

Ms Catherine Rogers  
Departmental Solicitors Office  
2nd Floor  
Centre House  
Chichester Street  
BELFAST  
BT1 4JE

Your Ref: LIT 477/08/B5/CR

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Ms Rogers,

**Re Your Client(s): DHSSPS  
Re Terms of Reference**

You will recall that on 10<sup>th</sup> June 2009 I circulated a paper on different interpretations of the Terms of Reference as amended by the Minister in November 2008. The responses of the various parties were forwarded to the Minister on 22 July with further papers going to him on 24 September and 17 November. On 4 December the Minister replied: a copy of his letter is attached but the critical paragraph is:

"I am now in receipt of legal advice and after careful consideration have decided that it would be inappropriate for me to proffer any views on the interpretation of the terms of reference as revised last year."

Against that background I have considered what approach to take. My decision is that I shall take the option set out at paragraph 7(b) of the June 2009 paper. This means that there will be an investigation into the events which followed the death of Lucy Crawford such as the failure to identify the correct cause of death and the alleged Sperrin Lakeland cover-up because they contributed, arguably, to the death of Raychel Ferguson in Altnagelvin.

As a result of this decision the current list of issues will have to be amended. A revised list of issues will be issued for comment by the end of this month.

Yours Sincerely

*John O'Hara*

John O'Hara

**Secretary:** Raymond Little **Deputy Secretary:** Bernie Conlon  
Arthur House, 41 Arthur Street, Belfast, BT1 4GB

**Email:** [inquiry@ihrdni.org](mailto:inquiry@ihrdni.org) **Website:** [www.ihrdni.org](http://www.ihrdni.org) **Tel:** 028 9044 6340 **Fax:** 028 9044 6341

Ms Wendy Beggs  
Directorate of Legal Services  
2 Franklin Street  
BELFAST  
BT2 8DQ

Your Ref: NSCB04/1  
NCSW50/1  
NCSS71/1

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Ms Beggs,

**Re Your Client(s):**

- 1. Belfast Health & Social Care Trust**
- 2. Southern Health & Social Care Trust**
- 3. Western Health & Social Care Trust**
- 4. Health & Social Care Board**

**Re Terms of Reference**

You will recall that on 10<sup>th</sup> June 2009 I circulated a paper on different interpretations of the Terms of Reference as amended by the Minister in November 2008. The responses of the various parties were forwarded to the Minister on 22 July with further papers going to him on 24 September and 17 November. On 4 December the Minister replied: a copy of his letter is attached but the critical paragraph is:

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Arthur House, 41 Arthur Street, Belfast, BT1 4GB

**Email:** inquiry@ihrdni.org **Website:** www.ihrdni.org **Tel:** 028 9044 6340 **Fax:** 028 9044 6341

Mr Nigel Barr  
Ferguson & Co  
Scottish Amicable House  
11 Donegal Square South  
BELFAST  
BT1 5JE

Your Ref: NB/AN/R0298.002

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Mr Barr,

**Re Your Client(s): Mr & Mrs A Roberts  
Re Terms of Reference**

You will recall that on 10<sup>th</sup> June 2009 I circulated a paper on different interpretations of the Terms of Reference as amended by the Minister in November 2008. The responses of the various parties were forwarded to the Minister on 22 July with further papers going to him on 24 September and 17 November. On 4 December the Minister replied: a copy of his letter is attached but the critical paragraph is:

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Ms Amanada Wylie  
Arthur Cox Northern Ireland  
Capital House  
3 Upper Queen Street  
BELFAST  
BT1 6PU

Your Ref: AW/JK/651.13

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Ms Wylie,

**Re Your Client(s): Jarlath O'Donohoe  
Re Terms of Reference**

You will recall that on 10<sup>th</sup> June 2009 I circulated a paper on different interpretations of the Terms of Reference as amended by the Minister in November 2008. The responses of the various parties were forwarded to the Minister on 22 July with further papers going to him on 24 September and 17 November. On 4 December the Minister replied: a copy of his letter is attached but the critical paragraph is:

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Arthur House, 41 Arthur Street, Belfast, BT1 4GB

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Ms Louise Craig  
McKinty & Wright  
5-7 Upper Queen Street  
BELFAST  
BT1 6FS

Your Ref:

