



Business Services  
Organisation

## Directorate of Legal Services

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

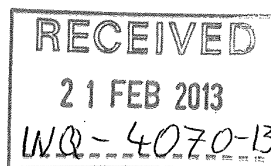
2 Franklin Street, Belfast, BT2 8DQ  
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Your Ref:  
BMcL-0019-12,  
BMcL-0030-13,  
BMcL-0052-13 &  
JOH-0356-13

Our Ref:  
HYPH099/2

Date:  
21st February 2013

Mr J O'Hara QC  
Chairman of the Inquiry  
Inquiry into Hyponatraemia-related Deaths  
Arthur House  
41 Arthur Street  
Belfast  
BT1 4GB



Dear Mr O'Hara

**RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS- RAYCHEL  
FERGUSON (PRELIMINARY) – OUR CLIENT: THE HEALTH & SOCIAL CARE  
BOARD**

I refer to the above matter and to your Mr McLoughlin's letters dated 7<sup>th</sup> November 2012, 28<sup>th</sup> November 2012 and 24<sup>th</sup> January 2013 (references as quoted above) and your own letter dated 29<sup>th</sup> January 2013.

I am instructed by my client, the Health & Social Care Board that it very much regrets that it has been unable to trace documentation which appears to have been passed to the legacy Western Health and Social Services Board by the former Sperrin Lakeland Trust in the period of time subsequent to Lucy Crawford's death.

It appears that, in 2004 and in the subsequent searches, only two relevant documents had been traced and supplied to the Inquiry Team, the most recent being an e-mail from Mr Frawley to Dr McConnell and Martin Bradley dated 8th May 2000.

Unfortunately, the key decision-making staff who were employed by the former WHSSB at the time of Lucy's death (and at the time of the initial search for documentation in 2004), and who would have been responsible for overseeing the conduct of the searches and subsequent securing of all relevant documentation, are no longer employed by the HSCB. It is for this reason that



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the HSCB is unable to provide a definitive explanation as to what exactly might have happened to the documentation which appeared to have been passed to the legacy WHSSB by the Sperrin Lakeland Trust, subsequent to Lucy's death.

Although he is no longer in the employment of the HSCB, we are advised by our client that Mr Michael Gormley, the former Head of Consumer Services of the Legacy WHSSB (now Retired) would have had a key role in responding to the requests of the Inquiry at that time, and he may be in a position to provide clarification in relation to the records management processes which existed, during this period. My client has confirmed that it is contacting Mr Gormley urgently in order to obtain his specific advices in relation to this matter. I will revert to you further, as soon as I receive my client's further instructions.

My client has also informed me that Mr Steven Lindsay, a former Chief Executive of the WHSSB, at the relevant time, may also be in a position to provide my client with information regarding this issue. I confirm that my client is also contacting Mr Lindsay and I will contact you further, upon receipt of further instructions.

Finally, I wish to assure you, on behalf of my client, that the HSCB in conjunction with the Public Health Agency has undertaken extensive supplementary searches both of electronic systems and paper file records for any relevant documentation, and wishes to apologise for this less than satisfactory position.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wendy Beggs'.

Wendy Beggs  
Assistant Chief Legal Adviser