

INDEPENDENT NEUROLOGY INQUIRY

Vivian McConvey
Chief Executive
Patient Client Council

Our Ref: BL-0005-21
10th March 2021

By email only: vivian.mcconvey@hscni.net

Dear Ms McConvey,

Re: Independent Neurology Inquiry

I refer to my previous correspondence of 11th January 2021.

Can I again thank you for the willingness of your office to liaise with various patients, who have been impacted by the neurology recall.

I have recently received correspondence from neurology patients raising a number of further queries regarding the Independent Neurology Inquiry. I consider the issues to be entirely legitimate and deserving of further comment and explanation. The queries raised and my response to them is outlined below.

I have been asked about the use of the powers now available to me under the Inquiries Act 2005 to compel witnesses. It is my intention that all relevant witnesses are called to speak to the Inquiry and I will use my powers under the Inquiries Act 2005 to issue Notices compelling attendance, where I consider it necessary so to do.

In my statement of 11th January 2021 (available on the Independent Neurology Inquiry website) I explained that transcripts and documentary evidence would be used in the drafting of the Inquiry report and would otherwise be subject to Restriction Order 01 of 2021 (also available on the Inquiry website). Patients have enquired if the Inquiry's evidence will be published. Witnesses who gave evidence to the Inquiry previously, including many patients and their relatives, did so on the understanding that their transcripts would not be published. I also took the decision not to publish documentary evidence provided to the Inquiry by relevant organisations for a number of reasons, including the often sensitive material contained in the documents, and my desire to explore this material further in oral evidence. This approach was taken largely because the Inquiry at that time was a non-statutory one. I consider that publishing material simply because the Inquiry has been made statutory would

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be unfair to the many witnesses and relevant organisations we heard from before the Inquiry was converted and the undertakings given at that juncture.

In addition, to do so now, would involve a lot of work for the Inquiry team and only delay the publication of my report. It remains the case that I will include within my report any evidence that enables me to fulfil the Terms of Reference. This does not in any way alter the position outlined to patients and their relatives that they will not be named or quoted in my report without their prior consent.

My statement of 11th January 2021 also raised the possibility of closing statements. I have been asked about the format and detail required. This was in no way intended to create a burden on patients and their relatives. The Inquiry has always been open to receiving relevant evidence and this will continue to be the position until the publication of my report. Any patient or relative who believes that they have relevant evidence to provide to the Inquiry can do so in writing. The Inquiry will be happy to receive any written comments which patients in particular wish to make, but I want to stress that there will be no requirement for patients to provide written submissions.

I am unable at this stage to indicate a date for publishing my report. I can confirm that I am aiming to conclude the evidence gathering stage of the Inquiry by the end of June 2021. The arrangements in respect of the publication of my report will be the subject of discussions with the Health Minister in due course. I will continue to ensure that patients are properly informed of the progress of our work and I will explore all options in respect of the appropriate involvement of patients at the time of the report being published, conscious of the critical importance of the patient voice in fulfilling the Terms of Reference.

I will be arranging to have this letter placed on the Inquiry website and I would very much appreciate if you could draw it to the attention of all neurology patients with whom you have recently engaged. If it is feasible and you are agreeable then it would also be helpful if this letter was published on your website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brett Lockhart', with a large flourish at the end.

Brett Lockhart QC

Chairman of the Independent Neurology Inquiry