

**IN THE THIRLWALL INQUIRY
BEFORE LADY JUSTICE THIRLWALL**

Witness name: CLAIRE RAGGETT

Witness statement number: 1

Exhibits: CER/01

Dated: 08.05.2024

**DISCLOSURE STATEMENT OF CLAIRE RAGGETT ON BEHALF OF THE COUNTESS OF
CHESTER HOSPITAL NHS FOUNDATION TRUST**

I, Claire Elizabeth Raggett, of the Countess of Chester Hospital NHS Foundation Trust ("the Trust") say as follows:

Introduction

1. The facts in this witness statement are true, complete and accurate to the best of my knowledge and belief. Where I refer to my beliefs, those beliefs, and my knowledge contained in this statement, are informed by colleagues, current and former, who I have spoken with in an attempt to identify and collate relevant documentation, and colleagues within the Trust's IT department, in particular Paul Keith, who has assisted with the searches for and collation of relevant electronic documentation. Hill Dickinson, the firm of solicitors instructed by the Trust as its Recognised Legal Representative in this Inquiry, have assisted me in identifying, collating and disclosing relevant documentation to the Inquiry and thus in the preparation of this statement.
2. I have worked at the Trust since April 2008. I am currently the Thirlwall Inquiry Lead within the Trust, which is a role I have held since October 2023. I have also been the Trust's Data Protection Officer since May 2022.
3. I am the appropriate person to give this witness statement on behalf of the Trust in view of my role as Trust Thirlwall Inquiry Lead and my role as Trust contact for Operation Hummingbird (see below for information on this). I was appointed to these roles in light of

my previous Trust role (Executive Assistant) and corporate memory, being one of the few employees who were employed by the Trust in the corporate team during 2015/2016 and who remain employed at the present time. I have led the Inquiry disclosure process on behalf of the Trust as Trust Thirlwall Inquiry Lead. My roles within corporate governance at the Trust and my knowledge of data protection issues also led to me being deemed the most appropriate person to lead on the disclosure process. I have been the custodian of all documents held by the Trust relevant to this Inquiry or the indictment that proceeded it or, where the documents have been shared with third parties, I have been the person in charge of coordinating and sharing information requested on behalf of the Trust.

4. Disclosure to the Inquiry has, necessarily, been undertaken in stages. I address each of the relevant stages below.

Context – material provided to Cheshire Police and Facere Melius

Police

5. The Trust's concerns about the neonatal unit and Letby were reported to Cheshire Police in May 2017.
6. In May 2017 following the police confirming that there would be an investigation into the events in the neonatal unit, the police developed a spreadsheet for formal requests for information from the Trust. This process was led by Stephen Cross, Director of Corporate Affairs, and I provided administrative support. The process was undertaken in the main by me, with occasional cover from Tony Chambers' Executive Assistant, Deborah Cleverley, or another colleague when I was on leave. The requests would be received via email from the Operation Hummingbird team, and sent to Stephen Cross and myself. Stephen Cross and I would review the requests and share via email the individual requests with the most appropriate person within the Trust to respond to the requests. This could be an executive director, paediatrician, the neonatal unit manager, risk lead or a member of the legal team. I would then collate any responses and review them with Stephen Cross for completeness before the response was shared directly with the police either in electronic form or via hard copy documents. In some instances, both electronic and hard copy documents were shared for ease of reference for the police.
7. The individuals who received the requests from the police via the executive office would review electronic data including emails, personal H drives, S drive folders, and the Trust's

electronic policy document library and archive and, as needed, retrieve documents from the Trust's off site storage provider 'Data Space'.

8. Where the response sent to the police did not meet the police's requirements, the request would be clarified by the police and shared again with the most appropriate member of staff for them to reconsider the information they had shared.
9. Upon receipt of the response to the police, I would provide a statement to the police detailing the initial request from the police and what had been provided in response to the request. These were completed in hard copy and I would formally sign the statements. These were provided to the police and I did not retain a copy.
10. Electronic responses Stephen Cross and I received directly were saved on a secure, restricted access 'Operation Hummingbird' S drive folder. There were some requests where the individual requested to respond to the request responded directly back to the police and did not include the executive office. Such responses would not therefore have been saved on the Operation Hummingbird S drive folder. The Operation Hummingbird S drive is still held by the Trust and the contents of it have been provided to the Inquiry (see paragraph 45 below).
11. I am aware that the police interviewed individual members of staff and that they provided documentation directly to the police. The Trust does not have a record of this information. The police did on occasion come to the hospital and seize information and documentation that they felt was important and we were not always made aware of what had been seized. This happened at significant points such as at the time of Lucy Letby's arrest and when she was charged.
12. As the police investigation progressed, requests were directed to me. Due to the urgency of some requests, members of the Operation Hummingbird police team would also contact me directly without the spreadsheet being updated. It was acknowledged and agreed at the time that I was to facilitate responses to their requests despite the request not being on the spreadsheet. As a result, there was no central log maintained which detailed all the information provided to the police.
13. I understand that the Operation Hummingbird police team have been asked to provide details of the information provided by the Countess of Chester Hospital to the Inquiry team.

