

## **CHAIR'S STATEMENT AS TO PROGRESS**

**ISSUED ON 28 SEPTEMBER 2023**

1. I want to say a few words about the remaining evidence relating to the patient experience and the next phase of the Inquiry. As you will be aware, the patients' and relatives' experience evidence is now coming to an end. The final patient experience evidence will be heard in week commencing 9 October, with this phase of the Inquiry closing on Thursday the 12 October.
2. With a very few exceptions we have now received all of the final signed statements from the AfM and SPFM witnesses.
3. The Inquiry has now heard a substantial body of evidence of this nature and the Panel is very grateful to all of the many witnesses who have provided statements.
4. The Inquiry's terms of reference are limited by date and are restricted to the period between December 1999 and June 2021. The terms of reference also allow the Inquiry (quote) "to receive and take account of evidence outside of that period where such evidence will assist the Inquiry in examining, understanding and reporting on matters within these terms of reference".
5. Having reviewed all the signed statements which have not yet been heard, there are a number of witnesses whose statements fall outside the terms of reference and whose evidence is so far outside the relevant dates that it would not be appropriate for those witnesses to be called, nor for their statements read in full. However, I am very conscious that all of those witnesses have an account to give and a story to be heard.
6. Part of the role of a Public Inquiry is to ensure that those who are affected by the issues have the opportunity of conveying their experiences to the Inquiry, where it is appropriate to do so and when that can properly be accommodated.
7. So, what I have proposed is that we will devote a day for counsel to deal by way of a summary presentation with all of those accounts which may fall outside the ToR but which nevertheless ought to be heard.

8. Before those accounts are given by way of summary, it is important that each maker of a statement which falls into this category understands that their statement will be read in full by the Panel. They will form part of the historic record about which the Panel needs to be aware.
9. That session when those statements will be summarised will be on the last day of the patient experience evidence, Thursday 12 October.
10. We have written to all those who have given statements which fall into that category and explained our approach. We have also written to the solicitors of those who are legally represented. They have all been notified that that evidence will be dealt with on the 12<sup>th</sup>. They are welcome to attend here at the Inquiry centre or alternatively they can be provided with Zoom links so that they can watch and listen to the summary presentation.
11. I also want to set out where we are with the schedule as we move forward.
12. The late receipt of the patient experience statements has inevitably resulted in delay to the next phase of the Inquiry which relates to the staff experience at the hospital. Although the processes to take statements from staff have been designed and are ready to be put into operation, the process itself has only just been able to start in earnest this week.
13. As Chair I have to ensure fairness to all, and the machinery of a public Inquiry is complex. Where there is a slowing down in one part of it, that may have a consequent effect on the rest of the process. That is what has now happened.
14. Although we intended to start hearing from members of staff in the week of 16 October this year, that is unfortunately no longer realistic.
15. In reality, we will not be able to start the staff evidence until 6 November. That means that the Inquiry will not be sitting to hear evidence between 12 October and 3 November. We will publish the schedule of sitting in due course.

Tom Kark KC  
Chair MAHI