Parent Observations During Child Hospital Admission Witness Statement

Educational sample 282 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE HIGH COURT AT MOMBASA

CIVIL SUIT NO [reference]

[PATIENT PLAINTIFF] v [HOSPITAL AND PRACTITIONER DEFENDANTS]

WITNESS STATEMENT

1. I am [parent witness]. My statement describes what I personally observed during [child patient] admission at [hospital]. I identify the relevant dates through [genuine records] and distinguish my recollection from later clinical information.

2. The admission concerned the child left arm. I was present when an intravenous line was inserted into the right wrist. My actual observations of pain, bleeding or reaction were [truthful detail]; I do not adopt an arterial diagnosis merely because it appears in a later report.

3. On [verified date and time], I reported pain at the infusion site to [staff member]. The response I saw was [actual action]. Any statement that a doctor was notified is confined to what I witnessed or was told by an identified person.

4. During the night I noticed [actual changes in hand movement, colour or temperature] and sought help at [time]. The notes at [pages] may differ from my memory. I identify that difference openly rather than altering my account to fit a preferred allegation.

5. The child was transferred for further care and later underwent amputation. My observations of daily care, recovery and practical limitations are [facts]. Medical necessity, causation and permanent incapacity are matters for the treating or qualified expert witnesses.

6. The documents I can authenticate are [letters, payments and records within my knowledge]. I do not claim to prove records authored by clinicians merely because I received copies. I will give truthful evidence and explain the limits of my personal recollection.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

Use the witness own truthful account, distinguish observed events from named information sources and identify bundle pages and authenticating witnesses. Follow the actual trial or succession witness directions. Additional evidence and statements require any applicable leave. An appeal ordinarily uses the admitted trial record; a new statement cannot be inserted without the proper procedure. Do not copy the source mother disputed recollection as established fact. The Court preferred contemporaneous clinical records on the cannulation chronology. Protect patient confidentiality in the actual evidence pack.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A child admitted with a left-arm ailment developed a vascular emergency in the right arm after intravenous treatment and later underwent amputation. The case continued after she reached adulthood. The Court distinguished disputed initial cannulation from the hospital failure to monitor, communicate and obtain medical review during an overnight deterioration.

The hospital alone was held 100% liable and ordered to pay Kshs 6,034,620: Kshs 4,500,000 for pain and amenities, Kshs 1,500,000 for loss of earning capacity and Kshs 34,620 special damages. The claims against the two doctors failed. Future care and future earnings were disallowed. The hospital was ordered to pay plaintiff costs and the taxed costs of the exonerated doctors.

Use the operative paragraphs 55–59 rather than the mirror summary labelled dismissed. Initial arterial cannulation was not proved; liability rested on monitoring and escalation failure and causation. Future medical expenses require specific pleading and proof; earning capacity is distinct from assumed future earnings. Invoices are not automatically proof of payment. Historic dates, adulthood, limitation, jurisdiction and any amendment require genuine procedural assessment.

[2026] KEHC 12838 (KLR) - 14 August 2026. Source decision: https://sheriahub.com/cases/ke/caselaw/mwarua-v-pandya-memorial-society-registered-trustees-2-others-2026-kehc-12838-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/mwarua-v-pandya-memorial-society-registered-trustees-2-others-2026-kehc-12838-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.