

Witness Statement Ref. No.

109/1

**NAME OF CHILD: Adam Strain**

**Name: Brian Francis McLaughlin**

**Title: Chief MTO**

**Present position and institution: Chief MTO ACCTSS Belfast HSC Trust**

**Previous position and institution:**

*[As at the time of the child's death] MTO 4 Cardiac Surgical Unit Royal Victoria Hospital*

**Membership of Advisory Panels and Committees:**

*[Identify by date and title all of those between January 1995-December 2010]*

*Medical Devices Committee Royal Victoria Hospital*

**Other Statements, Depositions and Reports:**

*[Identify by date and title all of those between January 1995-December 2010]*

**OFFICIAL USE:**

**List of previous statement, depositions and reports attached (\*):**

<b>Ref:</b>	<b>Date:</b>	
093-028	02.05.06	PSNI Witness Statement

**IMPORTANT INSTRUCTIONS FOR ANSWERING:**

Please attach additional sheets if more space is required. Please identify clearly any document to which you refer or rely upon for your answer. If the document has an Inquiry reference number, e.g. Ref: 049-001-001 which is 'Chart No.1 Old Notes', then please provide that number. If the document does not have such a number then please provide a copy of the document.

**I QUERIES ARISING OUT OF YOUR PSNI STATEMENT**

With reference to your PSNI statement dated 2<sup>nd</sup> May 2006 (Ref: 093-028-075), please provide clarification and/or further information in respect of the following:

- (1) *"I assisted Mr Jim Wilson in the inspection of equipment. At that time I was Medical Technical Officer 4, in charge of the MTOs for Cardiac, Surgical, Intensive Care and Theatres. Dr. Murnaghan requested Mr. Wilson to examine the procedures and functions of the anaesthetic based equipment, the anaesthetic, temperature control and monitoring equipment in an RBHSC theatre."* (Ref: 093-028-075)

- (a) Explain the purpose of the *"inspection of equipment"*

I was asked by Mr Wilson to assist in checking equipment in an RBHSC theatre, to assess the condition and the daily checking procedures. I was unaware that I was investigating a specific incident.

- (b) Describe the preparation you made for your *"inspection of equipment"* including what queries you made about the equipment in the operating theatre, identifying those to whom you made them and stating the response that you received

The checking of the equipment was carried out on a Saturday and there was no one from RBHSC staff present when the equipment was looked at. The preparations on the day were to go through the normal checking procedures using a test lung, a Wright's respirometer and an independent FiO2 analyser to assess if the equipment passed without problems and to look at the daily check book to see that it was routinely completed which it was by the technical staff. After the checks we were informed by Mr Ryan ( Chief MTO RBHSC) that the monitor had been sent for repair recently for a screen fault.

- (c) State any information provided to you in respect of the *"inspection of equipment"*, when it was provided and by whom

Information received was as in section (b) answer.

- (d) State whether you knew or inquired into whether any checks had been carried out on the theatre equipment immediately prior to Adam's transplant surgery

As previously stated the check list had been completed throughout a lengthy period of time as a daily routine and this is what was identified in the report.

(e) If you did not know whether any such checks had been carried out and did not make any inquiries, state your reasons for not having done so

Answer as per section (d)

(f) If you did know about such checks state whether you contacted the technician(s) concerned and if so:

- Identify the technician(s)
- State when you contacted the technician(s), what you discussed and what information you received

Answer as per section (d)

(g) If you did not contact the technician(s) concerned, give your reasons for not having done so

Not applicable

(h) Identify all persons present during your and Mr. Wilson's "inspection of the equipment" and state: the reasons for each person's presence, the length of time during which they were present and what you were doing during that time.

No other members of staff were present.

(2) "...we also highlighted that another Siemens monitor was out for repair in relation [sic] a new display screen. I would state that I did not know the reason for our examination of the equipment related to an operation on 27<sup>th</sup> November 1995 and therefore I cannot say with certainty that the Siemens Monitor which we examined was actually the monitor used on 27<sup>th</sup> November 1995 in an operation on Adam Strain." (Ref: 093-028-076)

(a) State when you first discovered that the "... Siemens Patient Monitor, Model 1281, Serial No. ..." which had gone "out for repair" and was not in the operating theatre for inspection was the monitor used during Adam's transplant surgery.

I was unaware that I was investigating a specific incident and only knew that the monitor in this theatre had potentially been changed for repair after our discussion with Mr Ryan.

(b) State what further action you took in relation to that monitor.

