

THIRLWALL INQUIRY

SUPPLEMENTARY WITNESS STATEMENT OF ROYAL COLLEGE OF PAEDIATRICS AND CHILD HEALTH

1. I, Robert Okunnu, will say as follows: -
2. This is a witness statement submitted further to the statement submitted on behalf of the Royal College of Paediatrics and Child Health (RCPCH) on 8 February 2024. Its purpose is to draw the Inquiry's attention to a number of additional documents submitted to the Inquiry after the initial statement was completed. We will not seek to point out every feature of these documents, but rather to identify those relevant to the Inquiry's overall terms of reference or to the more detailed questions which we have subsequently been asked. In this statement, we will go through the new documents in broadly chronological order.
3. On 14 February 2017, Ian Harvey shared by email with Sue Eardley (RCPCH/0438 and RCPCH 0439 **INQ0012755 and INQ0012756**) a letter from the paediatricians on the CoCH neonatal unit, dated 10 February 2017. The letter was addressed to Tony Chambers, the then CEO of the CoCH Trust. There are handwritten annotations on the copy RCPCH has – it is not clear by whom. The key point for the College from the letter is that the paediatricians state that the 2016 review was a service review, but that it “did not identify a cause for the sudden increase in neonatal mortality”. Moreover, the paediatricians said, “The concerns we expressed to the reviewers are not included in the [Invited Review] report.” Given other correspondence from Ian Harvey at this time, it appears that the paediatricians at this point only had access to the redacted, rather than the full report.

4. In his covering email for this letter, Ian Harvey said “I am happy for any comments from you or the review team”. We have not been able to find any written response from Sue Eardley, the then Head of Invited Reviews, and the chronology she subsequently compiled (RCPCH/0456 **INQ0012750**) does not record one either.
5. In our initial witness statement, we described a complaint made on 5 February 2018 by Dr Stephen Brearey to the then-RCPCH President Prof Neena Modi. We have identified an email (RCPCH/0410 **INQ0012734**) from the then RCPCH Chief Executive Judith Ellis which sums up the actions that should follow from this. In addition to the response to Dr Brearey from Prof Modi (already exhibited and discussed in a previous statement), there were two primary actions. The first was the compilation of a detailed chronology of the RCPCH’s involvement in the CoCH’s work. This was undertaken by Sue Eardley. The exhibit RCPCH/0455 **INQ0012748** appears to be a draft, and RCPCH/0456 **INQ0012750** the final version; they are both dated 14 Feb 2018. The second action was to undertake a review of the governance of the Invited Reviews programme. This did not take place immediately but was ultimately subsumed into the more wide-ranging “Crisp Review” of the whole programme which took place in 2019, and which is described separately in the initial statement.
6. The immediate action resulting from these governance concerns appears to have been undertaken by Dr Mike Linney, then the RCPCH Registrar and one of the recipients of the email RCPCH/0410 **INQ0012734**. It appears that he reviewed both the general Invited Review guidance and the specific circumstances of the CoCH Invited Review. His notes are at RCPCH/0427 **INQ0012776**. We do not have any record of whether, or in what way, these suggestions were implemented by the Invited Reviews team in 2018; as noted above, they were subsumed by the Crisp Review in 2019.
7. The chronology at RCPCH/0456 **INQ0012750** contains a number of pieces of correspondence already exhibited, but two are new and deserve further comment. On page 7 of the chronology, Dr David Shortland (then RCPCH

Vice President for Health Policy and lead for the Invited Reviews programme) is shown as commenting as follows on 28 November 2016, when he had completed his Quality Assurance of the final report:

“Quite an interesting and complex review. Good to have David M[illigan] leading that one. Almost felt a bit like the Grantham situation 30 years ago and my only question was why they didn't involve the police if they had those suspicions. Otherwise looks like a good report with very clear recommendations”

The reference to “the Grantham situation” is presumed to refer to the case of Beverley Allitt, who was convicted of murdering four infants and attempting to murder three others at the Grantham and Kesteven Hospital in early 1991. As with other comments referenced in the primary witness statement, it highlights the question of what actions the RCPCH could or should have taken at this point; as mentioned there, the lack of a formal escalation policy for Invited Reviews was likely a shaping factor in RCPCH not taking action on its own account.

8. Later in the chronology (RCPCH/0456 **INQ0012750** p8), it is recorded that the CoCH Medical Director Ian Harvey contacted Sue Eardley (presumably by email) as follows:

“We are reaching the end of the forensic review, just waiting for secondary pathology reviews of 4 cases, and are now discussing the sharing of reports. We have concerns that effectively there are two reports, one described as confidential and the other for dissemination. We don't want to be seen as concealing anything given how that would be perceived post Morecombe Bay, and whilst I appreciate that the former related to HR aspects regarding one of our nurses, is there anything in the report that the College wouldn't want published or were the two reports purely to protect the nurse and the Trust?”

Sue Eardley records her response as follows:

“The latter. From our perspective either can be published if you choose to do so; we recognised the importance of wide dissemination of the report but also the responsibility to protect individuals for the HR issues (that aspect is the only difference) which we had a duty to report formally to you as they were a concern to the review team. Under FOI the details of the HR issues could probably be reasonably withheld or redacted to protect her/others’ identities if there was a risk of challenge. If the ‘confidential’ one is released it may be worth a conversation beforehand with the staff in question and your information governance /HR people to mitigate any risk.”

Therefore, according to this evidence, there was no bar from the College’s part on the full IR report being shared with the paediatricians or the Trust Board.

9. A new RCPCH Chief Executive, Jo Revill, began work at the College in June 2018. Document RCPCH/0420 **INQ0012744** dated 16 July 2019, is an account of a meeting she had held the previous week with paediatricians from the CoCH neonatal unit. It is addressed to Prof Russell Viner (then President) and Dr Mike Linney (then Registrar, and lead for the Invited Reviews programme. It states that she and Emily Arkell (then interim Director of Research and Quality Improvement) had met with Stephen Brearey and Susie Holt “to talk to them about the background to our Invited Review of their service in 2016 and the ongoing investigation, focussing on the College’s role in that period.” Later in the email exchange in document RCPCH/0420 **INQ0012744**, there is a suggestion that the RCPCH’s Invited Review service should be independently reviewed. Following this, the Crisp Review was commissioned to review the RCPCH’s Invited Reviews service, as mentioned in the preceding witness statement.
10. The new documents we are submitting also include some correspondence and documents shared between RCPCH and Cheshire Police’s Operation Hummingbird. Although we believe these are relevant to the Inquiry’s overall terms of reference, we do not understand that they currently engage any of

the questions the Inquiry has asked of us as a College. Accordingly, we are not providing detailed commentary on them in this statement, although we are of course happy to respond to any comments from the Inquiry on this element of the College's engagement with the issues it is covering.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed:

Personal Data

Dated: 08 March 2024