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From: Moore, Martin
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To: Gowdy, Clive; Campbell, Dr Henrietta; Maguire, Philip; McCarthy, Miriam; Baxter, Clare; Edgar, Leona; Hamilton, Andrew
Cc: English, Marion (OFMDFM); Lindsay, Sharon
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Police will interview 'suspects' in Lucy case

The PSNI team investigating the death of Letterbreen girl, Lucy Crawford have begun interviewing nursing and medical staff witnesses. And it has been revealed that they plan next month to interview what they term as "suspects", including "nursing, medical and management" suspects.

Details of the schedule of the police investigation are revealed in a submission from the PSNI to the O'Hara inquiry into the hyponatraemia-related deaths of Lucy Crawford, Adam Strain and Raychel Ferguson in hospitals in Northern Ireland.

Lucy, aged 17 months, was admitted to the Erne Hospital in Enniskillen in April 2000, but after being put on a drip was later transferred to the Royal Victoria Hospital in Belfast where she was pronounced dead.

In December, Mr John O'Hara, QC, issued draft proposals for how he would conduct the inquiry. Next Thursday and Friday, he will hold public hearings in Belfast to listen to arguments from interested parties who have already made written submissions.

Solicitors representing Lucy's parents, Neville and Mae Crawford have written to Mr O'Hara pointing out that they have "grave concerns" about the level of legal representation he is allowing them. They say it is the family's intention to "review their continued participation" in the inquiry.

The Crawfords' solicitor, Mr Greg McCartney, pointed out that other interested parties would be represented throughout the inquiry by Senior and Junior barristers. Yet the families were to be granted only junior counsel. "It is my clients' submission, therefore, that it will be patently unfair to them if they were not accorded parity of representation," says Mr McCartney's submission.

Several written submissions have been received by the inquiry, and all of them have been posted on the inquiry website. Several of them refer to the fact that the inquiry is proceeding at the same time as the police investigation into the death of Lucy Crawford.

Detective Inspector Jim Gault, the senior investigating officer, has also made a written submission which reveals that the PSNI are planning to submit a file to the Director of Public Prosecutions by mid-April.

The inspector's letter reveals that he met Mr. O'Hara on December 14, and in his letter of January 12, Mr Gault says: "Following consultation with the police legal adviser, I should like to request that you inquiry defers investigating the circumstances surrounding the death of Lucy Crawford until such time as the police investigation has been completed. I fear that if your inquiry goes ahead it may compromise police investigation in any of a number of ways."

The PSNI submission also includes a "time line" of the way police are proceeding. After interviewing witnesses this month, they will interview nursing, medical and management suspects in February, and a file will go to the DPP in April.

"It should be noted that a number of issues could possibly delay this process," says Det. Inspector Gault. "If evidence of an attempt to pervert the course of justice is uncovered, this would require a more detailed examination of the very large quantity of documents release by Sperrin Lakeland Trust." The Trust has also made submissions to the O'Hara inquiry through its chairman, Mr Harry Mullan who says he would wish to "reaffirm my commitment to supporting your work in every way possible." Mr Mullan asks that the inquiry remains conscious about the concerns of Trust staff members.

Among the questions that the Trust asks is what account they will take of General Medical Council cases involving Dr Jarlath O'Donohoe, Dr Malik, Dr Jim Kelly, Dr John Jenkins and Dr Murray Quinn. Dr O'Donohue's legal representative, Arthur Cox reveals that he, and not the Trust, will represent the paediatrician "in relation to the Lucy Crawford matter." The Chief Medical Officer, Dr Henrietta Campbell has also made a submission through her personal legal representative.

In their submissions, solicitors for the Crawford family said the level of legal of legal representation was necessary to ensure that they were effectively involved in the inquiry.

Des Doherty, a solicitor making submissions for all three families, wrote: "Our clients have instructed us that they have been made to feel 'like lepers' by the medical profession and Health Service. It is obvious that the medical profession and Health Service will have access to the legal representation of their own choosing without any concern over cost and funding."

Pointing out that the families would be making "most serious allegations against the medical profession and Health Service", Mr Doherty went on: "We respectfully ask the inquiry to understand that in cases involving life and death and the hand of the State, the involvement of Senior Counsel is crucial to ensure that justice should not only be done, but manifestly be seen to be done."

A public hearing will be held on Thursday and Friday of next week, February 3 and 4, in the Lagan Suite, Hilton Hotel, Lanyon Place, Belfast. The hearing will allow representations and discussion on the draft procedures.

Mr O'Hara, Chairman of the Inquiry, says he will be giving careful consideration to the various issues contained in the written submissions and any subsequent matters that are raised in the oral submissions at the public hearing. He will then finalise the Procedures for the Inquiry.