth as Miss [GRO-D] was away. Mum had a scrape and the polyp removed.
19. On 7 September 1982, Mum had an endoscopy at Scunthorpe Hospital. As a result of this, Dr Wilken told her she had to have her gallbladder removed. He did not explain why.
20. On 13 September 1982, I went with Mum to the hospital, and she attended an appointment with Miss [GRO-D]. Miss [GRO-D] examined Mum, and then turned to the nurse and said, "Right then, everything out, full clearance". Miss [GRO-D] then left the room without speaking to Mum or explaining anything.
21. We thought Miss [GRO-D] was referring to Mum having a hysterectomy. However, as it turns out, Miss [GRO-D] was more likely referring to the removal of Mum's gallbladder. This is because she didn't go on to have a

hysterectomy until much later in 1985. The comment was very confusing and my mum was extremely upset by Miss [GRO-D] rudeness and lack of respect. Mum was also upset that she was given no explanation whatsoever as to what operation she was having or why.

22. I considered complaining about Miss [GRO-D] a friend of ours had told us previously that she had a bit of a reputation and was not the easiest person to deal with, but we did not want to say anything in case Mum's treatment was adversely affected as a result of a formal complaint. We felt powerless.
23. On 27 September 1982, Mum went into Scunthorpe Hospital to have her gallbladder operation. She recorded in her diary she had her pre-med and was ready to go for her operation scheduled that afternoon. However, she was told that the operation could not be performed, as her blood was not clotting. The doctors conducted a bone marrow test, and cut her arm to see how her body responded to bleeding. The next day both Miss [GRO-D] and Dr Gupta were present, and Dr Bull came to take a number of blood samples from Mum. Mum described it as "filling at least 9 bottles". She hardly slept that night as the medicine she was given meant she was up and down to the toilet.
24. On 29 September 1982, Mum's gallbladder was removed. I remember Mum being quite confused the day after the operation and I realised how vulnerable she was.
25. As I remember it, Mum's operation had been complicated and she had been given a transfusion during the operation. This is all I remember, but I believe my sister has a more detailed memory of this. Although I believe that she did have hepatitis earlier in 1982, we do not know what type of hepatitis she had, or if she had a certain form of hepatitis that she could have recovered from. I have therefore always considered that the transfusion Mum had during her gallbladder surgery could have been

infected with HCV. If it was infected, this transfusion would have been catastrophic for my mum.

26. After the operation in 1982 Mum went through quite a rough time and developed a slight infection, resulting in her taking antibiotics. After a few days she was moved to a maternity home to recover until 8 October, and the next day I went back to university.
27. Mum took a few weeks to recover, with Dr GRO-D visiting her at home on 11 October. I remember that I came home from university again on 5 November. She went back to Scunthorpe Hospital for a check-up with Dr Morgan on 6 December and she had a further blood test with Dr Stewart on 23 December. Mum recovered quite well from the operation, but we were still not clear as to why the doctors thought it was necessary to remove the gallbladder in the first place.
28. By January 1983 Mum was doing all her usual activities. She had a small lump removed from her forehead. A minor procedure that she spoke about quite casually. She seemed to be in good health.
29. In March 1983, Mum noted in her diary that she went to the doctor for her "first tablets". However, I am unaware as to what these tablets were. Around this time, Mum recorded that she was not feeling well.
30. On 2 June 1983, Mum saw Dr Stewart for a blood test at Scunthorpe Hospital. In August of the same year, she also saw a dietician and Dr GRO-D.
31. Throughout 1983 Mum did not have many medical appointments, the year seemed interspersed with her being quite well and then not feeling well again. She was doing all the usual things at home, such as cleaning and washing, and she continued to be an active person. However, at the beginning of 1984, Mum began to feel tired and unwell.

