

**Witness Name: Royal Free Hospital (Pratima Chowdary)**  
**Statement No. WITN3826001**  
**Exhibit No. WITN3826002 - 15**  
**Dated: 15 October 2019**

**INFECTED BLOOD INQUIRY**

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**WRITTEN STATEMENT OF  
DR PRATIMA CHOWDARY**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 19 September 2019.

**Section 1: Introduction**

1. I, Pratima Chowdary of the Royal Free London NHS Foundation Trust, Pond Street, London, NW3 2QG, will say as follows:
2. I am employed by the Royal Free London NHS Foundation Trust (the Trust) as Centre Director for the Haemophilia & Thrombosis Centre. I have worked for the Trust as a Consultant Haematologist since 2005 and have been in my current role since 2017.
3. I qualified as a Doctor in 1992.
4. The information provided within this witness statement is based upon facts within my knowledge, save for where I have indicated the source of my information or belief. Where matters are not directly within my knowledge, I believe them to be true.
5. As the Centre Director, I am responsible for meeting the national service specifications, and implementation of local and national policies as recommended by the commissioners, hospital and

professional organisations, as specific to patients with bleeding disorders, to ensure comprehensive care. In addition I am also responsible for providing the best possible care within available resources and current best evidence.

## **Section 2: Response to criticism of Mr Ward**

6. I have been asked to write this statement on behalf of the Trust to respond to specific matters raised within the witness statement of Mr Mark Ward, dated 23 January 2019, and the witness statement of Mr Dudley-Smith, dated 23 January 2019. In this statement I respond to 15 specific questions raised by the Inquiry with regard to points made within in Mr Ward's and Mr Dudley-Smith's statements. For the purpose of making this statement, I have reviewed Mr Ward's medical records.
7. I attach to this statement a bundle of supporting documents which are relevant to the comments in Mr Ward's statement dated 23 January 2019. Exhibit numbers referred to in this statement in the form **WITN3826002 - 15** are references to exhibits in that bundle.

## **Response to the Inquiry Questions**

8. At paragraph 23 of his statement, Mr Ward states that his sexuality, or speculation about this, is repeatedly mentioned in his records. Mr Ward finds this "unnecessary and offensive." My comments upon this are as follows:
  - a. I have found one record that refers to Mr Ward's sexuality. This is a referral letter to Dermatology from a haematology registrar, Dr **GRO-D**, dated 12 May 1999 (**WITN3826002**). On behalf of the Trust, we agree that the reference Mr Ward's sexuality in that letter was unnecessary and inappropriate.

- b. I have found no further references. Should Mr Ward provide copies of additional records containing references to his sexuality, we would be able to comment further.
  - c. I would like to take this opportunity to confirm that the Trust has always maintained a policy of acceptance of all patients, visitors and staff, regardless of their gender, sexuality, religion or race.
9. At paragraph 24 of his statement, Mr Ward sets out difficulties with his interactions with doctors at the Royal Free. My comments upon this are as follows:
- a. I do not recognise the characterisation of the style of nursing or interaction that Mr Ward describes. The style of interaction between healthcare professionals and patients and their families in the Haemophilia Centre tends to be more relaxed than on some wards, whilst maintaining acceptable professional boundaries.
  - b. It has always been and remains our policy to treat patients as individuals, with respect and to take account of their individual needs. The Trust takes patients' views and concerns very seriously. I believe that this view is supported by the Trust's responses to Mr Ward's complaints (**WITN3826003**).
10. At paragraph 25, Mr Ward discusses the absence of any reference to hepatitis in his medical records. My comments upon this are as follows:
- a. I am unable to comment on the contents of the Great Ormond Street Hospital records.
  - b. I exhibit the referral letter to Dr Kernoff from Professor Hardisty of Great Ormond Street Hospital, dated 9 July 1984, which states that Mr Ward was HBsAg negative with satisfactory liver function tests (**WITN3826004**). This confirms that Mr Ward was tested for Hepatitis B whilst at Great Ormond Street Hospital.

- c. In Dr Kernoff's hand written notes of Mr Ward's first visit he notes "Never had hepatitis" (**WITN3826005**).
- d. As there was no available test for HCV (Hepatitis C) at the time, this would have reflected the normal standard of care for haemophilia patients. The monitoring of Liver Function Tests as routine care was all that was available.
- e. Further to Mr Ward's suggestion that documents may have been removed from his records, I can confirm that there has been a policy at the Royal Free Hospital to keep all notes of both living and deceased patients from the Haemophilia Centre. There has never been a policy to remove any records.