Facere Melius

14. In February 2020, the then Chair of the Trust, Sir Duncan Nichol, and the Chief Executive, Susan Gilby, commissioned an independent external management review of the decisions and actions taken by the Trust in response to concerns raised regarding the neonatal unit and Letby. This review was commissioned from Facere Melius.
15. In order to enable Facere Melius to conduct this review, documentation relevant to the review was requested from the Trust and documentation was provided. It is understood that the documentation provided to Facere Melius for the purposes of its management review was a combination of hard copy and electronic documentation. I recall that the collation of some of this documentation was undertaken on site by Facere Melius and Facere Melius subsequently uploaded the documentation to its own document management platform. Other documentation was provided piecemeal to Facere Melius and I was involved in providing some of this documentation on instructions from the then Chief Executive. However, the Trust did not collate and catalogue the documentation provided. I understand that searches were undertaken of both electronic and hard-copy records held on site at that time. However, I cannot confirm what searches were undertaken or the search terms used for such searches. I recall that members of Trust staff at the time provided relevant material that they held in either mailboxes or electronic personal or shared Trust drives and that a lot of this material had already been provided to the police for the purposes of the prosecution of Letby and her trial. The information provided to Facere Melius included a lot of the information provided to the police; however, due to the on-going trial process, no medical records were provided to Facere Melius as this was outside of the terms of reference of the commissioned review.
16. The early stages of the Facere Melius review took place during covid lockdowns and, as such, requests were made either verbally during telephone calls or via email. The then CEO instructed me that I was to provide any information that Facere Melius needed. When I received a request from Facere Melius, I would undertake searches across all S drives, H drives and email accounts that I was able to access, which included the email accounts for former executives. I would liaise with Trust colleagues to locate as much information as possible to support the review. There was no central log maintained which detailed all the information provided.
17. I understand that Facere Melius have also been asked to provide details of the information provided by the Countess of Chester Hospital to the Inquiry team.

Inquiry request for documents

18. The then Acting CEO of the Trust, Jane Tomkinson, and I (as Trust Thirlwall Inquiry Lead) received a detailed Rule 9 request dated 27 October 2023 seeking a corporate statement from the Trust to the Inquiry, together with disclosure of the following material (to the extent that the documents were not included as exhibits to the corporate statement):

- a. Photographs, plans and maps showing the layout of the neonatal unit and its nurseries as they were between June 2015 and June 2016.
- b. An organisation chart that shows the structure of governance at the Trust and responsibilities for the safety and management of the CoCH neonatal unit between June 2015 and June 2016.
- c. A dramatis personae that shows key post holders in (a) the Trust governance structure and (b) the management of the CoCH neonatal service between June 2015 and June 2016.
- d. Copies of all Board, including NHS Governors minutes, where issues relating to the safety of the CoCH neonatal unit were discussed during the relevant period.
- e. Copies of all Board meeting minutes where concerns about the death rate in the neonatal units and/or about Letby were discussed during the relevant period.
- f. Copies of minutes with Clinical Commissioning Groups where the adequacy of the neonatal service at the CoCH was discussed during the relevant period.
- g. Copies of the minutes of any other meetings during the relevant period held at the CoCH where concerns about:
 - the adequacy of the care provided at the neonatal unit;
 - the staffing levels in the neonatal unit;
 - the culture in the neonatal unit;
 - the death rate in the neonatal unit and/or Letby was discussed.

Please include within this the Quality and Safety Committee and Audit Committee, the Women's and Children's Care Governance Board.

- h. Copies of all CQC reports on CoCH during the relevant period. Please include any correspondence sent to / received from the CQC about the neonatal unit during this period.
- i. Copies of any other reports, reviews or investigations conducted into the neonatal unit during the proposed date range. This should include any correspondence, minutes or other documents requesting those reviews, the scope of their work, interviews with witnesses or their outcome and the materials provided to each review to conduct its work.

- j. Copies of the minutes of the Perinatal Mortality and Morbidity Panel. We understand that this met 5 times a year. Please provide the minutes during the relevant period.
 - k. The neonatal Datix for the CoCH for June 2015 to June 2016.
 - l. Copies of the minutes of the Cheshire Child Death Overview Panel for any neonatal deaths at the CoCH during the relevant period.
 - m. Copies of the minutes from the bi-monthly Clinical Effectiveness Group for the relevant period.
 - n. Copies of all emails, letters, or notes of meetings that raised complaints or concerns about the neonatal unit and/or Letby from January 2012 to May 2017 when the deaths on the neonatal unit were reported to the police.
 - o. Copies of any written responses of CoCH or notes of meetings where such complaints and/or concerns about the neonatal unit and/or Letby were considered.
 - p. All documents and correspondence regarding Letby's grievance complaint.
 - q. All correspondence and documentation in relation to the deaths of babies on the indictment that were referred to the Coroner.
 - r. Correspondence between the Trust and/or any medical staff and Letby.
 - s. Copies of the Countess Hospitals policies at June 2015 to June 2016 and current policies on: Safeguarding policies for babies; Investigating a neonatal death; Freedom to Speak up Guardians and/or any other policies relating to the escalation of concerns; Whistleblowing; Patient complaints.
 - t. Letby's personnel file.
 - u. Copies of any complaint made to the NMC about Letby and any related correspondence.
19. The Rule 9 requested a response by 4pm on 6 December 2023. For the purposes of the request, we were asked to focus on *"the period of time between the 4th January 2012 and the 19th October 2023 ("the proposed date range")* on the basis that:

