

Norris, Hilary

From: Norris, Hilary
Sent: 27 October 2004 17:31
To: Young, Christine
Subject: Insight

Importance: High

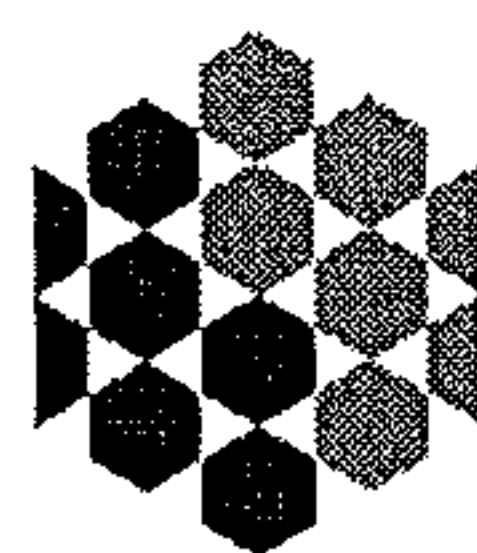


AH memo for
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DHSSPS

002-016-090

MEMO



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

An Roinn

**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

www.dhsspsni.gov.uk

From: Andrew Hamilton

Date: 27 October 2004

To: Secretary

UTV INSIGHT PROGRAMME

I attach for your consideration

Draft letter to HSS organisations requiring action to be taken in connection with the
securing of records pertaining to the Lucy Crawford et al cases
Draft memo on the same subject to Board members

These have been cleared by Noel Kelly.

I specifically raised the issue of whether you should formally direct the organisations
to take the necessary steps or simple require them to do so. His advice was that
'require' would suffice.

Happy to discuss

ANDREW HAMILTON

DHSSPS

DRAFT LETTER

To Chairs of: Altnagelvin Health & Social Trust
Royal Group of Hospitals & Dental Hospitals HSS Trust
Sperrin Lakeland Health & Social Care Trust
Western Health & Social Service Board

Dear

UTV INSIGHT PROGRAMME

The UTV Insight programme of last Thursday evening made a number of allegations associated with the tragic death of Lucy Crawford. The Department is currently considering how it should respond to these allegations. Without prejudice to the outcome of these deliberations there is a need to ensure that all relevant records and documents are secured so that, if necessary, they can be made available for independent examination.

To that end, I am writing to advise you that the Department now requires you as Chair of the [Altnagelvin, Royal Group of Hospitals, Sperrin Lakeland] Health & Social Services Trust/[Western Health & Social Services Board] to take whatever steps are necessary to secure and keep safe all documentation which is within the custody or control of the Trust/ [Board], or its employees servants or agents, including draft documentation and information in electronic format pertaining to the death of

- Lucy Crawford
- Raychel Ferguson
- Adam Strain

This should include:

DHSSPS

- All medical, nursing and other clinical notes and records associated with each case
- All reports (including draft reports) commissioned or produced by the Trust or its employees on any aspect of these cases
- All notes of meetings or discussions concerning each case

002-016-092

- All legal advice received by the Trust/Board in connection with these cases

The material above should be sorted, referenced to an appropriate index and retained.

I would further require that you confirm to me in writing that your organisation has taken the necessary action and secured all relevant information by Friday 5 November.

I am copying this letter to your Chief Executive.

Yours sincerely,

D C GOWDY

DRAFT LETTER

Board Members

UTV INSIGHT PROGRAMME

The UTV Insight programme of last Thursday evening made a number of allegations associated with the tragic death of Lucy Crawford. The department is currently considering how it should respond to these allegations.

In the interim there is a need to ensure that all relevant records and documents are secured so that if necessary they can be made available for future examination.

I would therefore ask you to undertake a search within your business area of all official records and working papers files including electronic files and material relating to the deaths of

- Lucy Crawford
- Raychel Ferguson
- Adam Strain

The information and material should be sorted, referenced to an appropriate index and passed to Mr Ambrose Owens.

I would ask you to confirm to me by Friday 5 November that the necessary action has been taken.

I am writing in a similar vein to the Chair of Altnagelvin, Royal Group of Hospitals, Sperrin Lakeland and WHSSB and copy correspondence is attached for you information.

Norris, Hilary

From: Norris, Hilary
Sent: 27 October 2004 14:02
To: Hamilton, Andrew
Subject: FW: UTV Insight Programme

Importance: High



Draft Letter.doc



NOEL KELLY
ILICITORS OFFICE.c

-----Original Message-----

From: Noel.Kelly [mailto:Noel.Kelly]
Sent: 27 October 2004 13:49
To: Norris, Hilary
Subject: Re: UTV Insight Programme
Importance: High

Mr Hamilton

The statutory reference that you are looking for is Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991 as amended by the Health and Personal Social Services Act (Northern Ireland) 2001.

