

Muckamore Abbey Hospital Inquiry

Organisational Module 9 – Trust Board

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**WITNESS STATEMENT OF JAMES O’KANE**

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I, James O’Kane, former non-executive Director of the Trust Board of the Belfast Health and Social Care Trust (the Belfast Trust), make the following statement for the purposes of the Muckamore Abbey Hospital Inquiry (the MAH Inquiry):

1. This statement is made on my own behalf in response to a request for evidence from the MAH Inquiry Panel, dated 28 March 2024. The statement addresses a number of specific matters, included in the 28 March 2024 letter, concerning my former role as a non-executive Director of the Trust Board of the Belfast Trust, and, in particular, my role as Chair of the Belfast Trust Audit Committee.
2. This is my first witness statement to the MAH Inquiry.
3. The documents that I refer to in this statement can be found in the exhibit bundle attached to this statement marked “JO’K1”.
4. The 28 March 2024 MAH Inquiry request for evidence can be found at Tab 1 in the exhibit bundle.

**Qualification, Experience and Position of the Statement Maker**

5. I am a chartered accountant (CPFA) by profession. I graduated with a BA(Hons) in Accounting in 1979. I was awarded a Doctor of Science in Economics by Queen's University Belfast in 2023.
6. I was a non-executive Director of the Trust Board of the Belfast Trust between April 2007 and March 2016. I was also Chair of the Belfast Trust Audit Committee during this period.
7. I retired from full-time employment in 2018 having been Registrar and Chief Operating Officer of Queen's University Belfast from December 1999 to 30 April 2018.
8. In preparing this statement, it is important to highlight that I personally hold no information or records relating to my former role as a non-executive Director of the Belfast Trust.

## **Questions**

### **Question 1**

#### **What was the composition and remit of the BHSC Audit Committee?**

9. Given the passage of time, I cannot now be precise about the composition and remit of the Audit Committee of the Belfast Trust. I do not hold the information that could clarify this. I anticipate that if this question was posed to the Belfast Trust it would be able to answer it for the assistance of the MAH Inquiry.
10. To the best of my recollection, the Audit Committee was composed of non-executive directors of the Belfast Trust. I cannot be precise at this remove about the number of members that sat on the Audit Committee, but, from memory, the Audit

Committee was composed of three non-executive members, including myself as Chair. The Committee was supported by the appointed Internal and External Auditors who attended all meetings.

11. The role and function of the Audit Committee was concerned with audit, and, in particular, two distinct areas, namely external audit and internal audit. External audit involved engaging with the Belfast Trust's independent, external auditors and was essentially concerned with financial reporting and financial management. Internal audit was concerned with the Belfast Trust's own internal controls. This, again, as far as it involved the Audit Committee, essentially related to financial matters such as procurement, fraud and achieving value for money. It was the function of the Audit Committee to ensure that the Belfast Trust's financial management was conducted in accordance with relevant standards and practices.

## **Question 2**

**How often did the Audit Committee meet?**

12. Again, I can no longer recall the precise frequency of meetings, but my recollection is that the Audit Committee met, on average, 4 times per year.

## **Question 3**

**By what means (and at what intervals) did the Audit Committee report to the Trust Board?**

13. Based on my recollection, the Audit Committee reported to the Trust Board of the Belfast Trust after each meeting of the Audit Committee. The format of the report

would, from memory, have been the approved minutes of the Audit Committee meeting, which would have been circulated to Trust Board members along with the agenda, and supporting papers. As Chair of the Audit Committee, I would have presented the report, and spoken to it, at the meeting of the Trust Board.

#### **Question 4**

**Do you recollect MAH being on the agenda and, if so, how often?**

14. I have no recollection of MAH being on the agenda of the Audit Committee. In this context, I would also refer to my response to Question 6 below. How the Audit Committee functioned would not have involved the consideration of specific matters occurring at the various specific hospitals operated by the Belfast Trust.
  
15. The agenda of an Audit Committee meeting would reflect the Committee's functions, namely the focus would be items related to internal audit and to external audit. The internal and external auditors would update the Committee on areas they had been working on. This would relate to financial management or other matters related to financial governance. Papers considered by the Committee would reflect whatever topics the internal or external auditors had been working on, which would span the areas I have described above. I do not personally hold any minutes, agendas, or papers, although I understand these can be made available to the MAH Inquiry by the Belfast Trust if that would assist the MAH Inquiry's work.

#### **Question 5**

**Do you recollect the Committee receiving audits, reports or other material relating to MAH? If so, please give details and indicate how the Audit Committee dealt with such material?**

16. I have no recollection of the Audit Committee receiving any reports, or associated material, relating to MAH. In this context, I would again refer to my response to Question 6 below.

### **Question 6**

**Did the Audit Committee have any role in the Trust's responses to inspections of MAH, including those carried out by RQIA? If so, please give details.**

17. The Audit Committee had no role in responding to inspections of MAH, or of any other hospital operated by the Belfast Trust, including those inspections undertaken by the RQIA. The Audit Committee did not have an oversight role in relation to the delivery of core services within the Belfast Trust.

18. The remit of the Audit Committee primarily related to the internal control environment within the Belfast Trust and, in particular, issues related to finance. Areas of focus would have included, for example, the adequacy and implementation of policies relating to compliance with Standing Orders and Standing Financial Instructions (SFIs), procurement, fraud, value for money, patient property, and the asset register. In addition, the Audit Committee had a responsibility to oversee the preparation of the annual Belfast Trust Financial Statements, informed by the work and opinion of the appointed independent External Auditor, ensuring compliance with all relevant accounting standards and Departmental directives and circulars.

19. In this context, although I do not recall whether MAH ever specifically featured on the agenda of the Audit Committee, I do not believe that issues relating to Adult Safeguarding would have been the type to feature as part of the Audit Committee's business, whether arising from MAH or any other hospital or service operated by the Belfast Trust. Based on my recollection of the sorts of issues that the Audit Committee dealt with, the context in which MAH (or any other individual Belfast Trust site) would have appeared would have been in relation to financial management or reporting and, in particular, a specific audit report from Internal or External Audit.

20. In relation to the oversight of the internal control environment, the Audit Committee was supported by independent Internal Auditors who completed a programme of audits in line with an approved plan. At this remove, I cannot remember the details of those internal audits, but I anticipate that Belfast Trust would be able to assist with this.

#### **Question 7**

**During your time as Chair, can you recall whether the Audit Committee raised any concerns in relation to MAH with the Trust Board? If so, please give details.**

21. I refer to my above answers. As Chair of the Audit Committee, I do not recollect raising any concerns or issues relating to MAH with the Trust Board, and, because of the nature of the Audit Committee, I would not have expected to be in a position to do so. As I have indicated in my response to Question 6, the work of the Audit Committee was primarily focused on two main areas; the internal control environment and the preparation and finalisation of the Belfast Trust's annual Financial Statements. In discharging these responsibilities, the Audit Committee

was supported and informed by independent reports received from the appointed Internal and External Auditors.

**Question 8**

**Do you wish to draw to the attention of the Panel any other matters not covered by the above questions that may assist in the Panel's consideration of the Terms of Reference?**

22. I do not wish to draw any other matters to the attention of the MAH Inquiry.

**Declaration of Truth**

23. The contents of this witness statement are true to the best of my knowledge and belief. I have, to the best of my ability and without access to any information or papers relating to my former role as a non-executive Director of the Belfast Trust, sought to address all the matters on which the MAH Inquiry Panel has requested me to give evidence.

**Signed: James O'Kane**

**Dated: 09 May 2024**

Exhibit Bundle "JO'K1"

<b>TAB:</b>	<b>List of Exhibits</b>	<b>PAGE</b>
1	Letter from MAH Inquiry to James O'Kane dated 28 March 2024 requesting witness statement.	1-3



# MAHI Muckamore Abbey Hospital Inquiry

MAHI Team  
1<sup>st</sup> Floor  
The Corn Exchange  
31 Gordon Street  
Belfast  
BT1 2LG

28 March 2024

**By Post**

Mr James O'Kane  
Former Non-executive Director  
and Chair of Audit Committee BHSCT  
205 Upper Malone Road  
Belfast  
BT17 9JX

Dear Mr O'Kane

**Re MAHI Organisational Modules 2024: Request for Witness Statement**

The Inquiry is currently preparing for the final phase of evidence. Please see enclosed a document summarising the ten organisational modules to be heard in this phase: [Organisational Modules 2024.pdf \(mahinquiry.org.uk\)](https://mahinquiry.org.uk/Organisational%20Modules%202024.pdf).