32. Mum did not return to work after her hepatitis diagnosis and, on 25 April 1984, she sent a notice to her place of work to inform them of her early retirement.
33. On 24 May 1984, Mum went to the hospital for a liver function test with Dr Stewart and at the end of June, she was feeling very unwell again. She went to see Dr GRO-D who gave her water tablets for what I believe was a build up of fluid in her liver. In October of the same year she had a check-up and further blood tests.
34. On 31 November 1984, Mum went to see Dr Leitch regarding her liver, and on 3 December Dr Leitch told Mum that she would need further tests. X-rays, an endoscopy and blood tests. These were carried out during a stay in Scunthorpe Hospital the following January.
35. On 21 January 1985, Mum was diagnosed with cirrhosis of the liver. Neither Mum, Dad, my sister or I, were provided with any detailed information about the diagnosis. Mum's hospital visits were few and far between, and she was being given very little information. Although I knew that cirrhosis was a chronic condition, and possibly life limiting, I hoped that she would live a relatively normal life.
36. In February 1985, Mum went to a check-up relating to a possible hysterectomy, and on 3 June she was admitted into Scunthorpe Hospital for the surgery to take place. At the time, we were unaware as to why Mum required the hysterectomy or if the surgery related to her hepatitis diagnosis. However, in July 1990, my sister and I were informed by a doctor at the Queen Elizabeth Hospital that the hysterectomy had been a precautionary measure. A polyp, that had been somewhere on the continuum between benign and malignant, was removed. The tumor that was found in Mum's bile duct in 1990 had not spread from the womb.

37. During the following years, Mum would have bouts of illness but then go back to doing normal activities, such as: washing, cleaning, going to the market and looking after her granddaughter.
38. In July 1990, my Mum passed away. Within the last year of her life, she had bouts of her skin turning yellow, and she was regularly attending Scunthorpe Hospital. In this last year it took her longer to recover from her illnesses and she was generally feeling awful; there were days when she was unable to get out of bed and she would spend most of her time sleeping. In between her illnesses she was still managing to be fairly active.
39. The month before Mum died, she stopped writing in her diaries; she was in a lot of pain. She made several attempts to contact Dr [GRO-D] but he barely responded. I remember Mum calling me and telling me she did not know what to do with herself, she was in a lot of pain and was feeling extremely unwell. My mum had a high pain threshold and put up with a great deal; she was not a person who complained easily. I feel like I should have been there with her and my dad.
40. I find it difficult to understand how she could have been suffering so much and yet not given treatment or taken to the hospital. Dr [GRO-D] knew my Mum's whole medical history and the decent response would have been to help alleviate her pain. I believe now that he probably knew she was in the latter stages of cirrhosis and breakdown of the liver and did not inform her of such because he felt that there was nothing he could do.
41. Mum had also gone back to Scunthorpe Hospital two or three times in the months before she died and had tests performed. The last time she was in hospital was from 8 to 11 May 1990 when she records blood tests. X-rays and a biopsy. I believe that the doctors at the hospital must have also known about her deteriorating health and again not informed us.
42. On 2 July 1990, Dad phoned my sister and I to tell us that Mum had been walking round the house in a coma-like state, unaware of where or who she



was. He had called the ambulance and rushed her into Scunthorpe Hospital. Prior to this episode, Mum had been feeling unwell, with pain in her stomach, and not sleeping; she was very debilitated and tired.

43. On 4 July 1990 Scunthorpe Hospital transferred Mum to the Queen Elizabeth Hospital in Birmingham, which had a specialist liver unit. The Queen Elizabeth Hospital told me Mum had bile duct cancer, in addition to cirrhosis. They found Mum had an obstruction to the bile duct caused by the tumour, and they inserted a drain to remove the build up of bile. The doctor told me that they could not be sure whether the procedure would work successfully. Mum actually recovered consciousness for a day or two after the drain was inserted but the drain moved position and she then lapsed back into a coma. The hospital told us there was nothing more they could do to help. I asked whether Mum could have a liver transplant but they told me this was not possible.
44. I remember asking the Birmingham doctor a number of questions trying to understand how Mum could possibly have developed cirrhosis and then cancer. I knew there was a link to hepatitis transmitted via infected blood, though I did not know specifically about HCV at the time.
45. I asked the doctor whether the transfusion my mum received in September 1982 could have caused her hepatitis infection, leading to her cirrhosis and cancer, but he told me it was unlikely and reading from her medical records he said that the cirrhosis was of unknown origin. I remember the doctor emphasising that I should not worry or think about the transfusion because the chances of Mum being infected by it were highly unlikely.
46. On 15 July 1990 in the last couple of days of her life the Queen Elizabeth Hospital transferred Mum back to Scunthorpe Hospital for palliative care.
47. My mum's death certificate noted cryptogenic cirrhosis and liver failure as the cause of her death, and I believe that these were a result of the HCV infection.

### **Other Infections**

48. Given the lack of information provided to my mum and our family, I am unaware if she was infected with any infection other than HCV.