- "a. Lucy Letby ("Letby") commenced work as a nurse at the Countess of Chester Hospital ("CoCH") on 4th January 2012.*
- b. The murders and attempted murders took place between June 2015 and June 2016.*
- c. The Inquiry formally commenced on 19th October 2023";*

but that "Notwithstanding the proposed date range, in so far as you consider that matters falling outside this date range will be of assistance to the Inquiry in their investigation, such matters should be included".

Initial response to Rule 9 request

20. An 'All Staff' email was sent out on behalf of Jane Tomkinson on 20 October 2023, providing an update on the next steps after the verdict in the trial of Lucy Letby, which included a 'Do Not Destroy' order, which read as below:

'Order for all staff: do not destroy records related to this time period

As part of the announcement of the statutory public Inquiry, the Trust has received what is known as a 'Do Not Destroy' instruction from the Inquiry team. This is described below: The Trust must ensure that a full and clear record of its parts in events remains intact and accessible, and as such the Trust (and Trust staff) must take a cautious approach. This involves retaining all material that could be relevant to the Inquiry under the Terms of Reference, including emails, electronic documents, all paper records, text or WhatsApp messages and any other information/communication.

There is an offence under section 35 of the Inquiries Act 2005 of altering, destroying or preventing relevant documents from being provided to the Inquiry. This offence potentially has criminal sanctions if it has been found to be deliberately breached.

If you do have any questions regarding the 'Do Not Destroy' order, please contact Claire Raggett, our Trust Thirlwall Inquiry Lead: claire.raggett@I&S / 0 I&S

21. Subsequently, I verbally reiterated the importance of adhering to the 'Do Not Destroy' order during the whole hospital Team Briefing call, which I believe took place on 2nd November 2023. I confirm that the order remains in place.
22. Following a Teams meeting with the Inquiry team on 31 October 2023 on receipt of the Rule 9 request to confirm the Trust's position and clarify a couple of aspects of the request, Hill Dickinson sent an email to the Inquiry on 3 November 2023. The email confirmed that the stipulated timescale would prove extremely challenging for the Trust and that the Trust would not be in a position to provide the requested statement and all relevant documentation by 6 December. This was said to be in part due to the sheer scope and volume of information and documentation requested, coupled with similar requests for information and documentation having been received by the Trust from the police and NMC. In addition, the email explained that there was little corporate memory of the events in question in view of the change in management personnel since that time. That meant that locating, identifying and collating all relevant material that might be held by the Trust (in paper or electronic form) would prove extremely difficult. Whilst some documentation had already been collated and disclosed to others for the purposes of the criminal process

and the Facere Melius review commissioned in 2020, the email explained that the information and documentation that may be held by the Trust relevant to the Inquiry's terms of reference would be far more extensive. It went on to explain that the documentation provided to Facere Melius for the purposes of its management review was a combination of hard copy and electronic documentation, that the collation of some of this documentation was undertaken on site by Facere Melius and that Facere Melius subsequently uploaded the documentation to its own document management platform. The email explained that the Trust did not collate and catalogue this documentation, as the expectation was that this would be done by Facere Melius and that the documentation would then be returned to the Trust on the completion of the review. Facere Melius indicated at that time that, if the Trust required the documentation for the purposes of the Inquiry proceedings, it would take them some time to identify the Trust's documentation and return it. The email to the Inquiry advised that within the last two weeks, the police had seized all the hard copy documentation held by the Trust which was scanned and also held in electronic form by Facere Melius. Such documentation was, therefore, no longer retained by the Trust.

