

CHAIR'S STATEMENT AS TO THE EVIDENCE PLAN FOR 2023

ISSUED ON 13 FEBRUARY 2023

1. Following on from my update statement published on 21 December 2022, I thought it would be helpful to those interested in the Inquiry's work to set out the Inquiry's plans for 2023.
2. Work has been ongoing since the 2022 hearings finished to prepare for the six modules of evidence which I set out in the last statement which we will start hearing in March. Further details of the modules have now been issued on the website: [Evidence Modules March to May 2023](#).
3. Those organisations to which we have written have all agreed to provide statements and documents to assist the Inquiry with this phase of its work. The statements will be provided to Core Participants in advance of the evidence being given. These modules will provide necessary information to the Inquiry about the legal and regulatory structures relevant to the terms of reference, as well as the relevant policies, procedures and practices applicable within the time frame relating to the delivery of care to learning disability and mental health patients.
4. We expect to be able to publish the majority of the material relating to these modules on the Inquiry website and to be able to stream the hearings over our online live feed.
5. It is important to understand that at this stage of the Inquiry this is primarily an information gathering exercise about structures and law. As I said in my last update, the focus at this stage will not be on how effective the legislation, policies and regulations were, nor whether or where they failed. The Inquiry will return to consider those matters later.
6. I expect this evidence will take up the majority of the hearing time between March and May this year. There are also a small number of witnesses who have engaged with the inquiry and have now made statements relating to the patient experience whom we will call to give evidence in one of the weeks during this period. This is to assist those witnesses who are no doubt keen to provide their evidence as soon as possible and so that they are not unduly delayed.

7. I remain hopeful that a number of potential witnesses who are affiliated to the two groups Action for Muckamore and the Society of Parents and Friends of Muckamore will engage with the Inquiry and provide statements in accordance with the procedures laid down in my [statement issued on 23 November 2022](#). I have set time aside to hear that evidence in May and June 2023. It is important that we finish that evidence by the end of June so that we can move on to hear evidence from the staff and management of Muckamore Abbey Hospital (MAH) in September when we resume after the summer break. To that end the Inquiry has advised their legal representative that we will need to have their completed statements by 28 April 2023 so that they can be provided to all parties in a timely manner.
8. The Inquiry now has a full complement of administrative staff as well as solicitors and all the solicitors to the Inquiry have received vulnerable witness training, and those who had already received that training have refreshed their skills.
9. It is worth noting that, in keeping with the approach of the Inquiry to the obtaining of documents relating to individual patients, the Panel has analysed all of the evidence received to date and has identified the documents relating to those patients that it needs to obtain to assist in addressing the terms of reference. The formal requests for those documents will issue to the Trust shortly.
10. In relation to staff and management of MAH, as well as making targeted requests to individuals both directly and through the Trust, we will be publicising as widely as possible, including using a media campaign, that we want members of staff to contact us directly to provide their accounts of the delivery of care at MAH. Although several members of staff have been mentioned in the evidence to date, simply to focus upon those would not provide a full picture and might lead to unfairness. The Inquiry wants to hear about all aspects of care and life at MAH as seen from the staff and management perspective.
11. I am hopeful that we will have positive engagement with that body of witnesses. There may be some who will be reluctant to speak to us, but it is important that the Inquiry hears from those working at the hospital so as to have the fullest range of evidence and experience. It is important to emphasise that this is a public inquiry, it is not a criminal trial or civil proceedings. The Inquiry staff can explain the measures that are available to be put in place to assist witnesses. Everyone with relevant evidence about their own delivery of care at MAH or what they have observed of others should please now come forward.
12. On the Inquiry's website (www.mahinquiry.org.uk), there is a form to fill in to start this process and members of the Inquiry staff are available to speak in complete confidence to anyone, who needs assistance or further information.
13. Following the evidence from staff and management the Inquiry will receive evidence from all relevant authorities, including the Trusts, SPPG, the Public

Health Agency, the Department of Health, PCC, RQIA, PSNI and HSENI. The Inquiry will be writing to them and others who may have evidence to give in due course to give notice of the evidence to be required.

14. The final area of evidence to be received will be expert evidence on a number of different topics to assist the panel on potential recommendations.
15. It is unlikely that all of that evidence will finish before the end of 2023, and it is probable that some evidence will need to be called in the early part of 2024. We do expect however to have finished all of the evidence by Spring of next year.
16. The timetable for sitting in 2023 therefore is as follows. The Inquiry's work will continue in preparation of evidence throughout the periods that the Inquiry is not sitting to hear evidence. We will work towards sitting in the following periods but there may have to be some flexibility and everyone will be notified should there be dates or periods which cannot be utilised. As before the Inquiry will not sit on Fridays unless there are exceptional circumstances.
17. The anticipated hearing periods from March to June 2023 (possibly subject to some adjustment) are:

Period 1 – Modules 1-6 (and remainder of patient experience where statements already received)

20 March to 6 April
17 April to 4 May

Period 2 – Final Patient Experience Evidence

15 May to 16 May
22 May to 8 June
13 June to 15 June
20 June to 29 June

18. The Inquiry will not be sitting from 30 June 2023 and will reconvene in early September 2023.
19. In the meantime, we look forward to the informative evidence to come in Modules 1 - 6 and to the engagement of the final witnesses as to the patient experience as well as engagement from members of staff and management of MAH.

Tom Kark KC