### **Consent**

49. I do not believe that my mother was treated or tested without her knowledge or consent. However, I do believe that she was treated and tested without being given adequate or full information. Therefore, her consent was limited as she was provided with no information; for example, Mum agreed to blood tests but did not know what they were testing for.
50. My mum was given hardly any information or advice as regards to her health, or diagnoses of hepatitis, and cirrhosis. She never received any sort of paperwork from the hospitals or any letters from her GP; even her appointments were booked in person. The lack of paperwork around Mum's diagnoses, operations and tests is a big reason as to why we know so little about what happened to her.
51. To my knowledge, there was never any information given to Mum regarding the risk of transmission. We did not know how infectious hepatitis was and therefore we took no precautionary measures. Had Mum been given advice to be careful in certain situations she would have been, but there were no clear or helpful explanations provided to her at all.
52. If Mum had received any written or verbal information regarding HCV or cirrhosis she would have shared it with us; she was a very open and honest person and we regularly discussed her health. Mum wanted to know as much as possible and she was not someone people felt like they had to hide the truth from in order to protect her.

53. Mum placed a great deal of confidence in medical professionals. She respected their knowledge and therefore did not question or challenge why, what they did, or did not do for her. As a result, she was given very little information. It was as though the onus was on Mum to ask the questions rather than on the doctors to provide her with explanations.
54. I do not believe Mum was treated or tested for the purposes of research.

### **Impact**

55. Before Mum's hepatitis infection, she was happily working as a school kitchen lady; it was a busy job that kept her fit and social. She was very happy with my dad. Mum had never been a drinker and at most she would have a glass of port and lemon on Christmas Day. She was interested in her diet and health. Mum wanted a very full life with her family and her illness affected that.
56. The infection and resulting illnesses meant Mum had to give up work in June 1982, and subsequently had an early retirement in April 1984. Mum socialised a lot with her colleagues, but her illness curtailed this social life and she gradually lost these contacts along with her enjoyment of keeping fit and healthy.
57. In our everyday lives, we tried to be optimistic. As a family we were all very worried about my mum, and I knew cirrhosis was something very serious, but we all believed she had many years ahead of her. Throughout Mum's bouts of illnesses, I hung on to the hope that people could still live many years with cirrhosis and that the doctors would be able to give her treatment.
58. Mum's death had a massive impact on us as a family. None of us were consulted or informed about Mum's illness, she herself was told very little. I believe that the doctors should have addressed her illness in a more open

way. The medics early on did not provide Mum with sufficient information and the Consultant, Miss GRO-D was rude and unprofessional.

59. In the last month of her life Dr GRO-D did not respond to Mum's requests for help and her pain relief was not addressed. My mother and father did not know how to deal with this. They did not feel they could just go to a hospital for help: they felt they had to do this by appointment with the GP. As a consequence, they became increasingly desperate and distressed and Mum was on the point of collapse before an ambulance was called.
60. The mental and emotional impact on myself has been such that I have had many years of anxiety around not knowing exactly how Mum was infected with HCV. What was the cause? Was it the transfusion? How could she possibly have got such a devastating illness in any other circumstances? The doctors did not tell us what type of hepatitis she had before her gall bladder operation, but it is clear to me that after her operation and the transfusion, she had Hepatitis C and it caused the cirrhosis, and liver failure.
61. I was 29 years old when I lost my mum. She was 61 years old. I was lucky to have such a lovely Mum, but she should have had many years ahead of her. We had a small family who were all very close, and she was at the centre of our lives. I now have three children whom she has never met or had a chance to see growing up. All I can do is tell them about her, and tell them how much she would have loved them. When I see grandparents with their children and grandchildren together, it makes me terribly sad because I could never do that with my mum and my own children.
62. The loss of my mum was a shock to my father. Dad was 12 years older than Mum and he always believed that in the natural course of things she would out live him by many years. He said to me "She had 20 more years to live!". Although at first he tried very hard to adapt, to carry on keeping the

house clean and tidy, and looking after himself, as time went on he found it increasingly difficult to manage without her, and he missed her very deeply.

