



# Bhandal Law

Our Ref: LM/5247/2024

17 March 2025

BY EMAIL ONLY

Dear Lady Justice Thirlwall

We represent Ms Lucy Letby who is currently serving fifteen whole life sentences at HMP Bronzefield. Ms Letby maintains her innocence. This was a case where there was no direct evidence against Ms Letby, the prosecution case against her was primarily based on a series of hypotheses presented to the jury by a small group of medical experts led by Dr Dewi Evans.

We are writing to ask that you suspend the Thirlwall Inquiry under section 13 of the Inquiries Act 2005. The combination of several compelling reports from international experts, the failure by the prosecution to properly disclose material relevant to the defence, an analysis by leading statisticians conclusively showing the jury were likely to be misled when they were told of spikes in deaths and shown an unreliable staff rota and a lead prosecution expert who has changed his position on critical factors since the trial, will show that any final report from the Inquiry or recommendations will not only be redundant but likely unreliable.

There is now substantial evidence that undermines all the convictions. This evidence includes:

- i. Nineteen detailed reports prepared by sixteen experts from seven different countries who are leading clinical specialists in the fields of neonatology, paediatric pathology and paediatric surgery. These international experts have had access to all the medical records, prosecution expert reports, statements from nurses and clinicians on the Neonatal Unit ('NNU') between 2015 and 2016 at the Countess of Chester Hospital.



Head Office: 1 Newcastle Chambers, Angel Row, Nottingham NG1 6HL

Tel: 0115 9415000

Branch Office : 245 Walsall Road, Perry Barr, Birmingham B42 1TY

Tel : 0121 4908000

Website : [www.bhandallaw.co.uk](http://www.bhandallaw.co.uk)

Email: [Enquiries@Bhandallaw.co.uk](mailto:Enquiries@Bhandallaw.co.uk)

Bhandal Law Limited t/a Bhandal Law Company Registration Number: 09325064 Registered in England and Wales

VAT registration number 209447404

Authorised and Regulated by the Solicitors Regulation Authority SRA No: 622292

Partners: Dr Ben Bhandal, Miss Gazala Altaf –Abbasi, Mr Vikram Lalli, Mrs Sarah Rust, Mr Finn Butler

In addition, where relevant, they have also seen summaries of evidence presented to the jury. In short, they have received and read all and more of the evidence put before the prosecution experts when they drafted their reports. Many of the experts have given testimony before their own domestic courts as expert witnesses and have a full understanding of what is required of a witness in criminal proceedings.

The expert panel was headed by Professor Shoo Lee, the leading expert in neonatology in Canada, who has published over 400 papers. He has reviewed every new expert report.

This is by far the largest forensic expert neonatal review ever undertaken. The results of which say that there is no evidence of harmful acts committed by Lucy Letby and in fact highlight a litany of errors by the treating clinicians.

- ii. Two reports from the United Kingdom's leading statisticians refuting the premise of the prosecution case of an unexplained spike in deaths and a coincidence of Letby being present when babies are said to have died or collapsed. This has been done not by relying on unproven anecdotal evidence but with the use of extensive research and data analysis. The experts conclude that the jury were misled as to accurate status of the data. In short, there was no unusual spike, it was not an outlier, and the staff rota presented to the jury was incomplete, selective and, therefore, meaningless.
- iii. Three reports on the issue of insulin rejecting the hypothesis that exogenous insulin was given to any baby by Lucy Letby. The reports are written by nine internationally renowned experts in epidemiology, toxicology, biochemistry, biomechanics, statistics, neonatology and engineering. The authors include a Professor of Chemistry and Forensic Science, a Professor in Forensic Toxicology (retired), a Consultant in Clinical Biochemistry & Chemical Endocrinology, an Associate Professor of the Department of Statistical Science, a Consultant Paediatric Endocrinologist, an Emeritus Professor of Paediatrics, and two highly experienced neonatologists, one based in the UK the other in Canada (in addition to Dr Shoo Lee).
- iv. The failure of the prosecution to disclose to the defence that the police had instructed an expert, met with the expert, taken guidance and advice from the expert and then not proceeded on that advice. This arguably led to the jury being misled on the central thesis of the prosecution case, that there had been a spike in deaths on the NNU and staff rota showed Ms Letby being on duty of the time of each incident.
- v. The failure of the prosecution to disclose a medical statement from a treating clinician which could have had a bearing on the defence approach at trial.
- vi. Evidence from numerous interviews, podcasts and articles from Dr Dewi Evans since the trial, where he arguably undermines his independence as an expert witness.
- vii. The failure to disclose a new report drafted by Dewi Evans twelve months after Ms Letby was convicted of murder. This report addresses the cause of death of one of the babies for which Ms Letby was convicted of murder. Not only is this fresh evidence but this again goes to the inconsistency and reliability of Dr Evans.
- viii. The failure of the prosecution to adduce before the jury the report from the Royal College of Paediatrics and Child Health (RCPCH) which, following a full

