#### Form 1 Queensland

#### Oaths Act 1867

## **Statutory Declaration**

l,	[name]	[occupation]
of	f	,
		in the State of Queensland,
do s	o solemnly and sincerely declare that:	
1.	proceedings 2017/279308 or any of their rela	with the defendants or any one of them, in the Supreme Court ated entities in respect of a claim for damages for breast I premises located at Gold Coast, Bondi Junction or Parramatta by to you.]
2.	I have / have not* already received an amour damages in connection with my TCI BAS.	nt of compensation in full and final satisfaction of a claim for
	Update about my in	uries, disabilities and treatment
3.	I have / have not* suffered INJURIES AND CON are set out in ANNEXURE A. [Complete Annex	MPLICATIONS as a result of undergoing TCI BAS. My injuries rure A: Injuries and complications.]
4.	An up-to-date summary of my injuries and disab	lities, is as follows:
	Pas	t treatment
5.	I have / have not* undergone REVISION SU sustained as a result of my TCI BAS. [Explain.]	RGERIES or PROCEDURES in the past to address injuries

#### **Future treatment**

6. I do / do not\* require REVISION SURGERY or OTHER TREATMENT in the future because of injuries sustained as a result of my TCI BAS. [Explain.]

•	
•	No. Prostructural and a state of the state o
	Medication and other treatment
ŗ	have / have not* required MEDICATION in the past, to treat my injuries and disabilities (including asychiatric injuries) suffered as a result of my TCI BAS, not including any pain medication required during a two week post operative period. [Explain, including time periods medication required, and we courrently still being taken.]
•	
C	have / have not* undergone other NON-SURGICAL TREATMENT in the past, in respect of my injuried disabilities suffered as a result of my TCI BAS [such as chemotherapy, consultations with a pain manage specialist, physiotherapy, psychological treatment etc].
Ċ	Explain. For example, if you have seen your GP or specialist about pain, disfigurement, rupture, secontracture, ALCL, or any other physical injury or complication you have experienced, set out the treathere, including the name, specialisation and address of the doctors you had treatment with.]
	<b>am</b> / <b>am not*</b> <u>STILL</u> BEING TREATED / REQUIRE REGULAR MEDICATION in respect of my injuried disabilities (including any psychiatric injuries) suffered as a result of my TCI BAS. [If yes, complete: <b>Ann B</b> . Types of treatment includes chemotherapy, consultations with a pain management specialist, physiotherapy consultations with a pain management specialist, physiotherapy consultations with a pain management specialist, physiotherapy consultations.]
	Disabilities or functional effects
	I have / have not* suffered DISABILITIES OR FUNCTIONAL EFFECTS, as a result of the injuries I suffrom my TCI BAS, not including the normal two-week post-operative rehabilitation period. [Explain the your ability to function on a day-to-day basis and perform your activities of daily life has been affected, including your ability to lead a normal life, if relevant.] [If yes, complete: Annexure C: Activities of Daily Living.]

## Effects to my life

cted your work)]:	
 icare. [*Select whichever applies to you.]	·····
 icare. [*Select whichever applies to you.]  I HAVE used Medicare to pay for expenses to treat injuries related to my TCI BAS, such as imaging fees, specialist fees, or revision surgery fees.	······································
I HAVE used Medicare to pay for expenses to treat injuries related to my TCI BAS, such as	
I HAVE used Medicare to pay for expenses to treat injuries related to my TCI BAS, such as imaging fees, specialist fees, or revision surgery fees.  I understand that I may need to repay Medicare the amounts paid by Medicare to treat my TCI	