23. My intention at that time was to begin the disclosure exercise in response to the Rule 9 request by obtaining and disclosing all of the documentation held by Cheshire Police and Facere Melius, as I understood that this was all material held by the Trust at the time of disclosure to the Police and Facere Melius which was deemed relevant to the baby deaths in the neonatal unit in 2015/2016, Letby's employment with the Trust and involvement in those deaths, and the Trust's response to the concerns raised, including its management of Letby – the matters which formed part of the Inquiry's published terms of reference.
24. Consequently, Hill Dickinson requested an extension of time until 15 December 2023 in which to provide the disclosure of initial documentation deemed relevant to the request, but on the basis that it was *envisaged that further documentation may become available and be provided subsequently following all relevant searches*. This was because at this point it was recognised by the Trust that whilst relevant documentation could be obtained from Facere Melius and the police to respond to the request, there was likely to be further relevant material held electronically by the Trust, and by current and former members of staff, which would need to be identified, located and collated.
25. The Inquiry responded by email of 6 November 2023 to confirm that it was prepared to grant an extension until 11 December 2023 and that it would contact Facere Melius to enquire about the Trust materials it held and whether they could be supplied. Hill Dickinson responded to confirm that it would also proceed to engage with Facere Melius

to obtain the Trust materials as they would be required to enable the Trust to respond to the Rule 9 request.

26. On 24 November Hill Dickinson again emailed the Inquiry to advise that the Trust did not have immediate access to all relevant documentation, as much of the relevant documentation was held by Facere Melius and/or by Cheshire Police. Following a number of communications with both Facere Melius and Cheshire Police, the Trust had been advised that it was unlikely that documentation could be returned/provided to the Trust before the first week of December. The email advised that even if such documentation was received in December, it was likely that it would then take a significant amount of time to sort the documentation/information for the purposes of responding to the Rule 9 request. The email further advised that the Trust intended to carry out searches of relevant mailboxes and document drives held by the Trust, but that, having spoken with the IT team at the Trust, it was clear that this was an extensive exercise, including email accounts potentially held by NHS Mail and material held on back-up tapes, and that such searches could not be completed by the deadline of 11 December.

27. In the meantime, the Trust was asked by the Inquiry on 30 November 2023 if it held "*a list of all staff who worked in, or had access to, the neonatal unit at the Countess of Chester Hospital in 2015 / 2016? When we say "all staff" we mean: (a) not just clinical staff (so for example, cleaners, porters, building maintenance etc.); and (b) not just those staff directly employed by the Trust (so to include any working through an agency)*". A response was provided to confirm that the Trust did not hold a single list of staff, and that this would have to be compiled from the rotas, which were a mix of paper and electronic records. I provided a list of staff to the Inquiry on 19 December 2023. The list included the following staff who I understood either worked on Paediatrics or the NNU or had access to those units via their swipe card from June 2015 to June 2016: Doctors, agency doctors, nurses, agency nurses, midwives, nursery nurses, domestics, porters, estates staff, admin staff, pharmacists, security staff and others. We confirmed to the Inquiry that the Trust did not hold a record of external contractors who may have had access to those units during the relevant period.

28. On 1 December 2023 Hill Dickinson provided an update to the Inquiry on disclosure. The email advised that the Trust had received electronically a OneDrive zip file of material from Facere Melius and that it was understood that this contained all Trust documentation held by Facere Melius. [It later transpired that this was not the case as the material provided was only the material referenced in the draft Facere Melius report 'Hidden in Plain Sight' and some of this material had not uploaded to the data platform used for

sharing the documents due to its size and lengthy document titles. I comment on this further below]. The email advised that it was assumed that all such material was potentially relevant to the Inquiry's terms of reference (for the reasons referred to above) and that Hill Dickinson were in the process of downloading this material and attempting to categorise it such that it could be indexed accordingly and subsequently disclosed.

29. That email of 1 December advised that it was the Trust's understanding that the documentation held by the police (either seized by the police or previously provided to the police by the Trust) would be contained within the disclosed material from Facere Melius and that the Trust did not therefore anticipate requiring any further documentation from the police, to avoid duplication. An exception to this was the HR records of Trust Board members who were in post from June 2015 to June 2016, which the police held (and still hold). The Inquiry confirmed that it did not require sight of those HR files at that time, but a list of the likely general content of those files was provided to the Inquiry on request on 26 January 2024.
30. The email of 1 December also advised that the Trust had carried out a search for all potentially relevant information held in the current S drive (shared drive) folders on the Trust's IT system and that this information was being collated and indexed ready for disclosure. Searches were undertaken across the S drives relating to the Executive department, women and children's division, governance and quality, quality and safety folder including risk team and the HR and corporate services S drives. Based on previous information sharing with both the police and Facere Melius, these were the folders which were deemed to contain potentially relevant material.
31. I instructed Hill Dickinson to help with these searches. They sent a representative on 22 to 24 November 2023 to conduct an electronic review of the above selected S drives (shared drives which all Trust staff can access) and selected H drives (drives which are personal to individual Trust staff). My colleague, Mary Crocombe, who was the PA to Alison Kelly, Director of Nursing, during the indictment period and up until June 2021, and I chose the drives to search on the basis of our joint experience of governance and risk across the organisation over a considerable period of time. The representative from Hill Dickinson helped search for documents relating to the neonatal unit and Lucy Letby across all of the drives.
32. The email of 1 December further advised that the Trust had asked all the neonatal clinicians and members of the senior nursing team who worked on the neonatal unit from 2015 to 2016 who remained employed by the Trust and other senior team members in the Women and Children's division who had recently joined the Trust, to search their H drives