11. At paragraph 56 of his statement, Mr Ward states the Royal Free confirmed his HIV status to his employer. My comments upon this are as follows:

- a. The Royal Free would not give information out to any third parties without the patient's written consent.
- b. I enclose documentation relating to an Occupational Health doctor's enquiry from British Airways regarding Mr Ward in February 1996, which was answered by Professor Christine Lee. Mr Ward's consent was included in the request (**WITN3826006**).

12. At paragraph 67 of his statement, Mr Ward describes being given blood products after being taken off a medical product trial. Mr Ward states "I truly believe this was attempted murder/manslaughter as they knew they were putting my life at risk". My comments upon this are as follows:

- a. The treatment records indicate that there was use of "Kogenate" recombinant Factor VIII in continuous infusion to cover dental extractions from 14 October 1997 to 19 October 1997 (**WITN3826007**). This was a clinical trial to prove safety and efficacy of this product in continuous infusion and Mr Ward signed to agree that he had discussed the protocol

and seen the patient information sheet, when he signed the consent form on 9 October 1997 (**WITN3826008**).

- b. Although at that time Kogenate was a licensed product, there were no funding agreements from health authorities for adult patients to receive recombinant Factor VIII and it is believed that is why Mr Ward was switched back to his previous product at the end of the surgical episode.
- c. On 28 April 2004, Mr Ward was permanently switched to rFVIII (Helixate NexGen) in line with the national "Recombinant for all" policy. There is documentation by Barbara Subel (Haemophilia CNS) of a conversation with Mr Ward in this regard and the subsequent consent to switch was obtained (**WITN3826009**).

13. At paragraph 68 of his statement, Mr Ward states all his teeth were removed and he was provided with dentures that didn't fit properly. Mr Ward states that he complained about this but was treated with contempt. My comments upon this are as follows:

- a. According to the medical records, Mr Ward's teeth were removed in 1997 under general anaesthesia, whilst he was under the care of the Trust's oral surgeons. Mr Ward transferred his care to Birmingham whilst he lived there between 2001 and 2004. On return to the Trust, he saw Dr Thynn Thynn Yee on 19 April 2004 (**WITN38260010**), after which appointment Dr Yee referred Mr Ward to the Department of Special Needs Dentistry.
- b. Mr Ward was seen and assessed by the Department of Special Needs Dentistry on 23 June 2004 and impressions were taken for dentures, to be fitted on 15 July 2004.
- c. I also note that Paul Thurlow (Haemophilia CNS) referred Mr Ward back to the Trust dentists in 2010 as his dentures were causing blistering and bleeding (**WITN38260011**).
- d. I have not been able to find any reference to a complaint submitted in relation to the above.



14. At paragraphs 70 to 71 of his statement, Mr Ward describes difficulties obtaining information about HIV treatment. My comments upon this are as follows, the exhibits for which can be found at **Exhibit WITN38260012**:

- a. Mr Ward does not provide any specific dates within his witness statement in relation to when he says he encountered these difficulties obtaining information. It is therefore difficult to respond substantively.
- b. The Haemophilia Centre provided care to Mr Ward, and others infected with HIV, firstly by Dr Peter Kernoff (Deceased) and from 1989 in conjunction with Professor Margaret Johnson of the Ian Charleston AIDS Centre. This combined clinic facilitated informed discussion and early access to best practice care and treatment. It also ensured that Trust patients had early access to clinical trials funded by the Medical Research Council for drugs not available elsewhere to treat HIV and AIDS.
- c. By letter dated 6 October 1988, Mr Ward was asked if he would wish to enter an anti-viral drug trial for AZT. Mr Ward did not take up this invitation.
- d. By letter dated 23 May 1991, Dr Telfer confirmed that there had been discussions with Mr Ward about taking AZT but that Mr Ward was “not keen” at that time.
- e. According to his medical notes, Mr Ward attended the Centre on 21 September 1994. He was seen by Dr John Pasi, who recorded that Mr Ward had not been seen since 18 January 1993 and that he was “seeing HIV team next week”. A review was booked for 10 October 1994.
- f. The same notes record on 3 October 1994 and 25 October 1994 that Mrs GRO-D had been contacted by the King's College Hospital team who had also been seeing Mr Ward in a crisis situation and that he did not attend the follow up appointment on 25 October 1994.
- g. On 4 January 1995, Mr Ward was seen in clinic by Dr Christine Lee. During this appointment, she noted that Mr Ward's CD4 count had been 0.23 on 18 January 1993 and that he should “start septrin (co-trimoxazole) prophylaxis” and Zidovudine (AZT). These reflected the standard of care for HIV at the time.
- h. By letter of 6 November 1995, Dr Lee wrote that Mr Ward should be restarted on Zidovudine, with DDI. These were the standard treatments

at the time. He was also receiving treatment to prevent opportunistic infections with Co-trimoxazole (septrin) and fluconazole. On this date he was also sent to the dermatologist as he had presented with a red inflamed face, and Dr Lee was seeking advice about managing this.

