



Business Services  
Organisation

## Directorate of Legal Services

— PRACTITIONERS IN LAW TO THE  
HEALTH & SOCIAL CARE SECTOR —

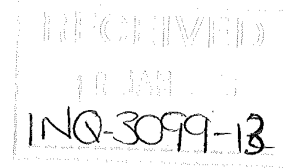
2 Franklin Street, Belfast, BT2 8DQ  
DX 2842 NR Belfast 3

Your Ref:

Our Ref:  
HYP W50/1

Date:  
10<sup>th</sup> January 2013

Ms Anne Dillon  
Solicitor to the Inquiry  
Inquiry into Hyponatraemia-related Deaths  
Arthur House  
41 Arthur Street  
Belfast  
BT1 4GB



Dear Madam

**RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS- RAYCHEL  
FERGUSON**

We refer to the above matter and to the Expert's Report to the Inquiry by Mr George Foster, Paediatric Surgeon, which was released to us on Tuesday 18<sup>th</sup> December 2012.

We note that Mr Foster has criticised the absence of a senior ward round on the morning of the 8<sup>th</sup> June 2001 by anyone at SpR or Consultant level (please refer to para. 7.2, page 8 of his Report).

It is essential that the Trust gains access to information from the Patients' Administration System and from other Patients' Charts in order to establish Mr Gilliland's commitments during that day, and in order to enable him to address this specific criticism. You will note that this situation is analogous with the position in the Claire Roberts' case, in relation to ascertaining Dr Steen's whereabouts.

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However, as you will be aware, this documentation will contain confidential information relating to other patients and Mr Gilliland may well wish to rely on this information, in order to demonstrate his movements on the dates in question and also show the availability of his Consultant colleagues, and possibly also SpR staff, on the dates in question.

If the Inquiry requires the Western Trust to pursue these lines of enquiry further then it will be necessary for you to seek approval from the High Court, similar to the Order obtained in relation to the Claire Roberts' case. We would request the Chairman's directions on this point before any further action is taken by our client in relation to same.

We would also stress that our client will require sufficient time in order to carry out a fully extensive search and to ensure that it covers all available sources of information, before the oral hearings commence, as any information found could potentially affect other witnesses. Moreover, the Inquiry will require sufficient time in order to obtain the necessary High Court Order. If the Inquiry is content for our client to proceed in this manner then we would request that the Chairman consider granting a reasonable period of adjournment in order to facilitate the searches.

We await hearing from you, as soon as possible.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Wendy Beggs', with a stylized initial 'WB' to the left.

Wendy Beggs  
Assistant Chief Legal Adviser