## IN THE HIGH COURT OF NEW ZEALAND WELLINGTON REGISTRY

CIV-2015-485-235

UNDER

The Declaratory Judgments Act 1908 and the

New Zealand Bill of Rights Act 1990

**BETWEEN** 

**LECRETIA SEALES** 

**Plaintiff** 

AND

ATTORNEY-GENERAL

Defendant

SECOND AFFIDAVIT OF

22 MAY 2015

oncologist, of Wellington, swear:

## Introduction

- I am a Consultant Oncologist with the Capital and Coast District Health 1. Board and have treated Lecretia Seales since 29 March 2011.
- I refer to my first affidavit dated 2 April 2015 which sets out details of my 2. background and experience. I reaffirm that I continue to comply with the Code of Conduct for Expert Witnesses.
- The purpose of this affidavit is to update the Court as to the progress of 3. Lecretia's illness.
- In my first affidavit my opinion was that Lecretia could expect to live for a 4. further period of between 3 and 18 months noting that there can be great variability between tumours in their behaviour and that this was also dependent on additional therapy directed at restraining tumour growth.
- At the time of my first affidavit Lecretia was about to commence intra-5. venous chemotherapy. One dose of that chemotherapy was administered but it was not continued as Lecretia's condition deteriorated shortly afterwards.
- I most recently saw Lecretia for an appointment on 18 May 2015. 6. Lecretia's condition has deteriorated further due to ongoing growth of the tumour. My assessment of Lecretia's illness is that the tumour is now causing increased pressure on her brain stem with further impairment in mobility, visual function and swallowing. Lecretia has elected to Despite this, my revised commence further oral chemotherapy. prognosis is that Lecretia could expect to live no more than weeks or a short number of months.
- 7. As set out in my first affidavit, I am also providing advice to Lecretia and her other professional carers in my capacity as a palliative care specialist. As previously explained, it is usually possible to secure good relief of symptoms such as pain and nausea and to suppress seizure activity. However, loss of physical and mental capacity, behavioural changes and psychological impacts can only be ameliorated to a minimal extent. While every effort will be made to assist Lecretia, the further impairment to Lecretia's mobility, visual function and swallowing can only be ameliorated to a minimal extent.
- When I saw Lecretia at the appointment on 18 May 2015, she was able to 8. understand and engage with me in relation to the issues we discussed.

**SWORN** at Wellington this 22 May 2015

before me:

A Solicitor of the High Court of New

Zealand

Watson

Les/ie Susan Leslie Watson Solicitor

WELLINGTON

Susan