review of the NNU, raised several issues concerning suboptimal care. Importantly, having met with and interviewed several members of staff (including Lucy Letby), they raised no concerns against any one member of staff. This report was consistent with the internal review set up by the Trust. This again was not put before the jury. This failure led the jury to not have the complete picture in relation to a unit which seemed to be in crisis and poorly managed by inexperienced and overworked clinicians.

- ix. The failure of the prosecution to disclose to the defence the involvement of a senior coroner's officer into the investigation of Lucy Letby and the results of her investigation.
- x. The failure of the prosecution to disclose that the coroner investigating the death of one baby (for which Ms Letby has been convicted of murder) did not see important evidence of a hospital procedure which we say ultimately may have led to the child's death.
- xi. The change of position by Dr Evans on a key element of the case against Ms Letby. This, we say, not only may have misled the jury but also the Court of Appeal.

The expert evidence summarised above not only provides a compelling alternative explanation for each of the alleged murders and attempted murders, but also heavily criticise some of the practices, care, diagnosis and treatment by the neonatologists working on the NNU.

The evidence above is fresh evidence, was not before the jury and has not yet been placed before the Court of Appeal. Under section 23 of the Criminal Appeal Act 1968, the Court of Appeal has the power to admit fresh evidence if it is deemed necessary or expedient in the interests of justice. It is clearly in the interests of justice for the Court to hear the evidence from several international experts.

The terms of reference of the Inquiry were drafted on the basis that Lucy Letby is guilty and therefore will not consider any evidence which contradicts this. If, given the overwhelming evidence that the convictions are unsafe, they are overturned, then any report produced by the inquiry will be based on the wrong premise. This error will pollute the very nature of the report and any conclusions or indeed recommendations will be of little value. In short, it will defeat the purpose of a public inquiry, to fully and fearlessly understand the circumstances in which the babies died or became unwell.

It is envisaged that all this evidence will be submitted this week. The application is already before the Criminal Cases Review Commission ('CCRC') and a specific team has been allocated and is working on the case. There will soon be a meeting between the defence team and the allocated Commissioner to talk through the large, authoritative, body of new clinical evidence.

Following this meeting, it is likely that the CCRC will not take long to consider the application before referring it back to the Court of Appeal. It is worth noting that although the CCRC has been under criticism for the delay in processing applications, when there is clear and definitive evidence that convictions are unsafe, as there is here, a decision to refer the convictions to the Court of Appeal is rightly undertaken expeditiously.

It is estimated that over 10 million pounds has been spent so far on the Inquiry. It is now clear there is overwhelming and compelling evidence that Lucy Letby's convictions are unsafe. For the Inquiry to be effective and the tax-payers money not to be wasted, we urge that the Inquiry be suspended and to wait for the outcome of the review to take place.

Yours faithfully

Louise Mortimer  
**BHANDAL LAW**