NDIS	S or other Government funding or supports received in connection with my TCI BAS.	
(a)	I <b>HAVE</b> received treatment benefits, funding or support in connection with the injuries sustained from my TCI BAS, from:	
	National Disability Insurance Scheme (NDIS).	
	Other State or Commonwealth Government organisation [list]:	
	I understand that I may have obligations to repay NDIS or other State or Commonwealth Government body for funding I may have received towards my TCI BAS treatment expenses, if I receive a compensation amount for injuries.	
	OR	
	I HAVE NOT received any NDIS, State or Commonwealth benefits, funding or support in	
(b)	connection with my TCI BAS injuries.	
	connection with my TCI BAS injuries.	
Priva	connection with my TCI BAS injuries.  Ite health insurance. [*Select whichever applies to you.]  I AM CURRENTLY, OR HAVE BEEN, AT ANY TIME FROM THE DATE OF MY TCI BAS, TO	
Priva	connection with my TCI BAS injuries.  Ite health insurance. [*Select whichever applies to you.]  I AM CURRENTLY, OR HAVE BEEN, AT ANY TIME FROM THE DATE OF MY TCI BAS, TO PRESENT, a member of a private health insurance fund for private health coverage:	
Priva	connection with my TCI BAS injuries.  Ite health insurance. [*Select whichever applies to you.]  I AM CURRENTLY, OR HAVE BEEN, AT ANY TIME FROM THE DATE OF MY TCI BAS, TO PRESENT, a member of a private health insurance fund for private health coverage:  Name of private health fund:	
Priva	connection with my TCI BAS injuries.  Ite health insurance. [*Select whichever applies to you.]  I AM CURRENTLY, OR HAVE BEEN, AT ANY TIME FROM THE DATE OF MY TCI BAS, TO PRESENT, a member of a private health insurance fund for private health coverage:  Name of private health fund:  Member number:	
Priva (a)	te health insurance. [*Select whichever applies to you.]  I AM CURRENTLY, OR HAVE BEEN, AT ANY TIME FROM THE DATE OF MY TCI BAS, TO PRESENT, a member of a private health insurance fund for private health coverage:  Name of private health fund:  Member number:  If yes:  I HAVE / HAVE NOT* received any benefits or funding, for any treatment in connection with my	
Priva (a)	connection with my TCI BAS injuries.  Ite health insurance. [*Select whichever applies to you.]  I AM CURRENTLY, OR HAVE BEEN, AT ANY TIME FROM THE DATE OF MY TCI BAS, TO PRESENT, a member of a private health insurance fund for private health coverage:  Name of private health fund:  Member number:  If yes:  I HAVE / HAVE NOT* received any benefits or funding, for any treatment in connection with my TCI BAS injuries, from my private health insurer. [Strike out whichever does not apply.]  I may have contractual obligations to repay my private health fund, for benefits I received towards	

- 15. I understand that the updated information provided in this statutory declaration and the attached annexures, supersedes the information that I have previously provided Turner Freeman Lawyers including by way of my (registration) questionnaire.
- 16. I understand that I have an obligation to act honestly and the information I have given in this statutory declaration including the information I have given at Annexures A, B and C, is true and correct.

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I declare that the contents of this statutory declaration are true and correct. Where the contents of this declaration are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and grounds for the belief.

I understand that it is a criminal offence to provide a false matter in a declaration, for example, the offence of perjury under section 123 of the Criminal Code.

#### I state that:

- A. This declaration was made in the form of an electronic document.\*
- B. This declaration was electronically signed.\*
- C. This declaration was made, signed and witnessed under part 6A of the Oaths Act 1867.\*

(\*delete whichever statements are not applicable)

Declared by				
Full name of declarant	Signature of declarant			
atPlace where declarant is located	 Date			

	v The Cosmetic Institute & Ors, NSW Supreme 6 - Settlement Distribution Scheme	Court			
In the pres	sence of:				
Full name	of witness	Signature of witness			
Type of wi	tness	Date			
Name of la	aw practice / witness' place of nt *				
* delete if no	t applicable				
For specia	al witnesses to complete – Tick as ap	pplicable			
	I am a <b>special witness</b> under the <i>Oat</i> (see section 12 of the Oaths Act 1867)	ths Act 1867.			
	This document was made in the form of an electronic document.				
	I electronically signed this document.				
	This statutory declaration was made, signed and witnessed under part 6A of the Oaths Act 1867 – I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.				

## **HOW THIS DOCUMENT WAS MADE**

Please attach this page to your statutory declaration

Note: Failure to complete this table does not invalidate the document

The signatory (declarant) or substitute signatory must complete this section

SIGNATORY / SUBSTITUTE SIGNATORY to complete					
Who signed this declaration?					
	the signatory (declarant)				
	a substitute signatory				
How did the	How did the signatory/substitute signatory sign?				
	on paper				
	electronically				
How was this declaration witnessed?					
	in person				
	over audio visual link				

The witness must complete this section

WITNESS to complete				
How did you (the witness) sign this document?				
	on paper			
	electronically			
What docu	ment did you (the witness) sign?			
	The same physical (paper) document that was signed in the presence of the signatory/substitute signatory			
	A copy of the document that was signed by the signatory/substitute signatory (eg a scanned copy of a paper signed document, a photocopy or printout)			
	A counterpart of the document (a copy of the document without the signature of the signatory/substitute signatory)			
What form	of document did you (the witness) sign?			
	paper			
	electronic (tick this if you electronically signed the document or if you physically signed a copy of the document signed by the signatory/substitute signatory and then sent a scanned copy of that document to the signatory or other person)			
How was the substitute signatory directed to sign (if applicable)?				

in person by the signatory
over audio visual link by the signatory

#### **ANNEXURE A**

## Injuries and complications suffered as a result of undergoing my TCI BAS

#### Instructions

- Provide details of any physical or psychological injuries you have suffered, below.
- > Being unhappy with the staff or service provided to you by TCl such as being rushed out after the surgery, is not a "complication" or "injury".
- Pain, discomfort, swelling or other issues normally experienced in the two-week post-operative recovery period, are not "complications" or "injuries".