- i. In 1998, his medical notes confirm that Mr Ward was on HIV treatment and, in 1999, his notes record that he was reluctant to have any additional treatment over and above that which he was on.

15. At paragraph 75, Mr Ward states he was not told about a particular side effect of a drug prescribed. He was angry about this but says this was not a new issue as “the haemophilia centre at the Royal Free has always been notorious with telling the truth and providing relevant information”. My comments upon this are as follows:

- a. I understand that Mr Ward is referring to treatment he received for Mycobacterium-Avium-Intracellulare (MAI) infection, for which he was treated by his HIV physicians.
- b. Pink or red coloured urine is a very common side effect of the treatment for this infection and I would therefore be very surprised were a patient not to be warned of this. Additionally, the side effect occurs very quickly after beginning treatment and therefore should have presented when patients are still being treated in hospital. However, I can understand fully why such a side effect could be concerning if it was the case that this information was not provided.

16. At paragraph 119 of his statement, Mr Ward states that he didn't feel safe at the Royal Free and claims that the Hospital was trying to provoke a reaction so he could be transferred elsewhere for his care. My comments upon this are as follows:

- a. I am aware of the concerns that Mr Ward raised in relation to the care and treatment provided to him at the Trust. I refer to records of complaints

submitted by Mr Ward and the Trust's responses at **Exhibit WITN3826003**.

- b. I deny that it was ever the Trust's intention to 'provoke' Mr Ward for any reason.
- c. It is correct that the possibility of transferring his care and treatment to an alternative trust was raised with Mr Ward on a number of occasions. Mr Ward frequently voiced concerns about his care at the Trust and it was evident that he had lost confidence in the Trust. In view of this, alternative treatment centres were identified to Mr Ward to ensure that he was aware that he had options available to seek best practice care elsewhere should he wish to transfer.
- d. I would like to reiterate that the Trust has always maintained a policy of acceptance of all patients, visitors and staff, regardless of their gender, sexuality, religion or race. I am not aware of there having been any similar complaints of this nature received by the Trust.

17. At paragraphs 126 to 127 of his statement, Mr Ward describes difficulties in obtaining support with his mental health at the Royal Free. My comments upon this are as follows:

- a. As set out within his medical notes, Mr Ward has received counselling throughout the years from Mrs GRO-D and Ms Nicola Dunn, both Family Therapists in the Haemophilia Centre. Enclosed at **Exhibit WITN38260013** are a number of referrals and correspondence from the Haemophilia Centre to the Trust Psychiatric Team on occasions when it was felt that Mr Ward was in "crisis" and needed immediate assessment and expert opinion.

18. At paragraphs 128-131, Mr Ward describes an incident which he subsequently complained about to a number of organisations, including the Royal Free. At paragraph 131, Mr Ward states the Royal Free blocked the investigation. My comments upon this are as follows:



- a. I have found no evidence to suggest that the Trust sought to 'block' or in any way delay investigation in to Mr Ward's complaints. As set out at the previously referenced **Exhibit WITN3826003**], there is evidence that, to the contrary, the Trust engaged with Mr Ward in relation to both this specific complaint and others, and sought to identify appropriate and satisfactory solutions for him.
- b. Having reviewed the documentation at **Exhibits WITN3826003** and **WITN38260014**, I am confident that the Trust co-operated fully with its own internal complaints processes, and the investigations of the Ombudsman, Police and Nursing and Midwifery Council.

19. At paragraph 133 of his statement, Mr Ward describes being told he had allegedly made threats and states "I now had the proof they were all out to get me kicked out of the hospital and a real vendetta was in action against me. Once again I feared for my life". My comments upon this are as follows:

- a. At **Exhibit WITN38260014**], I attach a record of a telephone call between Mr Ward and the complaints officer, Janet Powell. During this conversation, Ms Powell notes that Mr Ward felt that he could hit Debra Pollard and that even if he brought a gun into the Haemophilia Centre, nobody would listen. This conversation was raised as an issue of safeguarding for staff members and, on the advice of the Trust's Security Lead, a member of the security team was requested to be present in the department for the next booked appointment.
- b. Within this context, it is important to note that the provision of care requires there to be a workable relationship between the patient and the team providing healthcare. The Trust also has an obligation to protect both its patients and its own staff.