The service record had been checked by Mr Wilson at a later time and I was shown this. It indicated that the monitor had the screen replaced as it was faulty. This would have rendered the machine unusable.

(3) "I prepared with Mr. Wilson a report on our examination. I have been shown a copy of this report by D/Sergeant Cross, today, marked WRC70. This was signed by Mr. Wilson and I concur with the content of that report." (Ref: 093-028-075) and "The Lamtec log book was examined and found to be signed daily prior to the commencement of the days list by the MTO after all safety and function checks were carried out satisfactorily. The anaesthetist using the machine is also expected to sign the log before commencing the list but this does not happen on most occasions. A

*reason for this omission should be requested... Finally it must be emphasised that the protocols and monitoring procedures set up within the RBHSC's Theatres, for more than 2 years...."* (Report at Ref: 011-004-014).

- (a) State whether Dr. Robert Taylor signed the Lamtec log book in relation to 27<sup>th</sup> November 1995

I cannot confirm or deny this as I was not looking for a specific incident during this investigation

- (b) State on what basis *"the anaesthetist using the machine"* was *"also expected to sign the log before commencing the list"*

There was no Trust protocol or policy for the anaesthetist to sign the log book. The observation that the anaesthetist was also expected to sign was surmised on the fact that a column existed for the Anaesthetist to sign and no other reason. I cannot confirm if it was the usual practice.

- (c) Identify *"the protocols and monitoring procedures set up within the RBHSC's Theatres, for more than 2 years..."*

This was the checklist for equipment which was identified in the equipment log book at that time and had been in place for greater than two years as logged in the book. This was the observation that Mr Wilson and I made in the report.

- (d) State whether a reason for *"this omission"* was *"requested"*, and if so, state by whom, when and what was the response.

No request was made

- (e) State whether there has been any change since 2<sup>nd</sup> December 1995 in *"this omission"*, that is *"the anaesthetist using the machine"* not *"sign[ing] the log before commencing the list"*, and if so, state the nature and date of and reasons for the change.

I do not know if any changes have been made since. I am currently the Chief MTO for the Adult areas and not Paediatric areas but within the adult areas it is not current practice for Anaesthetists to sign the log book.

## II ADDITIONAL INFORMATION

- (4) Identify any 'Protocols' and/or 'Guidelines' which governed your conduct in relation to the equipment used for Adam's renal transplant surgery

None

- (5) Provide any further points and comments that you wish to make, together with any documents, in relation to:

(a) Equipment in the operating theatre that was used for Adam's transplant surgery of the period 26<sup>th</sup> November 1995 when he was admitted to 29<sup>th</sup> November 1995 when the Siemens Patient Monitor was removed for repair

(b) Maintenance and other Record keeping

(c) Any other relevant matter

(d) Lessons learned

As I stated to D/Sgt Cross on the 2<sup>nd</sup> May 2006 I could not understand how any of the inspection of equipment that I checked was relevant as none of this equipment was directly related to fluid balance or type of fluids given.

In relation to the equipment itself the machines then were much cruder than the current generation of devices used which now have more self diagnostic routines built into them. In fact most current anaesthetic machines now in operation go through a full check list electronically before use, when switched on.

### III DECLARATION OF INTEREST

(6) Confirm that you have completed and signed the attached 'Declaration of Interest'

THIS STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF

Signed: *Diana M. Langley*

Dated: *18/4/11*

DECLARATION OF INTEREST FORM

TO Solicitor to the Inquiry

FROM *Brian McLaughlin*

I confirm that I have read the list set out below and have marked on the attached sheet those individuals with whom and (where those individuals represent an organisation, firm or government department) that organisation, firm or government department with which I declare an interest:

I confirm that: (please delete as appropriate)

a) I have disclosed on an attached sheet the existence and particulars of any personal or professional interest that I have had with the following individuals and organisations:

Dr. Maurice Savage  
Dr. Mary O'Connor  
Dr. Robert Taylor  
Dr. Terence Montague  
Mr. Patrick Keane  
Mr. Stephen Brown

The RBHSC and its administrators and management, including Dr. G. A Murnaghan, Dr. J. Gaston, Dr. S. McKaigue, Dr. P.M. Crean  
Belfast Health and Social Services Care Trust formerly the Royal Group of Hospitals and Dental Hospital Health and Social Services Trust

"Professional interest" includes contact through collaboration on research, other investigations and committee work.

b) I have no such interest to declare

I acknowledge that I am under a continuing duty to declare any personal or professional interest with those listed above that may arise hereafter.

SIGNED: *Brian McLaughlin*

DATE : *12/4/11*