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Ms Craig,

**Re Your Client(s):** 1. Dr Ian Carson  
2. Dr D Hanrahan  
3. Dr T Anderson

**Re Terms of Reference**

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Arthur House, 41 Arthur Street, Belfast, BT1 4GB

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Ms Rosemary Copeland  
Thompsons McClure  
Solicitors  
Victoria Chambers  
171 Victoria Street  
BELFAST  
BT1 4HS

Your Ref:  
RC/CMCC/1059090001/J05M0098

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Ms Copeland,

**Re Your Client(s): Brid Swift  
Re Terms of Reference**

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Mr Fintan Canavan  
Jones & Company Solicitors  
4th Floor  
The Potthouse  
1 Hill Street  
BELFAST  
BT1 6JF

Your Ref: FJC/JK/3985

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Mr Canavan,

**Re Your Client(s): Ms Joanna Mitchell  
Re Terms of Reference**

You will recall that on 10<sup>th</sup> June 2009 I circulated a paper on different interpretations of the Terms of Reference as amended by the Minister in November 2008. The responses of the various parties were forwarded to the Minister on 22 July with further papers going to him on 24 September and 17 November. On 4 December the Minister replied: a copy of his letter is attached but the critical paragraph is:

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Mr Des Doherty  
Desmond J Doherty & Co  
Solicitors  
Clarendon Chambers  
7 Clarendon Street  
LONDONDERRY  
BT48 7EP

Your Ref: DJD/NH/8/FER/0028

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Mr Doherty,

**Re Your Client(s): Mr & Mrs Ferguson  
Re Terms of Reference**

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Mr Alastair Wilson  
Tughan Solicitors  
Marlborough House  
30 Victoria Street  
BELFAST  
BT1 3GS

Your Ref: AFA/AYN/EH/5MD28081

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Mr Wilson,

**Re Your Client(s): Dr H Campbell  
Re Terms of Reference**

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Mr Roger McMillan  
Carson McDowell Solicitors  
Murray House  
Murray Street  
BELFAST  
BT1 6DN

Your Ref:

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Mr McMillan,

**Re Your Client(s): Dr John Jenkins  
Re Terms of Reference**

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Mr David Hunter  
Hunter Associates  
7 Old Court Market  
Castlerock Road  
COLERAINE  
BT51 3GZ

Your Ref: DH/AS/211

Our Ref: JOH-0056-10

Date: 4<sup>th</sup> February 2010

Dear Mr Hunter,

**Re Your Client(s): Mr & Mrs Slavin  
Re Terms of Reference**

You will recall that on 10<sup>th</sup> June 2009 I circulated a paper on different interpretations of the Terms of Reference as amended by the Minister in November 2008. The responses of the various parties were forwarded to the Minister on 22 July with further papers going to him on 24 September and 17 November. On 4 December the Minister replied: a copy of his letter is attached but the critical paragraph is:

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FROM THE MINISTER FOR HEALTH,  
SOCIAL SERVICES AND PUBLIC SAFETY  
Michael McGimpsey MLA



Department of  
**Health, Social Services  
and Public Safety**

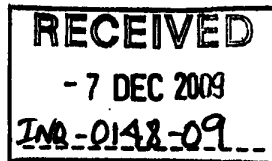
[www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk)

AN ROINN

Sláinte, Seirbhísí Sóisialta  
agus Sábháilteachta Poiblí

MINISTRE O

Poustie, Resydënter Heisin  
an Fowk Siccar



Mr John O'Hara QC  
Chair  
Independent Inquiry into Hyponatraemia-related Deaths  
Arthur House  
41 Arthur Street  
BELFAST  
BT1 4GB

Castle Buildings  
Stormont Estate  
BELFAST BT4 3SQ

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

4<sup>th</sup> December 2009

*John L. O'Hara,*

Thank you for your letter and enclosures of 22 July 2009, 24 September 2009 and 17 November 2009 regarding the interpretation of the Inquiry's Terms of Reference.

I am now in receipt of legal advice and after careful consideration have decided that it would be inappropriate for me to proffer any views on the interpretation of the Terms of Reference as revised last year.

In saying this, I am mindful of the independence of the Inquiry and the fact that your investigation may extend to officials, past and present, of my Department.

*Yours Sincerely,*

**Michael McGimpsey MLA**  
Minister for Health, Social Services and Public Safety



DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY