

The Bristol Royal Infirmary Inquiry

Chairman Professor Ian Kennedy
Secretary Una O'Brien
Room LG07
Wellington House
135-155 Waterloo Road
London SE1 8UG

Mr L Vick
Tozers
Broadwalk House
Southernhay West
Exeter, Devon EX1 1UA

Telephone 0171 972 4363/4313
Fax 0171 972 4602
E-mail inquiry@doh.gov.uk

Solicitors P F O Whitehurst
Telephone 0171 740 4306
Fax 0171 740 4318
Charlotte Martin
Telephone 0171 972 4967

Date: 30 October 1998

Your ref: LNV/al

Dear Mr Vick

YOUR CLIENTS: THE BRISTOL HEART CHILDREN ACTION GROUP

I am writing in response to your letter of 26 October, but may I first thank you, Mr Fudge and Mr Maskrey for taking the time to meet with us last week in London.

Your concern and that of your Counsel as to the issue of cross examination has been noted and passed on to the Chairman. It is not of course the case that cross examination is excluded, save in certain circumstances, by the terms of the rubric set out in the Inquiry's News Release and explained by the Chairman in his Opening Statement. Rather, cross examination is limited to Counsel to the Inquiry.

Dealing with the indented paragraphs of your letter:

- (a) It was agreed that Mr Maskrey would not make any application to the Chairman at the preliminary hearing on the issue of cross examination.
- (b) Mr Maskrey indicated that he would be meeting with groups of parents over the next three weeks or so and would explain to them how in his view the proposed procedure can work, and would advise your clients, in his words, to "suck it and see" for the time being. That said he also indicated that he reserved the right to ask for another hearing to seek to challenge the procedure as regards cross examination.
- (c) It is certainly understood that your clients may make applications to cross examine within the terms of the rubric, and that Mr Maskrey has reserved his position with regard to making such an application.