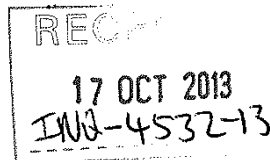


Our Ref: MNB04/190  
Your Ref: JFF/ROB17/0003

2 Franklin Street, Belfast, BT2 8DQ  
DX 2842 NR Belfast 3

16 October 2013

Ferguson & Co  
Solicitors  
DX 448 NR  
Belfast 1



Dear Sirs

**RE: Claire Roberts (deceased)**

Thank you for your correspondence dated 26 September 2013. We note that the Roberts family now wish to make a claim for damages arising out of the death of their daughter. We note that the initiation of such a claim somewhat contradicts the earlier assertions of the family that they were not interested in claiming compensation but were only interested at getting at the truth. The Trust would be entitled to avail of a Limitation Defence in any Action brought by the family. There is no reason why proceedings could not have been brought at a much earlier stage. In addition, the evidence of Professor Kirkham clearly demonstrates that the issue of causation is far from clear cut. Having made these observations, we have obtained specific instructions from the Trust not to contest your clients' claim. The reason why this approach is being adopted is that the Trust acknowledges that there were shortcomings in the management of this patient and the Trust does not wish to in any way add to the distress of your clients by availing of any legitimate Defences open to it in this Action. We, therefore, formally concede liability and unreservedly accept your clients' entitlement to damages. We would ask you to furnish particulars of your clients' claim including all vouching documentation for special loss incurred to enable the Trust to consider the same and respond thereto by means of an appropriate offer of compensation. Please note that a copy of this letter and your correspondence will be sent to the Inquiry in order that the Chairman may be kept fully apprised of all developments in this Action. Please also note that any offer of compensation in this case will be made in open correspondence as a means of demonstrating that the Trust is keen to deal with this matter in a wholly open and transparent manner.

Yours faithfully

  
Wendy Beggs

Assistant Chief Legal Adviser

Direct Line – [REDACTED]

E mail – [Wendy.beggs@hsc.nhs.uk](mailto:Wendy.beggs@hsc.nhs.uk) [REDACTED]

*Providing Support to Health and Social Care*

WB16



**FERGUSON  
& COMPANY**  
SOLICITORS

*New Claim*

*Wendell*

Gerry Ferguson  
Danny Hughes

Nigel Barr  
James Ferguson

Our Ref: JFF//ROB017/0003  
Your Ref:

26 September 2013

Directorate of Legal Services  
DX 2842 NR Belfast 3

Dear Sirs,

**Re: Claire Roberts (Deceased)**

We refer to the above deceased who was a patient in the Royal Belfast Hospital for Sick Children from 21 October 1996 until 23 October 1996, when she died.

You will be intimately aware of this case through the investigation of it undertaken by the Inquiry into Hyponatraemia Related Deaths in Northern Ireland, in which you were engaged by what is now the Belfast Trust. In view of your representation of the RBHSC in that Inquiry we enclose a letter of claim by way of service on you on the assumption that you have authority to accept receipt of it on behalf of the RBHSC/the Belfast Trust.

If you are not authorised to accept it, we required that you inform us forthwith and return the original letter of claim, together with any copies made, as a matter of urgency.

Yours faithfully,

  
FERGUSON & CO.

DIRECTORATE OF LEGAL SERVICES	
27 SEP 2013	
Insp by	(f)
Act by	(f)
Ref. No.	MW 804 190

Causeway Tower  
James Street South  
Belfast BT2 8DN

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77 Benburb Street Dublin 7

Authorised to practise in Republic of Ireland



Our Ref: JFF//ROB017/0003  
Your Ref:

26 September 2013

Directorate of Legal Services  
Solicitors,  
DX 2842 NR Belfast 3

Dear Sirs

**Re: Claire Roberts (Deceased)**

We are instructed by the parents of Claire Roberts to seek damages for personal injuries, loss and damage sustained by the deceased together with damages for bereavement and testamentary expenses.

The basis on which we seek damages is that it is our instructions that the medical care provided to Claire whilst a patient in Allen Ward between 21<sup>st</sup> October 1996 and thereafter fell below acceptable standards. Furthermore certain treatment provided to Claire whilst a patient was in itself negligent.

In general terms:

1. There was a failure to review Claire's fluid management.
2. There was a failure to obtain a timely blood sample.
3. There was a failure to ensure a blood sample was taken at all.
4. There was a failure to review any blood sample taken.
5. Medical notes and records were misinterpreted.
6. Medical notes and records were not properly considered.
7. Medical notes and records were erroneous and/or were not entered at all.
8. Claire was provided with drugs the type of which, the amount of which and the infusion rate was excessive and/or erroneous thereby causing the underlying medical condition to be "masked" and/or not fully appreciated.

Furthermore doctors underestimated and failed to recognise the seriousness of Claire's clinical

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condition and nursing staff were not properly advised, warned or alerted as to how seriously ill Claire was

9. Consultant advice and/or treatment was not properly provided or provided in a timely manner.
10. Claire was not properly monitored and/or supervised.
11. Information was not provided or was not provided to the appropriate persons who would be in the position to provide proper and adequate treatment for Claire.

As a consequence of the same Claire Roberts' condition deteriorated. She developed dilutional hyponatraemia causing pain and brain swelling; she experienced seizures, brain stem herniation and had a respiratory arrest in Allen Ward before being transferred to PICU. Claire's life support was discontinued on 23<sup>rd</sup> October 1996.

Further, we believe that there was a failure to correctly diagnose Claire's clinical condition and a failure to carry out proper and adequate diagnostic testing.

The purpose of this letter is to provide you with sufficient information to enable you to commence investigations and to reach a decision as to whether liability, breach of duty or causation are denied or admitted and if so on what basis.

We look forward to hearing from you.

Yours faithfully,

  
**FERGUSON & CO.**

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Belfast BT2 8DN

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