

From: Andrew Browne  
Secondary Care Directorate

Date: 22 November 2006

1. Andrew Hamilton **AGREED/AH/23/11/06**
2. Dr Andrew McCormick ***approved AGMcC 6/12***
3. Paul Goggins

**INQUIRY INTO HYPONATRAEMIA-RELATED DEATHS: PROPOSED  
MEETING WITH THE CRAWFORD, SLAVIN AND FERGUSON  
FAMILIES**

**SUMMARY**

**Issue:** You have suggested meeting with the  
Crawford, Slavin and Ferguson families.

**Timing:** Routine.

**FOI Implications:** This submission is fully disclosable.

**Presentational  
Issues:** All the families have had contact with the  
media in the past and the story remains of  
high interest to a number of journalists.

**Recommendation:** That the Minister notes the attached  
briefing.

---

## **Background**

1. This Inquiry has been suspended since 28 October 2005. At that time PSNI investigations into the deaths of all three children named in the Terms of Reference gave John O'Hara no option but to suspend proceedings until the outcome of these investigations became known and the PPS decided whether any prosecutions should follow.
2. Progress since then has been slow. In September 2006 the PSNI suspended their investigation of Raychel Ferguson's case until the outcome of the other two cases was known. The family has since complained to the PSNI against this decision. We have now heard that the PPS has decided against a prosecution in the case of Lucy Crawford, but that the case of Adam Strain is still with the PSNI. You raised these matters when you met with the Chief Constable on 17 October.
3. John O'Hara spoke to Dr Andrew McCormick on 31 October and indicated that he hoped it might be possible to restart the Inquiry in January 2007 but that it was unlikely public hearings would take place until September or October 2007.

## **Meetings with Families**

4. The last time that a Minister met the families was when Shaun Woodward met with the Crawfords in June 2005 and with the Slavins and Fergusons together in September of that year. The circumstances were that the Crawfords requested the June meeting, which the Minister then alluded to in a speech on "Putting Patients First". The

other two families were unhappy with this (see note of telephone call at Annex A) and as a result a meeting was arranged with them also. Both meetings took place at Hillsborough Castle.

5. No further meeting has been requested by any of the families. If it were decided to reconvene the Inquiry early in the New Year it would be important that the families be told first, presumably by John O'Hara. That would also appear to be the most opportune time for you to meet with families. Any earlier and we may still be unable to clarify the way forward, which, understandably, is a matter of great concern to all the families. It would also take the meeting very close to Christmas, which is always an especially difficult time for bereaved parents. There is also the possibility that another family, or families, may be added to the Inquiry, although Mr O'Hara has still to decide on that.

### **Recommendation**

6. It is recommended that you meet with the families. This may require two or more meetings and these would be most productive if left until early in the New Year when the future path of the Inquiry should be much clearer.

**Andrew Browne**  
**Secondary Care Directorate**



**Cc: CMO**

Dr Liz Mitchell  
Dr Miriam McCarthy  
Neil Magowan  
Claire Baxter

## ANNEX A

### CONVERSATION WITH MARIE FERGUSON AND JAY SLAVIN, 29 JUNE 2005

Shaun Woodward spoke to Marie Ferguson, mother of Raychel Ferguson, and Jay Slavin, uncle (*sic*) of Adam Strain.

2. Marie Ferguson said the families were "not a bit pleased" with the Minister's statement. He had referred to Lucy Crawford's last hours. How could he refer to one child's last hours and not all three? He didn't know what her child had suffered. The Minister said if Mrs Ferguson read the speech, she would see the context in which he had made his remarks, where he was talking about the need for change across the Health Service in Northern Ireland. He wanted to apologise for the fact that the families had been waiting for so long to get answers. The reason he had only referred to Lucy Crawford was because he had met with the Crawfords following their letter to him. He didn't think it was right to intrude on the privacy of another family with whom he had not met. If the Fergusons had asked him for a meeting, he would have been happy to meet them. Marie Ferguson asked why he hadn't invited them in for a meeting so they could explain what had happened. She said it wasn't just Sperrin Lakeland that needed examining – Altnagelvin needed to be looked at too. In her opinion, there was a lot of covering up going on. She asked why the hospital and the people involved couldn't apologise. If they never admitted liability, they couldn't learn from their mistakes. The Minister said that was why we had an Inquiry – to find out what happened. We had to wait and see what John O'Hara said. He said he was happy to meet. He hadn't made the meeting with

the Crawfords public, and wouldn't intend to publicise this meeting: he would leave it up to the Fergusons to decide if they wanted to involve the media. **[Meeting being arranged]**

3. The Minister opened his conversation with Jay Slavin by explaining that he hadn't at all intended to make Adam and Raychel's families feel sidelined. His speech had set out what he hoped people could expect from the Northern Ireland Health Service and his remarks had been made in that context. The reason he felt he could say more about the Crawfords was because they had come forward and asked for a meeting. Jay Slavin said the Minister's speech had said the families just wanted to 'know'. He thought that was very presumptuous – how did he know what they wanted? Actually, they wanted someone to be held accountable. The Minister said that was why we had an Inquiry. Jay Slavin said the Department was interfering with the Inquiry. It had been left up to the Health Minister to decide if the death of a fourth child (Mitchell) should be covered by the Inquiry. That file was currently with the Department. The Inquiry was only independent when it suited the Minister: that sort of decision should be left up to the Inquiry, not the Department or the Minister. The Minister said it wasn't appropriate for him to talk about another family. The Inquiry would take its course and we had to wait for its outcomes: all he had said in the speech was that he was glad the Inquiry had been established because we all wanted answers. He understood that the scope of the Inquiry was for John O'Hara to decide: at the moment, Lucy Crawford, Adam Strain and Raychel Ferguson were included. If O'Hara felt another child needed to be brought in, that was up to him. He agreed to follow up on Jay Strain's claims about the Mitchell child. He asked Jay Strain if he would like a meeting: Mr Strain said he would.

***Signed***

**CATHY CLEMENTS**

**Private Secretary**



cc: PS/Shawn Woodward (B&L) – O