#### **CURRENT SEVERITY OF SYMPTOMS**

If you were to spend the rest of your life with your symptoms just the way they are now, how would you feel about that?

0	1	2	3	4	5	6	7	8	9	10
	Plea	sed			Indiffere	nt		Т	errible	

Injuries / complications.	Reference guide / general explanation of complications	Suffered as a result my initial TCI BAS. Yes/No	Details, and whether injury is still suffered.
None.	I have not suffered any injuries or disabilities.	Only tick if you have not suffered any injuries as a result of your TCI BAS.	Not applicable.
Pain.	For example, breast, back, neck, chest, arm/s, generalised pain.	Yes □ No □	Still suffered? Yes  No  Brief details:  Location of pain:  How often do you experience pain on a weekly basis:

			Every day:   Some days:   Occasionally:   Other:  Pain Rating: Rate pain at its worst, in the last week out of 10, 10 being highest severity:
Discomfort.	General discomfort.	Yes □	Left breast: □ Right breast: □
		No □	Still suffered? Yes □ No □
			Brief details:
			Discomfort Rating: Rate discomfort at its worst, in the last week out of 10, 10 being highest severity:
			/ 10
Psychiatric effects.	Effects to mental health such as anxiety, distress, stress, PTSD, depression.	Yes □ No □	Still suffered? Yes  No  Brief details:  If you are suffering with a psychiatric/psychological condition, had you ever suffered these symptoms before you had breast implants? If yes, for what period of time?
			If you had previously suffered with a psychological/psychiatric condition, had you ever required treatment before the implants? If so, what treatment did you have? (eg. seeing your GP, psychologist, psychiatrist, and/or being prescribed medication) and for how long?

			If you had previously suffered with a psychological/psychiatric condition, for which you have required treatment before you had breast implants, provide the names, speciality and addresses of the doctor/s you had treatment with:
Poor aesthetic outcome.	Unsatisfactory appearance of breasts post-surgery and/or did not result in your desired outcome.	Yes □ No □	Still suffered? Yes □ No □  Brief details. If you are unhappy about your aesthetic outcome, explain what it is you are unhappy about:
Mal-positioning.	Implants placed too high, too low, too far laterally (to the side), uneven placement.  May cause double bubble deformity, if positioned too low, or the implant drops below the inframammary fold, or waterfall deformity if sitting too high.	Yes □ No □	Left breast:  Right breast:  Still suffered? Yes  No  Brief details:
Double Bubble.	Distinct bulges, or bubbles, are visible in the breast, typically one over the other. May occur, for example, if the implant is positioned too low.  Pec Muscle Breast Fold (pre-surgery) causing visible indurtation  New breast fold (post-surgery)	Yes □ No □	Left breast:  Right breast:  Still suffered? Yes  No  Brief details:
Waterfall deformity	Sagging appearance where the breast tissue	Yes □	Left breast: □ Right breast: □

(snoopy nose, or snoopy dog deformity).	seems to fall downwards and flow down over the implant, including with a downward facing or low nipple.  May be due to implant placement too high, unaddressed preexisting ptosis (sagging), performing a breast augmentation alone without a breast lift (mastopexy) if indicated.  May also be an inherent long-term complication of breast augmentation surgery.	No 🗆	Still suffered? Yes   Brief details:
Rupture.	Intracapsular rupture: where the implant ruptures and the fluid stays within the fibrous 'capsule' formed by the body around the implant. May eventually progress into an extracapsular rupture.  Extracapsular rupture: where the implant fluid leaks through the fibrous capsule the body has formed around the implant, spreading into the breast tissue and surrounding muscle.	Yes □ No □	Left implant:   Right implant:   Still suffered? Yes   No   Brief details:
Haemorrhage.	Excessive bleeding during or after the surgery.	Yes □ No □	Left breast:   Right breast:   Brief details:
Haematoma.	Internal collection of blood beneath the skin.	Yes □	Left breast: □ Right breast: □

