

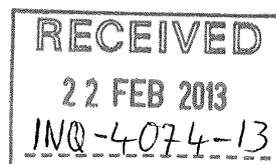
2 Franklin Street, Belfast, BT2 8DQ
DX 2842 NR Belfast 3

Your Ref:
JOH-0356-13

Our Ref:
HYPW50/2

Date:
22nd 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**

I refer to the above matter and to your letter dated 29th January 2013 (reference as quoted above). I also refer to our letter of yesterday's date in which I provided you with details of what steps the HSC Board has taken to investigate the matter, and I indicated that I would revert to you, as soon as I receive my client's further instructions. I apologise that I am not in a position to provide a fuller response to your aforementioned correspondence at this time. However, please rest assured that we have impressed upon our client both the urgency and importance of this matter.

In respect of Mr McLoughlin's requests for further documentation belonging to the former Sperrin Lakeland Trust (reference BMcL-0018-12, BMcL-0028-12, BMcL-0033-12, BMcL-0038-12) please note that the current position regarding same is as set out below.

1. **BMcL-0018-12- letter dated 6th November 2012.** We originally responded to this correspondence by letter dated 29th January 2013. This correspondence provided responses to all but two questions (2 and 11) and furnished almost 220 pages of policy documentation furnished by our client. We have today provided you with a further response in respect of number 2. In relation to number 11 of your Mr McLoughlin's letter please note that Scrutiny Committees meetings are summarised but not minuted, but any discussions arising during or from said meetings are legally privileged, as these meetings involve the provision of legal advice to the Trust in the defence of medical negligence claims. I would also respectfully refer you to response 3 contained in my letter to the Inquiry

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1



Solicitor, Ms Dillon dated 11th February 2013, in respect of Mr Doherty's statement request.

2. **BMcL-0028-12 – Letter dated 14th November 2012.** I would refer you to our letter of 21st February 2013 which responds to question 1 of Mr McLoughlin's letter and confirms that our client is currently reviewing Sperrin Lakeland files with a view to responding to question 2 thereof.
3. **BMcL-0033-12 – Letter dated 3rd December 2012.** We anticipate being in receipt of our client's instructions and in a position to respond to this correspondence early next week.
4. **BMcL-0038-12 – letter dated 12th December 2012.** We provided an initial response to this correspondence in our letter dated 21st February 2013. Currently a response to questions 1, 5 and 6 remains outstanding. We anticipate being in a position to deal with the outstanding matters at 5 and 6 next week as Mr Mills is currently on holiday.

We appreciate that there have been delays in providing the documentation requested by Mr McLoughlin and apologise for those delays. However, I would hope that you appreciate that it takes considerable time for the our client to complete all possible searches for documentation from 2000/2001 belonging to the Sperrin Lakeland, legacy trust, in order to assist the Inquiry to the best of its ability.

I confirm that our client is continuing its search for any additional relevant documentation, and that we continue to press our client for production of same, or alternatively an explanation as to why such documentation cannot be produced.

I trust that this in order.

Yours faithfully

A handwritten signature in black ink, appearing to read 'WBeggs', with a large, sweeping flourish extending to the right.

Wendy Beggs
Assistant Chief Legal Adviser