

Young, Christine

From: patriciaquinn [REDACTED]
Sent: 08 June 2004 15:51
To: colm.shannon [REDACTED]
Subject: Coroner's Inquest queries to the Court Service



Trevor Birney_.doc

<<...OLE_Obj...>>

Hi Colm,

Jill has asked me to send you through the information we have gathered on the questions asked and the responses given in the Crawford Inquest.

I have attached the break down for your information.

If you need anything else please contact me on [REDACTED].

Patricia Quinn
Marketing and Communications Manager

<<Trevor Birney_.doc>>

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DHSSPS-C Gowdy

001-069-241

Media Enquiries from UTV

1. 11 March 2004

From Ferghal McKinney

Q. UTV is proposing a discussion programme around medical accountability and plans to broadcast it next Thursday evening. We are looking at two cases in the recent past involving the deaths of two young girls Raychel Ferguson and Lucy Crawford. The inquest into the latter case was held in February and some conclusions about possibly preventing Raychel's death were drawn there. In both cases the doctors involved didn't give direct evidence in the Coroner's court hearing and I would be keen to talk to the Coroner (Mr Leckey) at first on the phone to tease out some of the issues around that. Essentially I would like to talk to the Coroner about any concerns he may have that key witnesses, in these cases doctors, to a particular death can opt out of his process. Does he believe something should be done about that.... is he constrained by legal considerations.

R. Ferghal McKinney was advised that the Coroner was not available for interview and the Court Service issued a detailed statement prepared by Mrs McAlpine **Flag A.**

2. 26 March 2004

From Trevor Birney

Q. I wish to formally request an off-the-record briefing with Mr John Leckey. We are considering how to further examine some of the issues that Mr Leckey identified in his findings and would deeply appreciate the opportunity to discuss those with him. We do this in the full understanding that it would be a strictly off-the-record discussion.

R. Trevor Birney was advised that members of the judiciary did not give off the record briefings, he was also advised he could put his questions in writing.

3. 31 March 2004

Q. Trevor Birney advised that the Crawford family had contacted the Office of the Coroner, John Leckey the morning after the UTV programme on this subject was broadcast (TV broadcast 18 March 2004. Transcript at **Flag B**). They have reported that the Coroner found some of the comments made by Dr. Campbell "worrying". Can you confirm that this is an accurate report of how the Coroner viewed what Dr. Campbell had to say?

R. Trevor Birney was advised that the Coroner hadn't spoken to the family or their solicitors and that he was in England on the Friday in question.

31 March 2004

Q. Trevor Birney advised that the Crawford Family had spoken to someone in the Coroner's Office on Friday and he (Trevor Birney) did not feel that they would make their statement up. He wanted to confirm if the Coroner was at all worried about the statements made by the Chief Medical Officer Dr Campbell in the programme. Trevor Birney stated that the Chief Medical Officer's comments were completely at odds with Mr Leckey's findings.

R. Trevor Birney was advised that it is inappropriate for the Court Service or a member of the judiciary to comment on a judicial decision in a specific case. (Response provided by Division 2).

31 March 2004

Q. He asked then why had Mr Leckey sent a tape of the programme to Ted Sumner the Specialist involved in the case. He also stated this issue is still on their agenda.

R. Trevor Birney was advised that the reason the tape was sent was for information purposes only.

4. 23 April 2004

Q. Further to our recent conversations regarding the Coroner and the case of Lucy Crawford, I would again appeal for an off-the-record briefing with Mr Leckey. This comes after the story that appeared in the "Impartial Reporter" newspaper yesterday (Thursday) **Flag C** that, once again, appears to undermine his findings in the case. This comes after the Chief Medical Officer herself has voiced alternative views to his on his findings of the case of Lucy's death. If a briefing is not on offer, we would wish to put a number of questions to the Coroner. Will he be prepared to answer them?

R. Trevor Birney was advised that John Leckey was not available for an off the record statement, he could put his questions in writing.

5. 19 May 2004

Q. 1. Can I have copies of all papers relating to the Lucy Crawford inquest. Can an application be made to see these papers?
2. Following the inquest the Coroner wrote to the Chief Medical Officer and Dr Quinn, Altnagelvin Hospital. As of 11 March no response has been received by either party can the Court Service confirm if a response has been received to date by the Coroner?

R. 1. An application can be made to see the inquest papers. The application should be made in writing to the Coroner.
2. The Coroner wrote to the Chief Medical Officer and the General Medical Council following the inquest enclosing copies of the inquest papers. The General Medical Council is now considering the papers. To date the Coroner has not received a response from the Chief Medical Officer (but we understand that she has been on leave).

6. 21 May 2004

Q. In today's Irish News, **Flag D** Henrietta Campbell, Chief Medical Officer of NI, states that the Coroner referred the case to herself in June 2001 however according to previous statements from the Coroner he was only made aware of the Lucy Crawford case in February 2003.

Coroner- "27 February 2003 I received a letter from Stanley Millar. It was only when I read this letter..."

Note: DHSS Press Office confirmed an erroneous quote and they would rectify.

R. We understand the matter is now being clarified by the DHSS Press Office.

21 May 2004

Q. Did the Coroner know about the details surrounding the death of Lucy Crawford in June 2001? If so did he alert the Chief Medical Officer?

R. No – Referred him to Press Statement made by the Coroner at the opening of the inquest. **Flag E.**

21 May 2004

Q. Trevor Birney asked when was John Leckey made aware of the post-mortem report of 12 June 2000 (carried out by Dr Catherine Stewart) that identified that Lucy Crawford died of Hyponatraemia.

R. The Pathologist was Dr Denis O'Hara and the post-mortem examination was carried out on 14 April 2000. In his letter to the Coroner of 27 February 2003 Mr Stanley Millar advised the Coroner that there had been a post-mortem examination and that he had arranged for the parents to meet the Pathologist. Mr Leckey was unaware of the post-mortem examination until he received Mr Millar's letter.

25 May 2004

Q. Further to our recent conversations, I wish, at this point, to put one question to the Coroner: In the statement read by Mr. Leckey at the outset of his inquest into the death of Lucy Crawford, he stated:
"Advice was then sought from a Pathologist attached to the State Pathologist's Department as to whether the clinical history warranted a coroner's post-mortem examination being carried out." Does this mean that it was Mr. Leckey's Office, which sought the advice from the Pathologist, or the Clinician, Dr. Donncha Hanrahan?

R. Yes, It was Mr Leckey that sought advice from the pathologist. Mr Leckey subsequently was advised that a death certificate could be issued. (**Note:** Refer Trevor Birney again to Press Statement and advised that Mr Leckey will not answer any more questions).

Trevor Birney contacted, message left on answering machine to call Jill Herron. To date he has not returned the call.