			-
	Can make one breast appear larger than the other and create a bruise on the surface and be painful.  Haematoma may place you at higher risk of suffering capsular contracture.	No □	Details:
Seroma.	Accumulation of clear fluid in the breast. May need to be drained.	Yes □ No □	Left breast: ☐ Right breast: ☐  Still suffered? Yes ☐ No ☐  Brief details:
Infection.	Infection at the incision site, or inside the body, around the implant.  Can complicate wound healing, cause pain and affect scarring.	Yes   No	Location of infection:  Still suffered? Yes  No  Brief details:
Excessive scarring.	Thickened or hardened scars, excessively long or wide scars, unsightly or uneven stars etc.  Can be exacerbated by poor incision/technique, requirement for multiple revision surgeries, infection, etc.	Yes □  No □  Do not include normal scarring as may be expected from undergoing the initial TCI BAS.	Left breast:  Right breast:  Still suffered? Yes  No  Brief details:
Wound dehiscence.	Partial or total breakdown of wound, failure of the wound to close properly.	Yes □ No □	Left breast: ☐ Right breast: ☐  Still suffered? Yes ☐ No ☐  Brief details:

Capsular contracture.	The body naturally forms a "capsule" of scar tissue	Yes □	Left breast: ☐ Right breast: ☐
	around the implants.	No □	Still suffered? Yes □ No □
	Sometimes the capsule can become unusually		Brief details:
	hardened and contract around the implant. This		
	is called capsular contracture.		
	This can cause pain and also lead to other issues		
	such as distorted looking, tight, mishappen		
	breasts, poor aesthetic outcome, variations in		
	size and shape (asymmetry), deformity		
	and shifts in the position of the implant.		
Breast hardness.	Unusual firmness of the breast.	Yes □	Left breast: ☐ Right breast: ☐
naraness.	Can be a sign of capsular contracture.	No □	Still suffered? Yes □ No □
			Brief details:
Local anaesthetic	May occur when too much anaesthesia is	Yes □	Still suffered?
toxicity and/or complications	given.	No □	Yes □ No □
such as:			Brief details:
cardiac arrest;			
• seizures.			
Pneumothorax.	Air trapped between the lung and chest wall.	Yes □	Still suffered? Yes □ No □
	lung and onest wan.	No □	Brief details:

Breast implant illness ( <b>BII</b> ).	May be a wide range of symptoms such as: joint and muscle pain, hair loss, chronic fatigue, memory loss, rashes, gastrointestinal problems, headaches, anxiety, depression and concentration problems.	Yes □ No □	Still suffered? Yes  No  Brief details:
Inadequate pocket dissection.	The excavation of tissue and muscle to create the pocket where the	Yes □	Left breast: ☐ Right breast: ☐
diocociion.	implants are placed, is inadequate. The pocket	No □	Still suffered? Yes □ No □  Brief details:
	may be too big, too small, or mal-positioned.		
	May result in implant animation (implant		
	moves around if pocket too large), implant relocating laterally to the		
	side, implant sitting too high, too low or		
	asymmetrically (unevenly).		
Swelling / fluid build-up.	Accumulation of fluid in the breast area post-	Yes □	Left breast: ☐ Right breast: ☐
	surgery or on a long-term basis.	No □	Still suffered? Yes □ No □
			Brief details:
Asymmetry.	Uneven size, shape and/or position of	Yes □	Left breast: ☐ Right breast: ☐
	implants.	No □	Still suffered? Yes □ No □
	Can be related to implant malposition or capsular		Brief details:
	contracture, for example.		
Nerve damage.	Surgical error or poor technique may result in damage to nerves.	Yes □	Left breast: ☐ Right breast: ☐
	Can cause pain and	No □	Still suffered? Yes □ No □  Brief details:
	numbness.		Difer details.

Numbness.	Loss of sensation.	Yes □	Left breast: ☐ Right breast: ☐
		No □	Still suffered? Yes □ No □
			Brief details:
Headaches.	Self-explanatory.	Yes □	Still suffered? Yes □ No □
		No □	Brief details:
Sensitive nipples (or	Increased sensitivity or discomfort in the nipple	Yes □	Left breast: ☐ Right breast: ☐
hyperesthesia).	area.	No □	Still suffered? Yes □ No □
			Brief details:
Rippling.	Visible folds or waves on the skin, from the	Yes □	Left breast: ☐ Right breast: ☐
	the skin, from the implant.	No □	Still suffered? Yes □ No □
			Brief details:
Symmastia.	The breasts touch or sit too close together at the	Yes □	Still suffered? Yes □ No □
	centre of the chest, sometimes called 'uni-	No □	Brief details:
	boob'.		