(personal drives held on the Trust's IT system) and mailboxes for all potentially relevant material that had not already been provided for the purposes of the police investigation or the completion of the Facere Melius management review. This request was made verbally by me at a meeting with the above team on 20th November 2023 where we discussed the corporate Rule 9 statements and the information that was required to respond to the Rule 9 statements. The team provided any potentially relevant documentation. This information was saved into a secure Thirlwall Inquiry S drive, the contents of which have been shared with the Inquiry as part of the response to the corporate Rule 9 request. On 1 February 2024 I gave an update on the whole hospital team briefing call regarding the Rule 9 statement process and the importance of ensuring that all potentially relevant information held was shared as part of this process. [I understand that those members of staff in receipt of a Rule 9 request have also subsequently been asked within those requests if they hold any relevant documentation]. Relevant material would include anything relevant to the baby deaths in the neonatal unit in 2015/2016, Letby's employment with the Trust and involvement in those deaths, the raising of concerns about the deaths and/or Letby, and the Trust's response to the concerns raised, including its management of Letby.

33. At that time we had identified (and confirmed in the email of 1 December to the Inquiry) that the Trust held a copy of the email accounts and H drives of former executive directors Tony Chambers, Alison Kelly, Sue Hodgkinson and Ian Harvey and was carrying out searches across these drives and accounts for any potentially relevant information that had not already been collated and disclosed for the purposes of the police investigation or the Facere Melius review. Those searches were ultimately paused, as I realised that identifying relevant material and avoiding duplication of disclosure would be an extensive exercise through use of the Trust's existing software. Searches of those mailboxes and drives are covered later in my statement.
34. Also at that time (and confirmed in the email of 1 December to the Inquiry) we had identified approximately 35 other former employees of the Trust whose NHS email accounts, H drives, and archived S drive folders might contain potentially relevant documentation that had not already been provided for the purposes of the police investigation or Facere Melius review. Those individual H drives and archived S drive folders are held on tapes and computer back-ups. I had been advised at this time that they would take a considerable amount of time to reinstate – weeks and possibly months in view of the hardware and software functionality and manpower required. Once reinstated, they would then need to be searched for the specific former employees' accounts. Once identified, searches would need to be undertaken for any relevant documentation. The NHS email accounts for those former employees are managed by

NHS Mail (NHS Digital, now a part of NHS England). At this time I was seeking advice from NHS Mail (NHS Digital) as to whether these legacy accounts could now be accessed. NHS Mail has specific retention periods which I understood had long since passed and I was aware that it may not have been possible to access these accounts. If those accounts were accessible, I planned to put in place arrangements to undertake searches for any relevant documentation pertinent to the Inquiry. I anticipated at that time that the majority of significant documentation that may be relevant held within these drives, folders and accounts would have already been provided to the police or Facere Melius, as it would have been identified from searches of the current S drives or from H drive and email information provided by others still employed by the Trust. However, Hill Dickinson and I took the view that searches of these drives and accounts would be necessary, if such searches proved possible, to ensure that there was no other potentially relevant material within those drives and accounts. It was recognised at that time that should any such material be found, the process of sorting such material to avoid duplication of disclosure would likely take some time.

35. The email of 1 December to the inquiry advised that, as a result of the above, the Trust did not anticipate being in a position to provide all potentially relevant documentation it may hold to the Inquiry by 11 December, but that it would endeavour to provide as much documentation as possible by this date, and would provide regular updates to the Inquiry on the search processes for further documentation. Since then, a number of updates have been provided to the Inquiry on various aspects of the disclosure process, as summarised below.

Facere Melius documentation

36. As referred to in paragraph 28 above, at the end of November 2023 I received electronically a OneDrive zip file of material from Facere Melius. It was later understood that the material provided was the Trust material referenced in the draft Facere Melius report 'Hidden in Plain Sight' (which the Trust had not seen at that point) and that some of this material referenced had not uploaded to the data platform used for sharing the documents due to its size and lengthy document titles. All of the material received at the end of November was reviewed, categorised into categories a-u of the Rule 9 request insofar as possible (as described at paragraph 18 above), indexed and disclosed to the Inquiry on various dates in December 2023 and January 2024. All of the material was deemed potentially relevant to the Inquiry.

