

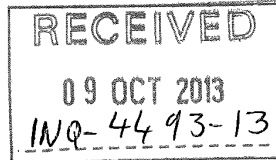
2 Franklin Street, Belfast, BT2 8DQ  
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Your Ref:  
JOH-0413-13

Our Ref:  
HYP/S071/01

Date:  
9<sup>th</sup> October 2013

Mr Justice O'Hara  
Chairman of the Inquiry  
Arthur House  
41 Arthur Street  
Belfast  
BT1 4GB



Dear Sir,

**RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS-CONOR MITCHELL**

I refer to your letter of 4<sup>th</sup> October 2013. The Southern Health and Social Care Trust has been advised of your concerns and your perception of the Trust's level of co-operation in relation to the provision of information and would like to assure you that it is fully committed to engaging constructively with the Inquiry.

With regard to Mrs Conlon's letter (BC-0204-13) you will note that this information request was made to the Trust on Friday 4<sup>th</sup> July 2013 immediately prior to the July holiday period with a response date of the 29<sup>th</sup> July 2013. Due to the timing of this request, the Trust experienced considerable difficulty in making contact with individuals within the Trust in order to take instructions. A number of individuals who were key to the provision of information/documentation regarding this request were on leave during this period, on occasion that leave overlapped making it difficult to verify information. These difficulties were further exacerbated by issues relating to the retrieval of historical documentation.

The Trust provided instructions to us on the 16<sup>th</sup> August 2013 and the final response, which was approved by the Trust and provided to the Inquiry on 28<sup>th</sup> August 2013, was based on the information available to the Trust at that time. The Trust very much regrets that it was unable to supply the information sought in satisfactory detail due, largely, to circumstances beyond its control.

The Trust did not approach Dr Humphrey on its initial receipt of the letter of the 4<sup>th</sup> July as its objective at that point had been to provide the Inquiry with the information it sought regarding the group of clinicians referred to in this communication. The Trust was very much focused at that time on sourcing the information/documentation sought directly from those individuals who had taken the guidance forward within the Trust. You will appreciate that due to the difficulties

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referred to above the information provided to the Inquiry took a considerable length of time to obtain and the Trust experienced some difficulty in verifying the information within the letter.

Please note that when issued with the witness statement the Trust was unable to locate Dr Humphrey and her address was sought from the GMC, this information was received on 5<sup>th</sup> September 2013. There was then a delay in issuing the statement to Dr Humphrey which related to communications between Dr Humphrey and the Trust. On 24<sup>th</sup> September 2013 an extension was sought regarding Dr Humphrey's statement until 7<sup>th</sup> October 2013. Following further communication with the Inquiry Dr Humphrey's statement was submitted on 8<sup>th</sup> October 2013.

With regard to your comments relating to the submission of the statements of Mr Mone, Ms Foy, Mr Templeton and Dr McCaughey, I can confirm that the statement requests for Dr McCaughey and Mr Templeton were issued by the Inquiry at approximately 5 pm on 24<sup>th</sup> September, with a submission date of 4<sup>th</sup> October 2013. Dr McCaughey's completed statement was furnished to the Inquiry on 2<sup>nd</sup> October 2013. I understand that the Inquiry has been kept fully informed of our and the Trust's efforts to contact Mr Templeton, who no longer works for the Trust, and that Mr Templeton contacted the Chief Executive of the Trust on Sunday 6<sup>th</sup> October 2013 having been out of country since 26<sup>th</sup> September 2013. Given that Mr Templeton only became aware of the Inquiry's witness statement request on Sunday it would not have been possible for him to comply with the original deadline of 4<sup>th</sup> October 2013 and an extension until 10<sup>th</sup> October 2013 has been granted. The witness statement requests regarding Mr Mone and Ms Foy were issued on 27<sup>th</sup> September 2013 with a submission date of 7<sup>th</sup> October 2013. Mr Mone's statement was submitted to the Inquiry on 7<sup>th</sup> October 2013. Again the Inquiry has been fully informed of the efforts made by the Trust to make contact with Ms Foy who was not residing at her usual address and therefore did not receive the Trust's correspondence. The Inquiry has been advised that Ms Foy has now been in contact with the Trust and received her witness statement request on the 6<sup>th</sup> October 2013. An extension regarding the submission of Ms Foy's witness statement was granted until 9<sup>th</sup> October 2013.

You will appreciate that the Trust has made strenuous efforts to ensure that witness statement requests were issued to the individuals concerned without delay and also to locate witnesses who were no longer employed by it. In particular, I am sure that you are aware, a member of staff from the Trust attended on more than one occasion at an address held for an individual in an attempt to make contact with that individual and/or verify the correct address. You will appreciate that locating witnesses who are no longer employed by the Trust is an extremely time consuming task.

The Chief Executive of the Southern Health and Social Care Trust has asked that I assure you that it is fully committed to co-operating with the Inquiry and has asked that you are advised that staff within the Trust have been consistently working beyond their contracted hours in

order to provide the information/documentation sought by the Inquiry. The Trust appreciates that the Inquiry is working within a very tight timescale and in no way wishes to inconvenience the Inquiry or delay the conclusion of this part of the Inquiry's investigations. However you will appreciate that the Inquiry's substantive requests for information, in this section of the hearing, commenced on 4<sup>th</sup> July 2013, during the holiday period, less than 3 months from the date on which the oral hearings were due to commence. Therefore the Southern Trust has had much shorter period of time, than was afforded to other Trusts, within which to provide substantial information to the Inquiry.

Furthermore a number of additional information requests have been issued throughout September and October and the Trust has been asked to respond to these requests within increasingly shorter periods of time. Most recently Ms Dillon's letter of 8<sup>th</sup> October 2013 seeks a response by 9<sup>th</sup> October 2013. The Trust is working to comply with this request and ensure that it is providing accurate information within the tight timeframe. The Trust apologises that despite extensive searches and due to the constraints of historical information it has not been able to produce any additional documentation other than that already provided to the Inquiry. However, it would like to stress that staff are fully committed to providing information and documentation to the Inquiry and they are doing so to the best of their ability within the timescales provided by the Inquiry.

The Trust fully accepts your assessment of the documentation provided by it. The Trust is continuing to search for and make enquiries regarding any documentation sought by the Inquiry and in the event that any such documentation is located then it will be furnished to you immediately.

The Trust is fully committed to co-operating with the Inquiry and where possible has taken steps to proactively seek information/documentation. However it is important to acknowledge that the Trust is at present processing the Inquiry's extensive additional information requests as well as providing adequate support to witnesses, e.g. provision of information, administrative support etc., to ensure inquiry deadlines are met within very limited timescales.

Yours faithfully



Wendy Beggs  
Assistant Chief Legal Adviser