

1 Day 1, 16th March, 1999

2 (11.00 am)

3 OPENING STATEMENT BY THE CHAIRMAN

4 THE CHAIRMAN: Good morning. Shortly, I will invite Counsel
5 to the Inquiry, Brian Langstaff QC, to set these
6 proceedings in motion. Before I do, may I say just
7 a few words.

8 Today, as you realise, we reopen the hearings we
9 adjourned last October. Let me start by repeating and
10 emphasising what I said last October: this is a Public
11 Inquiry; it is here to inquire. So the procedure which
12 we have adopted, and will adopt and the range of issues
13 which we are focusing on, will be those suitable to an
14 Inquiry and its terms of reference. This is not
15 a trial. We are not a court. There are no parties.

16 Some organisations and groups are legally
17 represented. Their representatives are here. We had
18 an opportunity to hear from them in October, and are
19 grateful. There is no need to hear from them further
20 now. I remind you that Mr Langstaff will question
21 witnesses on behalf of the Inquiry.

22 As regards cross-examination, re-examination and
23 otherwise addressing the Inquiry by legal
24 representatives, I refer to the procedure which I set
25 out in October. I expect this procedure to be observed

1 by everyone.

2 May I also say a word to the representatives of
3 the press and the media. We are grateful for your
4 interest and my team will work closely with you to aid
5 you in your role. Equally, we would expect you to
6 observe the dignity and the privacy of witnesses both
7 inside this building and away from it.

8 Since October there are a couple of things which
9 I should report to you. First, the Secretary of State
10 has appointed a medical member to complete the Inquiry
11 panel. He is Professor Sir Brian Jarman, Emeritus
12 Professor of Primary Health Care at Imperial College
13 School of Medicine and recently retired as a GP in an
14 inner city London practice. Professor Jarman is
15 a distinguished doctor with wide experience of
16 medicine. We will range over a wide area, looking at
17 a large number of areas of expertise. No single person
18 could embody all this expertise, so what we have devised
19 will give us the best of both worlds. Professor Jarman,
20 with his breadth of knowledge and experience, experience
21 supplemented by a group of experts knowledgeable in the
22 various areas into which we must inquire.

23 Just for the sake of completeness, I remind you
24 that the other two members of the panel are Rebecca
25 Howard and Mavis Maclean, and that I am Ian Kennedy, the

1 Chairman.

2 The second matter I wanted to report to you
3 concerns the Inquiry's group of experts. When I spoke
4 in October, much had still to be done. Mr Langstaff
5 will set out what has been done. All that I say here is
6 to remind you that in keeping with the approach adopted
7 by the Inquiry, all experts will be experts to the
8 Inquiry. After wide consultation, we have identified
9 areas of expertise as regards which the Inquiry will
10 need and be able to have access to advice. The group of
11 experts will contain a number of experts in each area.
12 By this procedure, not only do we expect to derive great
13 assistance for the Inquiry, but we will also avoid the
14 often unhelpful spectacle of pitting expert against
15 expert in an adversarial contest.

16 In this phase of the Inquiry, we will be hearing
17 oral evidence. For the sake of clarity, I emphasise
18 again that this oral evidence is intended to supplement
19 the much larger amount of documentary evidence and
20 written statements on which the Inquiry will rely.

21 We will call as witnesses only those who can
22 assist the Inquiry further by their oral evidence.

23 Witnesses will be invited to give their accounts
24 and tell their stories. They will be taken through them
25 by the Inquiry's counsel who will also ask them

1 questions. I make it clear I do not ordinarily
2 anticipate the need for questioning by others. That
3 said, there may be occasions from time to time when
4 someone wants Mr Langstaff to ask a question or raise
5 a matter which he might otherwise not ask. I am anxious
6 that nothing be overlooked. I know that Mr Langstaff
7 will ensure that there is always freedom of access, such
8 that any matters can be put to him or to other members
9 of the Inquiry team.

10 I am going to turn to Mr Langstaff, but before
11 I call on him, may I invite the various legal
12 representatives to introduce themselves now?

13 MR LISSACK: My name is Richard Lissack QC and I appear on
14 behalf of the Bristol Heart Children's Action Group
15 together with my learned friend Mr Harry Trusted and
16 Mr Peter Skelton, instructed by Mr Lawrence Vick of
17 Tozers and Mr Mervyn Fudge of Toller Beattie.

18 MR EASTWOOD: My name is Simon Eastwood, a solicitor from
19 Winckworth Sherwood. I am instructed by the Medical
20 Defence Union and the Medical Protection Society on
21 behalf of Drs Jordan, Joffe, Monk and Martin.

22 MR MILLER: I am Stephen Miller QC. Mr Gregory Chambers
23 sits on my right. We are instructed by Julie Austin of
24 Wansboroughs Willey Hargrave representing the United
25 Bristol Healthcare Trust.

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1 MR CHEN: Good morning. Simon Chen, solicitor,
2 Le Brasseur J Tickle. I act for the Medical Protection
3 Society.
4 MR SHARP: My name is Christopher Sharp, counsel instructed
5 on behalf of the Surgeons' Support Group. I am
6 instructed by Mr Ed Allingham of Sims Cooke and Teague.
7 MS STOCKLEY: I am Jo Stockley, senior officer, Royal
8 College of Nursing. My colleague is Helen Fovarge.
9 THE CHAIRMAN: Thank you. Now Mr Langstaff.

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