	Can be caused by implant displacement, inadequate pocket dissection, incorrect placement.		
Breast implant associated	A rare type of cancer associated with textured	Yes □	Left breast: ☐ Right breast: ☐
anaplastic large- cell lymphoma	implants.	No □	Still suffered? Yes □ No □
(ALCL).	Allergan textured implants had a higher risk of developing BIA-	Only tick "Yes", if you have been	Brief details:
	ALCL than others on the market.	diagnosed with this condition by a	
	market.	doctor.	
	_	-	d that the information I have given in this statutory  1.2 of the Settlement Distribution Scheme).
Signature:	<del></del>		<del></del>
Name:	<del></del>		<del> </del>
Date:			

## **ANNEXURE B**

# My ongoing treatment including medication (if any)

#### Instructions

Provide details of any ongoing treatment including medication, below.				
A general description about my ongoing treatment, follows:				
		•		
ONGOING TREATMENT				
Pain Medication				
Are you <i>currently</i> taking any pain medication as a result of your breast augmentation surgery with TCI?		Yes		
If so, for how many years or months have you been taking the medication?		No		
What medication do you take? What dosage do you take?				
Did you have a pre-existing condition that required you to take pain medication prior to your breast augmentation surgery with TCI?		Yes No		
If yes, what medication did you take and what dosage?		INO		
	]			
If yes, please provide the name and address of the doctor who prescribed the medication.	]			
1	1			

#### **Other Medications**

Are you <i>currently</i> taking any medication to treat a psychological condition, infection or other complication you have suffered as a result of your breast augmentation surgery with TCI?	Yes
If so, for how many years or months have you been taking medication?	No
What medication do you take? What dosage do you take?	
Who prescribed the medication? Please provide the name & address of the doctor/s who prescribed it.	
Did you have a pre-existing condition that required you to take this other medication prior to your breast augmentation surgery with TCI?	Yes No
If yes, what medication did you take, and what dosage?	140
If yes, please provide the name and address of the doctor who prescribed the medication.	
Other Treatment	
Do you <i>currently</i> receive any other type of treatment as a result of your breast augmentation surgery with TCI. For example, chemotherapy, consultations with a pain management specialist, physiotherapy, psychological treatment etc?	Yes No
If yes, what type of treatment?	
How frequently do you receive this treatment?	
Who provides this treatment? Please provide the name and address of the doctor/s who provides it.	
I understand that I have an obligation to act honestly and am satisfied that the information I have given in the declaration including this <b>Annexure B</b> , is true and correct (clause 11.2 of the Settlement Distribution Sch	_
Signature:	
Name:	
Date:	

#### **ANNEXURE C**

### **Activities of daily living**

#### Instructions

- Some women find that complications from breast augmentation surgery, affect their activities of daily living.
- For each question, check the response that best describes how much your activities have been affected by the complications you have suffered. Please tick the box that best describes the impact of the complications over the last three months. Please make sure you mark an answer in all three columns for each question.

	How do symptoms or conditions affect your:	
(a)	Ability to do household chores (cooking, laundry, house cleaning)?	Not at all
		Somewhat
		Moderately
		Quite a bit
(b)	Ability to do physical activities such as sports, hobbies, recreational activities, walking, swimming, or other exercise?	Not at all
		Somewhat
		Moderately
		Quite a bit
(c)	Ability to travel by car or bus for a distance greater than 30 minutes away from home?	Not at all
		Somewhat
		Moderately
		Quite a bit
(d)	Participating in social activities outside your home?	Not at all
		Somewhat
		Moderately
		Quite a bit
(e)	Emotional health (nervousness, depression, etc.)?	Not at all
		Somewhat
		Moderately
		Quite a bit

I understand that I have an ob	oligation to act honestly and am satisfied that the information I have given in this statutory
declaration including this An	<b>nexure C</b> , is true and correct (clause 11.2 of the Settlement Distribution Scheme).
Signature:	
Name:	
Date:	

For instructions on who can witness your statutory declaration, visit the Queensland Government (Justice and Attorney-General) Fact Sheet, here:

Fact Sheet: Who can witness a statutory declaration in Queensland

or:

https://www.publications.qld.gov.au/dataset/statutory-declaration/resource/41796e8e-67ae-4f9a-b39b-8c94d2053301?inner\_span=True