

The Inquiry into Hyponatraemia-related Deaths

Chairman: Mr John O'Hara QC

Ms Angela Crawford
Directorate of Legal Services
2 Franklin Street
BELFAST
BT2 8DQ

Your Ref: NSCB04/1
NSCW50/1
NSCS071/1

Our Ref: BMcL-0062-13

Date: 19th March 2013

Dear Ms Crawford,

RE: RAYCHEL FERGUSON (PRELIMINARY)

Thank you for your letters of 21 and 25 February. We note your client's position that *"it is unable to provide a definitive explanation as to what exactly might have happened to the documentation which appeared to have passed to the legacy WHSSB by the Sperrin Lakeland Trust, subsequent to Lucy's death"*, and that Mr Gormley has no recollection of events. This is most unsatisfactory.

It is evident from the Trust files that there was correspondence passing between Dr McConnell for the Board and Dr Kelly for the Trust. For example, there was a detailed report by Dr Kelly to Dr McConnell on 15 May 2000 [036a-046-098] and Dr Kelly wrote to Dr McConnell forwarding the report by Dr Moira Stewart for the RCPCH in June 2001 and his notes of his meeting with Dr Stewart and these were considered by Dr McConnell who then responded to Dr Kelly [036a-028-069 and 036a-028-070]. It would also appear that a copy of the Trust's "Review of Lucy Crawford's Case" [033-102-264] was sent to Dr McConnell and Mr Bradley of the Board. The fact that this material was not produced by the Board to the Inquiry in 2004, or subsequently, calls for a full explanation by your client. Of equal concern to the Inquiry is to establish what documents were generated within the Board in consequence of the various reports made to the Board by the Trust of Lucy's death, and the correspondence passing between Dr Kelly and Dr McConnell, and what has become of such material.

The Inquiry therefore requires a full account of the steps taken by the WHSSB in 2004 to arrange for *"all notes, documents, records and reports relating to Lucy Crawford..."* to be forwarded to the Inquiry as requested by the Inquiry Chairman in his letter to the Board Chair Ms Karen Meehan on 1 December 2004. The Inquiry also requires an explanation as to why the correspondence passing between Dr Kelly and Dr McConnell and the reports regarding Lucy, were not included in the material supplied by the Board to the Inquiry in 2004 or subsequently, and what has become of that material which was in the possession of the Board. The Inquiry also requires to know what other material was generated or received by the Board in the period 2000-2003 in relation to Lucy, and what has become of that material. Finally the Inquiry seeks the identities of "the key decision making staff ...who would have been responsible for overseeing the conduct of

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the searches and subsequent securing of all relevant documentation" referred to in your letter of 21 February.

A full response is required by Friday 5 April.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Brian McLoughlin', with a stylized, cursive script.

Brian McLoughlin
Assistant Solicitor to the Inquiry