It is anticipated that the Inquiry will hear evidence in respect of these modules in September and October 2024.

The purpose of this correspondence is to issue a request, in the first instance, for a statement from you that will assist the Inquiry in this phase of evidence. It should be regarded as a request by the Inquiry Panel for the purposes of Rule 9 of the Inquiry Rules 2006.

The Inquiry understands that you were a non-executive Director of the of BHSCT Trust Board and also Chair of the Trust Audit Committee between 2007 and 2016.

You are asked to make a statement for the following module:

**M9: Trust Board**

I have also enclosed for your attention a copy of the Inquiry's [Terms of Reference](#). You will note that the module in respect of which you are asked to make a statement is primarily concerned with the evidence of those in key positions of responsibility for

MAH, past and present, at Trust Board level.

Given your role as Chair of the Audit Committee for BHSCT, the Panel would be assisted if you would address the following matters specifically in your statement:

1. What was the composition and remit of the BHSCT Audit Committee?
2. How often did the Audit Committee meet?
3. By what means (and at what intervals) did the Audit Committee report to the Trust Board?
4. Do you recollect MAH being on the agenda and, if so, how often?
5. Do you recollect the Committee receiving audits, reports or other material relating to MAH? If so, please give details and indicate how the Audit Committee dealt with such material?
6. Did the Audit Committee have any role in the Trust's response to inspections of MAH, including those carried out by RQIA? If so, please give details.
7. During your time as Chair, can you recall whether the Audit Committee raised any concerns in relation to MAH with the Trust Board? If so, please give details.
8. Do you wish to draw to the attention of the Panel any other matters not covered by the above questions that may assist in the Panel's consideration of the Terms of Reference?

It would be helpful if you could address those questions in sequence in your statement. If you do not feel that you are in a position to assist with a particular question, you should indicate accordingly and explain why that is so.

Please note that, while the Inquiry has received and heard a considerable body of evidence about the relevant systems and processes that were in place during the timeframe of the Terms of Reference, the Inquiry will now be focusing primarily on the *adequacy and effectiveness* of those systems and processes.

Please see enclosed a Statement Format Guide that will assist with the presentation of your statement. It is important that statements made for Inquiry purposes should be consistent in format. It is appreciated that the number of required sections will depend on the range and breadth of issues to be covered and that some flexibility will be needed to ensure the most effective presentation, but you are asked to adhere to the Guide to the extent that is possible.

You are requested to furnish the Inquiry with your completed statement by 10 May 2024. Your statement should be uploaded to the Inquiry's document management platform BOX via the following link:

<https://mahinquiry.box.com/s/0xcqsvrlg3qy7935rdhcybe18ucukogg>

Should you have any issues accessing BOX please email [info@mahinquiry.org.uk](mailto:info@mahinquiry.org.uk) and a member of the team will assist you.

Statements made for the purpose of the organisational modules will be published on the Inquiry's website.

As noted above, it is anticipated that evidence in these modules will be heard by the Inquiry in September and October 2024. If there are any dates in those months on which you will be unavailable to attend the Inquiry to give evidence, please inform the Inquiry as soon as possible by emailing the Inquiry Secretary [jaclyn.richardson@mahinquiry.org.uk](mailto:jaclyn.richardson@mahinquiry.org.uk).

If you have any queries about this correspondence, please do not hesitate to contact me.

Yours faithfully,



Lorraine Keown  
Solicitor to the Inquiry

Encs:

1. Outline of Organisational Modules April – June 2024: [Organisational Modules 2024.pdf \(mahinquiry.org.uk\)](#).
2. [MAHI Terms of Reference](#).
3. OM2024 Statement Format Guide.