We do not really have a reason to assume that the Chairs of the Trusts will not initiate the necessary action to ensure that the documentation is secured and indexed. Therefore, on reflection it might be better if the letter used the word "requires" rather than being framed as a specified statutory direction. In the event that difficulties are raised, statutory direction could be considered at that stage.

Who is Dr Jenkins?

I(close a copy of your letter with some minor amendments.

[Signed]

N Kelly

N KELLY

(See attached file: Draft Letter.doc)

"Norris, Hilary"

<Hilary.Norris@

SNI.GOV.UK>

27/10/2004 10:40

To: "Kelly, Noel (DFP)"

cc:

Subject: UTV Insight Programme

<<NOEL KELLY SOLICITORS OFFICE.doc>>

Hilary Norris
SPS/Andrew Hamilton, Deputy Secretary
Primary, Secondary & Community Care Group
Room A3.3
Castle Buildings
Stormont
BELFAST BT4 3SQ

Phone: [REDACTED]

Fax: [REDACTED]

E-mail: Hilary.Norris@ [REDACTED]

DHSSPS Website: www.dhsspsni.gov.uk

(See attached file: NOEL KELLY SOLICITORS OFFICE.doc)

DHSSPS

002-016-096

DRAFT LETTER

To Chairs of: Altnagelvin Health & Social Trust
Royal Group of Hospitals & Dental Hospitals HSS Trust
Sperrin Lakeland Health & Social Care Trust
Western Health & Social Service Board

Dear

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To that end, ~~in accordance with article [] of the [Health & Social Care Act 2001?]~~ I am writing to advise you that the Department now ~~directs~~ requires you as Chair of the [Altnagelvin, Royal Group of Hospitals, Sperrin Lakeland Health & Social Services Trust/Western Health & Social Services Board] to take whatever steps are necessary to secure and keep safe all original documentation, which is within the custody or control of the Trust, or its employees servants or agents, including draft documentation and information in electronic format pertaining to the death ~~(and subsequent proceedings)~~ of

- Lucy Crawford
- Rachel Ferguson
- Adam Strain

This should include:

DHSSPS

002-016-097

- All medical, nursing and other ~~chemical~~ notes and records associated with each case
- All reports (and ~~early drafts of these~~ including draft reports) commissioned or produced by the Trust or its employees on any aspect of these cases
- All notes of meetings or discussions concerning each case
- All legal advice received by the Trust/Board in connection with these cases
- ~~Any other information retained in hard copy or its staff associated with these cases~~

The material above should be sorted, referenced to an appropriate index and retained, ~~in an accessible format in a secure environment.~~

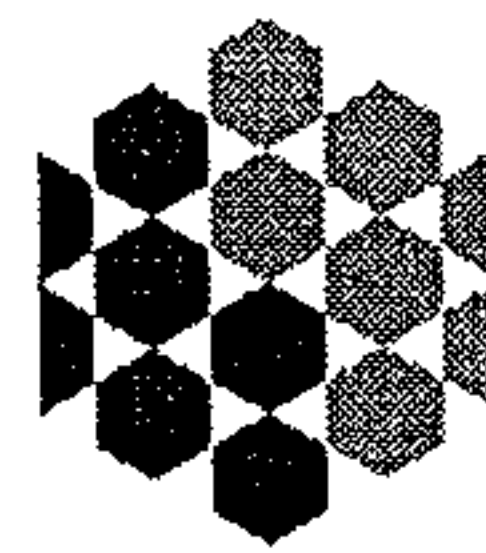
I would further direct that you confirm to me in writing that your organisation has taken the necessary action and secured all relevant information by Friday 5 November.

I trust you will understand why this precautionary measure is necessary at this time.

I am copying this letter to your Chief Executive.

Yours sincerely,

MEMO



Department of

**Health, Social Services
and Public Safety**

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agus Sábháilteachta Poiblí**

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From: Andrew Hamilton

Date: 27 October 2004

To: Noel Kelly

Noel

Herewith draft letter to Trust Chairs and WHSSB Chair as discussed yesterday and draft memo to Board members.

I would welcome your urgent advice on each of these.

In the Trust Chair letter you will see that I have referred to Article [] of the [Health and Social Care Act 2001?]. Perhaps you could identify the correct reference for me – powers were taken to direct the HPSS in recent legislation which went through the Assembly. I would also appreciate your view as to whether we need to be specific about the article which gives us the power to direct, or whether a more general approach should be used – simply 'requiring' the Trust to take the necessary steps. Your advice generally on the wording would be appreciated.

Should we also send the letter to United Hospitals Group – the employer of Dr Jenkins.

Could you come back to me this PM.

ANDREW HAMILTON

DHSSPS

Working for a Healthier People



002-016-099

DRAFT LETTER

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Royal Group of Hospitals & Dental Hospitals HSS Trust
Sperrin Lakeland Health & Social Care Trust
Western Health & Social Service Board

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- Rachel Ferguson
- Adam Strain

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Yours sincerely,