

The Inquiry into Hyponatraemia-related Deaths

Chairman: Mr John O'Hara QC

Ms Wendy Beggs
Directorate of Legal Services
2 Franklin Street
BELFAST
BT2 8DQ

Your Ref: NSCB04/1

Our Ref: JOH-0198-12

Date: 2 February 2012

Dear Ms Beggs

Re Report on Review of Renal Transplant Services- Professor John Forsythe

I refer to your letter of 1st February on this issue.

I note your point that the full review is not in the public domain but that its key recommendations are. I also note your concerns about confidentiality. You have however moved so far as to disclose some short extracts from the review which appear to fall into the area described by Professor Forsythe in his witness statements. This is helpful. I will decide whether I need to pursue the issue any further in light of this disclosure. It is clear that the Professor did not necessarily suggest that the whole review was relevant – that is why his statement, made with Dr Rigg, referred to some comments which “might be considered pertinent.” If the excerpts which you have provided are all that is relevant I will not take the matter any further because I do not intend to argue over the production of further excerpts which have no relevance.

You end by developing your contention that the Professor cannot be regarded as an independent expert. I have considered your suggestion but I do not accept it. I do not see anything in his engagement to conduct the review which undermines his ability to be independent in his statements to the Inquiry. In any event he can be questioned at the public hearings on this topic, either by Inquiry counsel, your counsel or those representing other parties.. I will then decide what weight to attach, if any, to the totality of evidence which he and Dr Rigg provide on the circumstances surrounding the treatment and care of Adam in 1995.

Any issues arising from this correspondence can be raised tomorrow in Banbridge or in further correspondence

Yours sincerely,



John O'Hara

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