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(d) Mr Langstaff indicated that we were mindful that if there were reasonable grounds for cross examination and it was refused, then your clients would have the right to seek leave to move for Judicial Review of that refusal, and that we were conscious therefore of the need to deal properly with any application within the terms of the rubric.

It appears that there may be some confusion over what was said and agreed about the timing of any application for leave to move by your clients. It is our recollection that Mr Langstaff indicated that Mr Maskrey could inform your clients that the Inquiry Team had confirmed that an attack on the way in which the rubric was operated would not be met by us with a delay argument on the basis that it should have been mounted now. However it was also made clear that in the event you are instructed to seek to challenge the rubric itself rather than its operation, then it is open to you do so now.

Your paragraph (d) appears to have conflated the two issues, and does not set out our recollection of what was agreed.

Turning to the question of lines of communication between parents who are members of the Action Group and the Inquiry Team, we have noted Mr Maskrey's concerns and the reasons for them. However, I regret that your recollection of an agreement having been reached between us on this issue is not correct.

I know that Peter Whitehurst wrote to you earlier this week on the issue of costs. As to the work being undertaken by Mr Stanley, Junior Counsel to the Inquiry is currently considering both the transcript of the GMC hearings and the sample indices you provided at our first meeting, and we will revert to you on this point as soon as possible.

Yours sincerely



Charlotte Martin
Solicitor to the Inquiry