37. It is understood that around the same time Facere Melius was also being asked to disclose to the Inquiry material it held relevant to the Inquiry. Some of the same documentation may therefore have been disclosed by Facere Melius around the same time, potentially with different document titles, as Hill Dickinson and I had reviewed, categorised and re-named the documents in order to index them for disclosure to the Inquiry. Many of the documents received from Facere Melius had codes/numbers only as titles.
38. I understand that Facere Melius was also asked by the Inquiry to produce a schedule of all documentation it held pertaining to its 'Hidden in Plain Sight' report so that any further relevant documentation could be identified. This schedule was produced to the Inquiry on 21 February 2024 by Facere Melius and Hill Dickinson was provided with a copy at the same time as there had been discussions between Facere Melius, Hill Dickinson and the Inquiry about the most efficient way to ensure that all the Trust documentation held by Facere Melius was disclosed to the Inquiry.
39. It was suggested by Hill Dickinson that it received all the Trust documentation held by Facere Melius and listed on the schedule produced on 21 February 2024 so that the documentation could be reviewed and provided to the Inquiry by the Trust. I was not aware of the volume of documentation held by Facere Melius until I saw the schedule of 21 February 2024.
40. The Trust documentation listed on the schedule of 21 February that had not been returned to the Trust at the end of November 2023 was therefore ultimately uploaded by Facere Melius during March and April 2024 to a platform hosted by Epiq for disclosure to the Inquiry by the Trust. That documentation was provided to the Inquiry (via the Epiq production process) on 3 May 2024. See below for further comment on the Epiq processing.
41. I therefore understand that all of the documents listed on the schedule provided to the Inquiry on 21 February by Facere Melius (documents pertaining to the Hidden in Plain Sight report) have been provided to the Inquiry as follows:
- a. Documents listed on the schedule as Facere Melius source documents (documents generated/held by Facere Melius which are not Trust documents) – I understand these have already been disclosed directly to the Inquiry by Facere Melius.
 - b. Trust documents returned to the Trust by Facere Melius at the end of November 2023 – indicated in Column L of the schedule of 21 February – to the best of my knowledge

and belief, these have already been disclosed to the Inquiry by the Trust. It is understood that Facere Melius reviewed all the material it held in order to produce the schedule of 21 February and indicated on the schedule in column L the material it had provided to the Trust at the end of November 2023. I did not review each document referenced in column L of the schedule as against the documents I received from Facere Melius at the end of November 2023 as I understood Facere Melius had undertaken the exercise, in preparing the schedule, of identifying the documentation it had provided to me at the end of November. Therefore, I worked on the basis that everything listed in column L of the schedule had been provided to me at that time. As referred to in paragraph 36 above, all the material received electronically by the Trust at the end of November 2023 in the OneDrive zip file from Facere Melius was disclosed to the Inquiry on various dates in December 2023 and January 2024.

- c. All remaining Trust documents in the schedule of 21 February – I understand these have been uploaded to the Epiq platform by Facere Melius, have been processed and were all disclosed to the Inquiry on 3 May 2024.

42. Facere Melius was also commissioned by the Trust to conduct a general Trust governance review in 2019. A report was produced by Facere Melius following this review, which I understand Facere Melius has disclosed to the Inquiry. Appendix 4 of the report listed the documents considered by Facere Melius in conducting its review and producing its report. The Inquiry has asked me whether all of the documents are relevant to the Inquiry and whether they have already been disclosed to the Inquiry. As the list of documents did not readily identify each document, Hill Dickinson and I confirmed to the Inquiry that we could not clarify whether all the documents were relevant or whether they had been disclosed to the Inquiry.

43. Hill Dickinson therefore asked Facere Melius to collate all the documents it held relating to the 2019 governance review and to produce a schedule of those documents, comparing it as against Appendix 4 of the report. This has recently been produced and I have reviewed the schedule of documents to try and identify whether any documents are likely to be relevant to the Inquiry. Having reviewed the list of documents in the schedule, I have highlighted the documents I believe may be relevant to the Inquiry. Hill Dickinson asked the Inquiry (on 30 April 2024) to confirm that it required disclosure of all such documents and whether it required any other documents on the list. I understand the Inquiry has since confirmed that it requires disclosure of all such documents and a number of further documents on the list. It has been suggested by Hill Dickinson that these documents are

uploaded to the Epiq platform and that de-duplication processes are run against the documents to remove any that have previously been disclosed. The remaining documents can then be disclosed to the Inquiry.

44. It is understood that there are some documents listed on the schedule that Facere Melius do not hold copies of (it is understood that some material was shown to them by the Trust but copies were not provided). These documents are listed in tab 2 of the schedule. Items 2, 3, 4 and 5 on the list are not deemed relevant to the Inquiry. Facere Melius cannot recall what documents 6 and 7 were so I am unable to identify them. The date of item 8 is not known and therefore cannot be identified.

S drives and exhibits to Trust corporate Rule 9 statements

45. The results of the searches of the current S drives described in paragraphs 30-32 above, the content of the S drive referred to in paragraph 10 (Operation Hummingbird S drive) and other relevant material identified during the preparation of the Trust's Rule 9 statements in January and February 2024 was categorised into categories a-u of the Rule 9 request and disclosed to the Inquiry on various dates in December 2023 and during January and February 2024. A lot of this material was appended to the Trust's Rule 9 statements, and further material identified for the purposes of and/or during preparing the statements was also appended to the Trust's Rule 9 statements and provided to the Inquiry (or, if not appended, subsequently provided to the Inquiry) as part of this process in February and March 2024 [the exhibits to the three corporate statements provided by the Trust in response to the Rule 9 request being ultimately provided on 11 March 2024].
46. The Trust intends to carry out a focussed search of back up S drive (shared drive) files as part of a double check process to identify any further material from the back up files that may be relevant and that hasn't already been disclosed [the current S drives have already been searched and relevant information disclosed].

