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· SOLICITORS ·

Ms Charlotte Martin
 Assistant Solicitor to the Inquiry
 The Bristol Royal Infirmary Inquiry
 Room LG07
 Wellington House
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26 October 1998

Our ref: LNV/al

BY FAX AND LETTER
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Dear Ms Martin

BRISTOL ROYAL INFIRMARY PUBLIC INQUIRY

I refer to our meeting at Cloisters Chambers on Friday, 23 October attended by the Inquiry team and your Counsel, Mr Brian Langstaff QC and his Junior, Miss Eleanor Gray, and on behalf of the Bristol Heart Children Action Group, Mr Simeon Maskrey QC, myself and Mervyn Fudge of Toller Beattie as co-solicitors. Fortunately we had all been able to rearrange our timetables for what proved to be an important and helpful meeting.

There remain specific and real concerns as to the issue of cross-examination which, according to the 21 October News Release, is to be excluded by the Chairman "except where demanded by the requirements of fairness or the need to resolve disputes of fact to assist in fulfilling the Inquiry's terms of reference". Mr Langstaff's proposals in his conversation with Mr Maskrey on 21 October added little to the proviso contained in the News Release. However, at Friday's meeting it was agreed that :

- (a) the parents would not make an application to the Chairman at tomorrow's opening hearing to cross-examine all witnesses as of right
- (b) the parents would consider their position generally as to the acceptability of the limitation proposed by the Chairman and reserve their position as to whether they will apply to the Chairman to cross-examine all witnesses as of right
- (c) in any event it was understood that applications could and would be made by the parents to cross-examine specific witnesses within the terms of the limitation to cross-examination set out in the News Release as and when those witnesses were called

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