20. At paragraph 147 Mr Ward states that he considers the Royal Free are his abusers. My comments upon this are as follows:

- a. I do not believe that I am able to comment upon this, as it is the personal view of Mr Ward. I do however refer again to the evidence at **Exhibit WITN3826003** setting out the Trust's responses to his formal complaints, and the additional evidence attached of the care and treatment provided to Mr Ward during his time with the Trust.
- b. Mr Ward's paragraph 147 also refers to "an application for SCM" which was initially refused because "the information needed to pursue this is held at the Royal Free". I therefore wish to confirm that the Trust has not been asked to provide any information for a SCM application. Should Mr Ward wish to set out the specific information required, and if this information is held by the Trust, it will be provided to him on request.

21. At paragraph 158 of his statement, Mr Ward states "The Royal Free Haemophilia Centre is at the heart of this scandal and all of those who worked there should be fully investigated'. My comments upon this are as follows:

- a. The Trust has always strived to provide the best possible care to its patients. With respect to the Haemophilia Centre, the work done by our staff was at the forefront of providing Recombinant Factor VIII. The Trust led on the early trials and sought to provide psychological support to all those Trust patients affected within the haemophilia community. The Trust has and will continue to engage with the Inquiry in relation to its investigations.

22. At paragraphs 34 to 35 of his statement, Mr Dudley-Smith states that neither he nor Mr Ward were ever offered any help regarding counselling by the Royal Free. Mr Dudley-Smith also states that the Royal Free refused to add him to his civil partner's medical notes as his partner, and later as his next of kin. My comments upon this are as follows:

- a. With regards to the counselling and other assistance offered and provided to Mr Ward, I refer to paragraph 17 above.

- b. Due to issues of capacity, the Trust would not refer partners for assistance as a matter of course. However, where staff identify a significant issue being experienced by a patient's partner, we would seek to refer them to Trust resources. I have not found reference to Mr Dudley-Smith seeking a referral or Mr Ward requesting one on his behalf.
- c. Having reviewed Mr Ward's medical notes (**WITN38260015**), I refer to a patient information sheet dated 25 May 2005 which identifies Mr Dudley-Smith as Mr Ward's partner. This same document lists Mr Ward's mother as next of kin. I do not have any documentation which explains this.
- d. From 2004, all correspondence with Mr Ward was sent to his Brighton address, which demonstrates that his address must have been updated on this system after his return from Birmingham. I am unsure what 2014 records Mr Dudley-Smith is referring to in his witness statement and so am unable to comment further.

**Statement of Truth**

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

Signed: ..... GRO-C .....

Date: ..... 15 - October 2019 .....

**Table of exhibits:**

<b>Date</b>	<b>Notes/ Description</b>	<b>Exhibit number</b>
12 May 1999	Letter of Dr <b>GRO-D</b> to Dr Wolfman	<b>WITN3826002</b>
Various	Correspondence between Mr Ward, the Trust and third parties with regards to formal complaints	<b>WITN3826003</b>
9 July 1984	Letter of Professor Hardistry to Dr Kernoff	<b>WITN3826004</b>
23 July 1984	Mr Ward's Clinical Notes	<b>WITN3826005</b>
February 1996	Correspondence between British Airways Health Services and the Trust	<b>WITN3826006</b>
Various	Mr Ward's Infusion Record	<b>WITN3826007</b>
9 October 1997	'Kogenate Continuous Infusion Study' Consent Form and Patient Information Sheet	<b>WITN3826008</b>
28 April 2004	'Implementation of recombinant clotting factor for adults' Consent Form	<b>WITN3826009</b>
19 April 2004	Letter of Dr TT Yee to Mr Nabil Ishag, the Department of Special Needs Dentistry	<b>WITN38260010</b>
28 January 2010	Consultation Sheet, referring Mr Ward to the Department of Special Needs Dentistry	<b>WITN38260011</b>

Various	Excerpts from Mr Ward's Medical Notes, with accompanying letter of Dr Lee dated 6 November 1995	<b>WITN38260012</b>
Various	Correspondence between Mr Ward, the Haemophilia Centre and the Trust Department of Psychiatry/ the Trust Liaison Psychiatry Department	<b>WITN38260013</b>
19 August 2014	Correspondence between Stephen Evans, Trust Head of Complaints & PALS, and Janet Powell, Trust Complaints Manager	<b>WITN38260014</b>
25 May 2005	Mr Ward's Patient Information Sheet	<b>WITN38260015</b>