Mailboxes

47. As referred to in paragraph 34 above, I compiled a list of former Trust staff whose mailboxes and H drives I believed might contain potentially relevant material. Together with colleagues from the Trust's IT team, in January 2024 we began the process of trying to locate the relevant H drive back up tapes, which are stored off site, and to find out if the mailboxes of those individuals still existed.

48. As referred to in paragraph 33 above, I identified that the Trust held a PST (personal storage table) copy of the email accounts of former executive directors Tony Chambers, Alison Kelly, Sue Hodgkinson and Ian Harvey, which were retained at the time when they left the Trust. This was subject to the following caveats:
- An issue was identified with the 2016 email period in the mailbox of Tony Chambers, former Chief Executive. Some emails appeared to be missing for 2016. I understand that there may have been a PST held locally on Mr Chamber's laptop containing emails from 2016. The laptop has been seized by the police and the Trust does not currently have access to it to check the position. Mr Chambers has been contacted, through his legal representatives, and cannot confirm whether his laptop does contain locally held emails, but has confirmed that he does recall saving some emails and documents on his laptop as he will routinely have had to clear his emails when his inbox became full.
 - A locally held copy of the PST file of Sue Hodgkinson's mailbox was held in February 2017 by the Trust when Ms Hodgkinson left the Trust, but not the complete email account. The complete email account is not available from NHS Mail in view of its age.
49. In terms of the mailboxes of other former members of staff, this involved a number of communications with NHS Mail (NHS Digital, now NHS England) who 'hold' these mailboxes once an employee leaves an NHS employer. The Trust no longer hold these mailboxes as the individuals no longer work for the Trust. Through this process the Trust was able to access from NHS Mail the mailboxes of 11 individuals.
50. NHS Mail confirmed that there was no data available (no access to mailboxes) for 17 individuals on the list I had compiled. They advised that this was due to the NHS leaving date of the employee being over 2 years, along with an internal NHS mail data migration having taken place during the intervening period. I did escalate this matter internally within NHS Mail for specific clarity with regards to any back ups they may hold – NHS Mail confirmed that they do not have back ups beyond the retention period of a rolling 2 years from the date of request. Those mailboxes are therefore no longer available. I attach the applicable NHS Mail data retention policy as my **Exhibit CER/01**.
51. When the H drive material was processed (see below), a number of PST mailbox files were identified in the H drive material. The Trust's IT team has explained to me that this

may be the case for any of the following reasons. The following activities of creating a PST for export or archive is led by the individual and is not a Trust IT / automated process.

- The account holder may have exported a copy of the mailbox and held the data separately. Microsoft Outlook Application provides a means to manually export a copy of the mailbox messages. The export may or may not contain all messages, this is dependent on the options selected during the export creation. Notably: The export is dependent on the Cache' period setting in Microsoft Outlook Application - the default time period is 6 months, therefore if not adjusted to full there is likelihood that the export will not contain all messages. The archived PST file could be created on the local hard drive or H drive.
- Microsoft Outlook Application provides a means to archive mailbox messages. This is usually used to work around a full mailbox, the archiving can release mailbox space. The archived messages are then stored in a PST file. This file may or may not contain all messages - depending on the archiving options selected during the creating of the archive PST. The H drive is a network location.
- A Microsoft Outlook Cache file is created by default. It is an OST file. The Cache file is used to reduce dependency on network connections and speed up access. The file is created within the Computers USER Profile and is automatically stored on the internal hard drive.

52. A number of PST files of mailbox data were therefore identified in the H drive material for certain individuals whose mailboxes could not be retrieved from NHS Mail due to their age.

53. The tables below indicate whose mailboxes we have been able to access from NHS Mail and whose we haven't, and also those individuals whose mailbox data was identified as PST files within the H drives.

Custodian	Email address	NHS Mail query for PST results	NHS Mail PST file obtained	PST files from H:\ or Hard disk
Andrew Higgins	andrew.higgins5@ I&S	Available	Yes	No
Dee Appleton-Cairns	dee.appleton-cairns@ I&S	Available	Yes	Yes

