

ang, Christine

From: Browne, Andrew
Sent: 10 December 2004 15:11
To: Young, Christine
Subject: FW: URGENT Executive Committee Correspondence. Reference Number: GM/737/2004 :
The Inquiry into Hyponatraemia-related Deaths



o'hara.pdf

Christine

I imagine Secretary has already seen this, but if not he may wish to have sight of it before his meeting with Minister, as it contains John O'Hara's comments on many of the issues raised in the letter to the Irish News.

Andrew B.

(---Original Message---)

From: david.nugent [mailto:david.nugent@] [redacted]
Sent: 06 December 2004 08:54
To: andrew.browne@ [redacted]; dean.sullivan@ [redacted]; andrew.hamilton@ [redacted]
Subject: URGENT Executive Committee Correspondence. Reference Number:
GM/737/2004 : The Inquiry into Hyponatraemia-related Deaths

DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

URGENT

Executive Committee Correspondence

Reference Number: GM/737/2004

Letter From: John O'Hara
To: Mr & Mrs Ferguson
Date of Letter: 02/12/2004

Subject: The Inquiry into Hyponatraemia-related Deaths

ferred To: BROWNE ANDREW (MR) on 06/12/2004

Please provide advice and draft reply if appropriate by Noon on 20/12/2004

Action Taken:

Signed:

Date:

David Nugent (Private Office)

Castle Buildings Tel: [redacted]

Copied To For Information:

Fisher, Ruth

From: Browne, Andrew
Sent: 10 December 2004 12:23
To: Fisher, Ruth
Cc: Sullivan, Dean
Subject: FW: Urgent - Irish News re O'Hara Inquiry

For information. Secretary is considering. Colm Shannon has recommended no response.

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

From: Edgar, Leona
Sent: 10 December 2004 10:14
To: Hamilton, Andrew; Gowdy, Clive; Campbell, Dr Henrietta; Hamilton, Andrew; Browne, Andrew
Subject: FW: Urgent - Irish News re O'Hara Inquiry

To all

Minister has seen the attached Letter to the Editor in today's Irish News from the Ferguson and Slavin families. I would be grateful for your views on any action to be taken bearing in mind the terms of Reference of the Inquiry.

I will be speaking to Colm Shannon about this shortly.

Many thanks

Leona Edgar

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

From: Hughes, Gerard
Sent: 10 December 2004 10:08
To: Gardner, Jeremy; Edgar, Leona
Subject:



1.pdf (165 KB)

Minister plays mean with tragic parents

WE, the parents and guardian of Adam Strain and Raychel Ferguson, write to *the Irish News* to raise our concerns about the set-up of an independent inquiry into the deaths of our children. On November 1, the Department of Health announced that it was to conduct an inquiry into hyponatraemia-related deaths following the broadcast of UTV's *When Hospitals Kill* programme.

Although we had real concerns about the independence and transparency of such an inquiry right from the outset, we initially welcomed the decision taken by the minister, Angela Smith. In her announcement, the minister said she had appointed Belfast barrister, John O'Hara QC, to conduct the inquiry even though Mr O'Hara says he didn't formally accept the position until two weeks later.

We state this only as an example of the incredible incompetence of the department in setting up an inquiry which the minister claims will 'robustly' pursue the truth behind the deaths of our children denied to us until now by the Northern Ireland health authorities. The minister contacted us only to tell us that she had decided on an inquiry. She said she could not reveal the name of the chairman of the inquiry – but the name was broadcast on television just an hour later.

Following this telephone call, we had no role in the drawing-up of the terms of reference for an inquiry that will obviously have a huge impact on our lives and the memory of our children. Compare this to the fact that when the inquiry into the deaths of children at Bristol Royal Infirmary was instigated, legal representatives for the 300 families involved had 'intensive' input in the drawing-up of its terms of reference. In the days that followed the announcement, we made numerous attempts to speak to the minister about

the inquiry.

As those most closely associated with these cases, we felt we had a perspective which should have been taken into account.

But our approaches were rebuffed. Eventually we were given an appointment to see the minister – nearly three weeks later.

In the meantime, Mr O'Hara's inquiry formally came into being.

We met Mr O'Hara at his office in Belfast at less than 24 hours notice only to be told that he could not disclose the terms of reference or answer other questions such as those surrounding our rights to legal representation.

We were told that this would become public that afternoon when a news conference would be held.

Thus we were left again in the position of learning through the media the details of an inquiry with our children at the heart of it.

We were further insulted to hear the Minister for Health subsequently claim that the families had been 'at the heart' of preparations for this inquiry. Nothing could be further from the truth. Our experience of the health service since the death of our beloved children has been one of secrecy and exclusion. And so far secrecy and exclusion have been at the heart of the department's setting-up of the inquiry

LETTERS

The Editor, *The Irish News*,
113-117 Donegall Street,
Belfast, BT1 2GE
e-mail: news@irishnews.com

and Mr O'Hara's initial dealings with us. We were further dismayed to learn the identity of the inquiry's secretary and deputy secretary – Mr Ambrose Owens and Ms Sharon Lindsay – who had been placed in those roles having previously been private secretaries to the

Department of Health Permanent Secretary Mr Clive Gowdy and to the minister herself.

Such a set-up only demeans assurances made to us that the inquiry is wholly independent.

We have since met with the minister, who effectively baited all our concerns onto Mr O'Hara.

We can only be cynical that the dates the minister set aside to meet us – three weeks from our request – were helpful to her, failing as they did after responsibility for the inquiry had been lifted from her hands.

We believe the health service is responsible for the deaths of our children.

This inquiry is supposed to establish the truth behind the deaths and its terms of reference include an examination of the communications with, and explanations given to, the respective families and others by the relevant authorities.

We desperately want to see all the terms of reference fulfilled.

Yet our confidence in the inquiry

has been severely undermined by the way we have been treated so far.

For us to have full confidence in the O'Hara inquiry, we need:

- a solid guarantee that all inquiry witnesses be questioned in public
- the immediate removal of all

Department of Health staff working for the inquiry

- legal representation in the form of barristers who can directly put questions to witnesses.

- to be consulted fully on the

- appointment of experts to the inquiry
- those experts to be drawn

from outside Northern Ireland's health service

- clarity on the impact of the PSNI investigation on the effectiveness of the inquiry.

In our meeting with the minister we made it clear that – setting aside the inquiry – we believed that

the Chief Medical Officer

for Northern Ireland, Dr Henrietta Campbell, should immediately resign her position.

Furthermore the doctors and health officials involved in our cases – and the cover-up of the death of Lucy Crawford at the Erne Hospital in Enniskillen – should be suspended pending the outcome of both the inquiry and the police investigation.

These are matters of public safety.

We feel that the measures set out above are reasonable in the circumstances.

This inquiry will not bring back

our beloved children but it can help to make sure that no other parents

will have to endure the pain we have and continue to go through.

RAY and MARIE FERGUSON
Parents of Raychel Ferguson,
Co Derry

JAY and DEBORAH SLAVIN

Guardian and mother of Adam Strain
Belfast

