

From: Andrew Browne  
Safety & Quality Unit

SUB/---/2008

Date: 13 August 2008

1. Dr Carolyn Harper – *cleared 14/08/2008*
2. Michael McGimpsey

**INQUIRY INTO HYPONATRAEMIA-RELATED DEATHS: LETTERS  
TO SIR HUGH ORDE, JOHN O'HARA QC, MS JOANNA MITCHELL  
AND MR & MRS ROBERTS**

**Issue:** On Monday 4 August you met with the mother and grandmother of Conor Mitchell and the parents of Claire Roberts. You undertook to write to the Chief Constable seeking to expedite the case of Claire Roberts and you also gave an undertaking to both families that you would do what you could to ensure there are no further delays in progressing with the Inquiry. A draft letter to John O'Hara is therefore also included. You have since requested letters of sympathy and apology for both families. These are also attached.

**Timescale:** Routine

**Presentational Issues:** There continues to be media interest in the Inquiry.

FOI Implication: This submission is not disclosable.

Recommendation: That the Minister issues the attached letters.

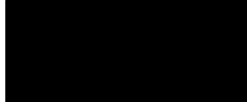
### Background

1. As you are aware, this Inquiry is now considering four cases, of which Claire Roberts is the only one still being investigated by the police.
2. On 14 January 2008 you wrote to the Chief Constable seeking an update, which was supplied on 22 February. At that time the PSNI thought further expert opinion would be required. They were also consulting the family on their views. Mr & Mrs Roberts advised you that they believed the PSNI were still waiting on a neurologist's report. Mr Roberts indicated that the family had advised the police they would prefer the investigation to be picked up by the Inquiry.
3. Both families asked that there be no further delay and you advised that the Report of the Inquiry is expected by September 2009, which is when John O'Hara has indicated previously. However in view of the continued difficulty in identifying a venue, it is recommended that a reminder of the expected timescale should be sent to John O'Hara, which is in accordance with current Cabinet Office guidance that "The responsible Minister can stress discipline in the management of the Inquiry....for example by setting a target completion date."
4. Following the meetings, at which the families of both children were understandably distressed and angry, you asked for letters

to be issued expressing your sympathy and an apology. Two draft letters are attached for your consideration.

**Recommendation**

15. That draft letters (attached) be issued to Sir Hugh Orde, John O'Hara QC, Ms Joanna Mitchell and Mr & Mrs Roberts.

Andrew Browne  
Safety & Quality Unit  


Cc: Dr Andrew McCormick  
Dr Michael McBride  
Dr Jim Livingstone o/r  
Clare Baxter

Sir Hugh Orde KB OBE  
Chief Constable  
Police Service of Northern Ireland  
65 Knock Road  
BELFAST  
BT5 6LE

Your ref: Com Sec 07/2267  
Our ref:

August 2008

Dear

### **INQUIRY INTO HYPONATRAEMIA-RELATED DEATHS**

You wrote to me on 22 February 2008 about the progress being made in investigating the deaths of children who died from hyponatraemia. In particular, you advised that in the case of Claire Roberts, further expert opinion was being sought and that you were also consulting with the family.

You will be aware that on 30 May 2008, John O'Hara QC announced the resumption of his Inquiry and in particular, that two new cases were being added (Claire Roberts and Conor Mitchell).

I have met with both families and in my conversation with the Roberts, was given to believe that they had indicated to the PSNI that they would be content for the further investigation of their daughter's death to be undertaken by the Inquiry, although they recognised that the PSNI may first have to complete its own investigation and seek the views of the PPS.

I would be grateful therefore if you could let me know the present position regarding progress with Claire's case. I have been advised by John O'Hara that his Inquiry hopes to do its preparatory work in the autumn 2008 with public hearings early in 2009. You will understand that Mr and Mrs Roberts have already been through a very difficult time, yet still face the Inquiry process. Anything that could be done to expedite completion of the PSNI investigation would therefore be appreciated greatly.

Thank you for your attention to this matter.

**Michael McGimpsey MLA**  
**Minister for Health, Social Services and Public Safety**

Mr John O'Hara QC, Chairman  
Inquiry into Hyponatraemia-related Deaths  
Arthur House  
41 Arthur Street  
BELFAST  
BT1 4GB

August 2008

On Monday 4 August I met with Conor Mitchell's mother and grandmother and Claire Robert's parents. Understandably they found it distressing to recount the events surrounding the deaths of Conor and Claire. One thing that was very clear, however, was their desire that for the sake of all concerned, the Inquiry should press ahead and bring the matter to a close as soon as possible.

I understand that the likely date for submission of your report is September 2009 and that public hearings are expected to begin early in the New Year. Clearly, the ability to find a suitable venue will have an impact on this and I am writing now to urge that every effort be made to expedite this with a view to meeting the September 2009 target.

I also wanted to let you know that I have again written to Sir Hugh Orde asking that the investigation of Claire Roberts' death be brought to as early a conclusion as possible, in keeping with the family's wishes.

I hope that you enjoy your summer break and look forward to the Inquiry making significant progress in the autumn.

**Michael McGimpsey MLA**

**Minister for Health, Social Services and Public Safety**

Ms Joanna Mitchell



Thank you for taking the time to meet with me last Monday. It was very helpful for me to hear from you and your mother about your family's experiences at first hand. I hope that the meeting was also of benefit to you and that it answered some of your concerns in advance of the Inquiry.

I was deeply saddened to hear of your distress and how this was made worse by the events surrounding Conor's death. I apologise unreservedly if any of the actions or words of hospital staff or their representatives, either then or since, have caused you further hurt or failed to meet the standards of care that you have a right to expect.

I have no doubt that John O'Hara will conduct a thorough investigation and I do hope that you will feel able to contribute to the Inquiry when hearings take place. My thoughts will be with you and your family over the months ahead.

**Michael McGimpsey MLA**  
**Minister for Health, Social Services and Public Safety**

Mr and Mrs Roberts



Thank you for taking the time to meet with me last Monday. It was very helpful for me to hear about your family's experiences at first hand. I hope that the meeting was also of benefit to you and that it answered some of your concerns and particularly your wish that there be no delay with the Inquiry.

I was deeply saddened to hear of your distress and the events surrounding Claire's death. I apologise unreservedly if any of the actions or words of hospital staff or their representatives, either then or since, have caused you further hurt or failed to meet the standards of care that you have a right to expect.

As I promised when we met, I have written to the Chief Constable to try to expedite the police investigation into Claire's death.

I have no doubt that John O'Hara will conduct a thorough investigation and I do hope that you will feel able to contribute to the Inquiry when hearings take place. My thoughts will be with you and your family over the months ahead.

**Michael McGimpsey MLA**  
**Minister for Health, Social Services and Public Safety**