

Witness Statement Ref. No.

293/3

NAME OF CHILD: RAYCHEL FERGUSON (LUCY CRAWFORD)

Name: Hugh Mills

Title: Mr

Present position and institution: Chief Executive, Independent Health and Care Providers

Membership of Advisory Panels and Committees:

[Identify by date and title all of those between January 2000 - February 2013]

Previous Statements, Depositions and Reports:

[Identify by date and title all those made in relation to the child's death]

OFFICIAL USE:

List of previous statements, depositions and reports:

Ref:	Date:	
116-049 - 052	07/04/2005	Interview by PSNI
WS-293/1	16/11/2012	Inquiry Witness Statement
WS-293/2	11/3/2013	Supplemental Inquiry 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 an Inquiry reference number, then please provide a copy of the document attached to your statement.

- (1) Mr Tom Frawley, former General Manager of the Western Health and Social Services Board (WHSSB) has told the Inquiry that "I would have expected the Trust to notify the DHSSPS of an 'untoward death' such as that of Lucy Crawford because the Trust's line of accountability was to the DHSSPS". Arising from this please answer the following:

- (a) Do you agree that (in the year 2000) the Trust's "line of accountability" was to the DHSSPS? Please give reasons for your answer.

Yes the Trust's line of accountability is to the Department. This is set out in legislation. (Health and Personal Social Services (NI) Order 1991)

- (b) You have told the Inquiry (WS-293/1 answer to question 11) that you did not inform the DHSSPS that a review of Lucy's death was taking place because "it was not suggested by others or considered by myself". Did Mr Frawley (or any other officer of the WHSSB) at any stage make you aware of his expectation that the Trust would notify the DHSSPS of an untoward death such as that of Lucy Crawford?

No.

- (2) Dr William McConnell, former Director of Public Health in the WHSSB has informed the Inquiry that "Following the creation of Trusts throughout Northern Ireland in the 1990s, a mechanism was developed within DHSSPS, through the Permanent Secretary's office /department, for direct managerial responsibility to be handled through that line of management. Trust Chief Executives reported individually and collectively through regular meetings to a Senior Officer within the PS's department on issues within their Trusts. Any major event, such as Lucy's death, might have been considered relevant to report within that line of management." Arising from this, please answer the following:

- (a) Was there, in the period 2000-2002, or any part of that period, an arrangement, whether as described by Dr McConnell or otherwise, whereby you, as Chief Executive of Sperrin Lakeland Trust, reported to an official or officials of the Department of Health Social Services and Public Safety (DHSSPS) on issues within the Trust.

There were periodic meetings with officials from the DHSSPS. There was no single person and there were no regular meetings.

Collectively the Chief Executives meet the Permanent Secretary and senior officials within the Chief Executives Forum. I do not recall when this Forum commenced.

- (b) If there was such an arrangement please describe the arrangement and state-

- (i) To whom did you report?

Mr Clive Gowdy, Permanent Secretary

- (ii) How often did you report?

There was no set pattern of regular meetings

- (iii) Did you report in writing or verbally?

Verbally

- (iv) Where did such report take place?

During visits to the Trust or in the Department

- (v) Describe the sorts of matters which you reported.

Usually matters of a strategic nature. The main issue the Trust was involved with at this time was the decision on the location of the new hospital for the South West and how services would be maintained in the meantime.

- (3) Dr McConnell has also told the Inquiry: *"In the information provided by the Director of Acute Services of S/L Trust, Mr Eugene Fee and by the Trust's Chief Executive Mr Hugh Mills, I believed that Lucy's death had been notified to DHSSPS...", that this was "In the days immediately following Lucy's death" and that it was notified "in a telephone communication between the C.Ex. of S/L Trust and senior DHSSPS staff" and that "the fact of Lucy's death and the related actions of the S/L Trust to investigate it would have been the issues covered."*

Arising from this please answer the following;

- (a) Did you inform anyone in the DHSSPS about Lucy's death in the period between 2000 and 2002?

No. Note document 036a-046-099. This provided Dr McConnell with information on the circumstances and the approach being taken in the period following Lucy's death. There is no reference to the Trust advising the DHSSPS in this letter.

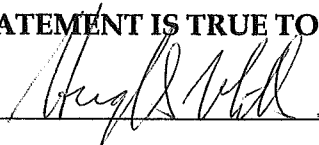
I am uncertain as to when the Department were made aware of Lucy's death. This may have followed the information received by Dr Kelly on the death of Rachel Ferguson in 2001 and may have been prior to 2002.

If so -

- (i) Identify the person(s) whom you informed of Lucy's death;
- (ii) State when you provided the information;
- (iii) State fully what information you provided;
- (iv) State fully what, if any, advice or instructions you received.

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

Signed:

A handwritten signature in black ink, appearing to read "Hugh D. Bell".

Dated:

8th April 2013