63. Dad got Alzheimer's a few years after Mum passed away. The onset of his illness was gradual. My Dad was proud and independent and he often gave help to the Polish community in Scunthorpe without realising when he needed it himself. He was isolated when it came to his domestic situation and became increasingly unable to cope. I think he went downhill quicker than if my mum had been there to help and support him. My sister and I did not live close enough to him to help out as much as we would have liked, we were unable to move due to work commitments. Dad loved his home and would not have wanted to move away to come and live with one of us. Dad eventually went into a care home because he could no longer care for himself and be safe at home. I believe he would have lived a happier and longer life had Mum been there to support him.
64. Mum had not been secretive about her illness, she openly discussed it with friends and I do not believe she felt any sort of stigma. However, I felt it became more socially difficult to talk about Mum's death once people started to realise what HCV was.
65. When I tell people that my mum had HCV and died of cirrhosis of the liver, I feel that I have to immediately excuse it, telling them she was not a drinker, a drug user or a person who was sexually promiscuous, before I can really talk about the terrible thing that happened to her. It feels like I carry all this stigma when I discuss my relationship with my mum.

#### Treatment/Care/Support

66. To my knowledge, Mum did not have any treatment for HCV or cirrhosis. I think she would have told us if she was on specific tablets. She rarely mentioned taking tablets in her diary, and she definitely did not have injections. My whole concept of it was that there was no treatment offered

to her because there was nothing the doctors could do. It felt as though we had to accept that this was happening to her and there was very little that could be done to change it.

67. In hindsight, if they had referred Mum to the specialist liver unit in Birmingham much earlier, when she was first diagnosed with either hepatitis or cirrhosis, there may have been treatments available to limit the liver damage; but she was only referred in the last weeks of her life, when it was too late. We do not know when bile duct cancer was first diagnosed or if it could have been diagnosed at an earlier stage or prevented.
68. As Mum received no advice or information regarding her hepatitis infection, she was not aware that she should tell dentists and other doctors about her condition. If she had been told to inform others and be cautious, she would have followed their advice. As it happened, she was not told anything, therefore she did not face any difficulties or obstacles in obtaining non-hepatitis related treatment, such as dentistry care.
69. I do not believe any counselling or psychological support was offered to Mum or any of the family, and it was definitely not offered to me after her death.
70. I think as a family we could have all done with some sort of counselling or psychological support. We had a level of not knowing what had happened and why, it was not just the grief that we did not know how to deal with but we just did not know why it had all happened and all so fast. We had many unanswered questions at the time and they remain unanswered.
71. I think counselling would have helped me to work through some of the complexity of feelings I have over the loss of my Mum and the profound impact it has had on myself and my family. Also, I think that some sort of psychological support could have really helped my Dad.

72. I can confirm that the Inquiry team have made me aware of the psychological support that the British Red Cross can offer my family and myself; I have received their contact details from the Inquiry Team and I will consider getting in touch for their services.

### **Financial Assistance**

73. I was unaware of any financial assistance that my family or I could have received from the Trusts and Funds schemes. There was a singular lack of information throughout Mum's life and this continued after Mum's death.
74. Had we received financial assistance it would have helped my Dad in the years after Mum's death. It would have funded some help around the house and additional care for his illness at an earlier stage. My Dad's house had to be sold to fund his residential care when his Alzheimer's Disease became more advanced. Financial help may have enabled him to get the support he needed to live in his own home for longer, and I believe he would have had a better quality of life.

### **Other Issues**

75. I have been asked if I have any expectations from the Inquiry. I would like a level of clarity as to what happened to my mum and why. I believe this may be aided by attaining Mum's medical records from Scunthorpe Hospital and my sister and I are seeking to do this soon. We strongly believe that our mum was infected as a result of a medical procedure; I am sure that to be able to make some sense of what happened would really help.
76. I personally would be happy to speak on behalf of my mum at the Inquiry's hearings and I would be very pleased to have this opportunity. I think my evidence could help to build an overall picture of what was happening in hospitals on many levels, and specifically in Scunthorpe, and it could give a picture of the treatment, practice and knowledge available at that time.

77. On behalf of our Mum, my sister and I believe that it is important to register that this happened. We have never been able to get over the fact that this happened or to fully understand why. I am hoping that when this information is drawn together, it may help some people in getting answers (even if it is not specifically for us) to clarify what happened to their loved ones, and maybe even what happened to our mum.

**Statement of Truth**

I believe that the facts stated in this witness statement are true.

Signed \_\_\_\_\_ GRO-C \_\_\_\_\_

Dated 17.9.2019