

Young, Christine

From: Gowdy, Clive
Sent: 21 November 2004 21:26
To: Carnew, Sholto
Cc: Hamilton, Andrew; Carson, Ian; Maguire, Philip
Subject: Hyponatraemia Inquiry

Sholto,

I attach some lines to take for the Minister for her interview with UTV on Monday. These are designed to cover some of the questions which we believe may be put.



HYPONATRAEMIA
INQUIRY.doc

If the Minister would like to discuss, I would be happy to elaborate on any of the issues

HYPONATRAEMIA INQUIRY – LINES TO TAKE

Q1. Why were the families not involved in formulating the terms of reference and the arrangements for setting up the Inquiry?

A1. The terms of reference are my responsibility and it will be clear that I have drawn them as widely as possible to allow the Inquiry to investigate all of the issues which have been raised.

[To have given the families, or any other interested parties, an input into the terms of reference or the arrangements for the Inquiry would have been invidious and could have created difficulties in defining the scope of the inquiry.]

Q2. Surely the appointment of the staff of the secretariat from within the Department compromises the independence of the Inquiry?

A2. Under the Cabinet Office guidance on the setting up of inquiries it is quite normal for the Department commissioning the inquiry to second civil servants to support the Chair with the administrative arrangements. This is a standard procedure and does not compromise the independence of the inquiry. The staffing of the secretariat is of course a matter for the Chairman and the Department will facilitate him in whatever arrangements he wishes to make.

Q3. In cases involving murder by the State, the investigations are carried out by outside agencies. Why was this not done in this case?

A3. It is outrageous to infer that there is anything to suggest that these children were murdered by the State. Everyone should take great care in the comments they make in the interests of the families and all the other parties to these cases. We should all leave it to the Inquiry to determine the facts of the events surrounding these cases and I have every confidence that John O'Hara will provide a comprehensive report on all aspects of them.

Q4. Why have the doctors involved, including the CMO, not been suspended from duty?

A4. The issues which have been raised are unproven allegations and at this time there is no evidence to justify the suspension of anyone. The Inquiry will provide the basis on which any subsequent action make need to be taken.