

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

Your Ref:  
AD-556-13

Our Ref:  
HYPB02/01

Date:  
24th April 2013

Ms Anne Dillon  
Solicitor to the Inquiry  
Arthur House  
41 Arthur Street  
Belfast  
BT1 4GB

Dear Madam,

**RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS – CLAIRE ROBERTS**

I refer to the above matter and our telephone conversation yesterday. You will recall that when we spoke I indicated to you that I believed that the letter to patient "W2" had been sent on Monday 22nd April 2013 but I was not certain and if it had not yet been sent it would be sent that day. The letter had not been sent at that time as we were in the process of drafting a cover letter in conjunction with the Trust and I understand that this was confirmed to your offices yesterday afternoon.

In addition to preparing a cover letter to Patient "W2" we were also seeking advice from Counsel regarding whether the inclusion of the reference to midazolam, in the redacted version of Patient "W2"'s notes and records, which were distributed to the Interested Parties, was outside the remit of the terms of the Order granted by the High Court in October 2012, in which case an application to the Court would be essential.

Whilst we were in the process of finalising the letter to Patient "W2" we sought to clarify whether the Inquiry intended to make an application to the High Court only if Patient "W2" refused consent to the further examination and extraction of details from his/her medical notes and records. We were anxious that if it was the Inquiry's intention only to make an application to the High Court if Patient "W2" did not provide consent, then, in those circumstances, the issue as outlined above would not be addressed.

It was therefore decided that the letter to Patient "W2" should not be sent until we had raised this issue with you separately. This decision was taken late yesterday afternoon.

I understand from your telephone conversation with Ms Bolton this morning that the Inquiry does intend to make an application to the High Court, regardless of Patient "W2"'s response

*Providing Support to Health and Social Care*



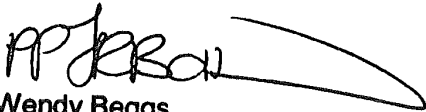
to your correspondence and that this has also been confirmed by Senior Counsel to the Inquiry directly to Senior Counsel for the Trust.

I also understand that Senior Counsel to the Inquiry also advised Mr McAlinden QC that the purpose of contacting Patient "W2" in advance of the application was so that the court could be made aware of his views and on that basis I confirm that we will make arrangements to forward your letter to Patient "W2".

However, I should advise that the Trust is concerned about the potential distress this matter may cause Patient "W2" and therefore they intend to speak to Patient "W2" to explain the position to them in advance of sending your letter to him/her. I confirm that this is being done as a matter of urgency. We shall of course confirm to you when the letter has been sent.

I note that you raised a concern with Ms Bolton that we were deliberately delaying this matter and I trust the above explanation reassures you that this was not the case.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Wendy Beggs', followed by a long horizontal flourish.

Wendy Beggs  
Assistant Chief Legal Adviser