Dr (Mr) Sean Tighe	sean.tighe@ I&S	Available	Yes	yes
Dr Murthy Saladi	murthy.saladi@ I&S	Available	Yes	Yes
Jackie Hughes	Jackie.hughes8@ I&S	Available	Yes	Yes
Josh Swash	joshua.swash@ I&S	Available	Yes	Yes
Julie Foggarty	julie.foggarty@ I&S	Available	Yes	Yes
Karen Rees	karen.rees2@ I&S	Available	Yes	Yes
Kathryn De Beger	kathryndebege@ I&S	Available	Yes	Yes
Rachel Hopwood	rachelhopwood@ I&S	Available	Yes	No
Susan Gilby	susan.gilby1@ I&S	Available	Yes	No
Custodian	Email address	NHS Mail query for PST results	NHS Mail PST file obtained	PST files from H:\ or Hard disk
Anne Murphy	anne.murphy9@ I&S	Rejected	No	Yes
Carmel Healey	carmel.healey@ I&S	Rejected	No	Yes
Clare Edwards	clare.edwards5@ I&S	Rejected	No	Yes
Debbie Peacock	dpeacock1@ I&S	Rejected	No	Yes
Dr Jim McCormack	jim.mccormack@ I&S	Rejected	No	Yes
Dr John Gibbs	john.gibbs@ I&S	Rejected	No	No
Duncan Nichol	duncan.nichol@ I&S	Rejected	No	Yes
Eirian Powell	eirianlloyd.powell@ I&S	Rejected	No	Yes

Heidi Douglas	hdouglas2@ I&S	Rejected	No	Yes
James Wilkie	james.wilkie@ I&S	Rejected	No	No
Mark Brandreth	Mark.Brandreth1@ I&S	Rejected	No	No
Mary Ellen Dean	maryellen.dean@ I&S	Rejected	No	No
Ruth Millward	ruthmillward@ I&S	Rejected	No	Yes
Sian Williams	sian.williams16@ I&S	Rejected	No	Yes
Stephen Cross	stephen.cross1@ I&S	Rejected	No	Yes
Sue Hodgkinson	sue.hodkinson@ I&S	Rejected	No	Yes
Yvonne Farmer	yvonne.farmer@ I&S	Rejected	No	Yes
Ian Harvey	i.harvey@ I&S	Rejected	No	Yes
Tony Chambers	tony.chambers@ I&S	Rejected	No	Yes

54. NHS Mail identified that there were mailboxes relating to six individuals which were still 'live' and held by other NHS Trusts as those former members of staff were now employees of other NHS organisations. Only the employer organisation (the organisation managing the email account) can request a mailbox PST file from NHS Mail and therefore the Trust has been unable to access these mailbox accounts. However, as can be seen from the table below, some of the mailbox data for these individuals was located in H: drives as PST files (as explained above). This issue related to the following six individuals:

Custodian	Email address	NHS MAIL PST file obtained	PST files from H:\ or hard disk
Anne-Marie Lawrence	anniemarie.lawrence@ I&S	No	Yes
Chris Green	chris.green8@ I&S	No	Yes

Debbie O'Neill	debbie.o'neill@ I&S	No	Yes
Dr Susie Holt	susieholt@ I&S	No	No
Jan McMahon	Janet.mcmahon2@ I&S	No	No
Lorraine Burnett	lorraine.burnett@ I&S	No	Yes

55. This issue was flagged to the Inquiry and the Chief Executive of the Trust sent requests to the respective organisations concerned to request access to the mailboxes to search for relevant data. A number of those organisations were understandably concerned about the Trust accessing the entire NHS mailbox of those employees and NHS Mail was unable to provide access to the mailbox only during the date range that the relevant individual was employed at the Trust. There were a number of internal discussions as to whether the Trusts and respective individuals could be asked to provide access to the relevant data from their mailboxes by undertaking a filter and search exercise. Whilst this was being considered, the Inquiry confirmed that the six individuals were on the list to receive Rule 9 requests. Hill Dickinson therefore advised the Inquiry that the Trust had provided those individuals with advance notice of the Rule 9 (in accordance with the Rule 9 process agreed with the Inquiry for Trust staff and former staff) and as part of that had asked those individuals specifically to provide either to Hill Dickinson for onward transmission to the Inquiry or to the Inquiry with their Rule 9 responses any relevant material that they held, including material from their mailboxes. It is understood that individuals were being asked if they had any relevant material to provide as part of their Rule 9 request and it was therefore felt that this was the most pragmatic way forward to obtain access to such material.

56. All of the mailbox data located and obtained (whether from locally held PST files, from NHS Mail or from the H drives) has been downloaded onto the Trust's system and subsequently uploaded to the Epiq platform (see below). This process took a number of weeks due to the sheer volume of material.

H drives

57. From the list of former members of staff I compiled, whose mailboxes and H drives might contain potentially relevant material, 37 H drives have been located by the Trust from back up tapes for the period January 2015 to December 2018 (first back up June 2015). A back up is taken and held at 6 monthly points - June and December each year. A large number

of individual accounts have 8 back ups for this period (much of these will be duplicative because the back ups are taken at 6 monthly intervals). It took a number of weeks to identify the relevant back ups and accounts, ingest all of the data onto the Trust's system, and subsequently download it all. Configurations had to be made to existing hardware/systems to enable the process and there were a number of blockers such as the sheer volume of data, the technical expertise required, storage capabilities and issues with historic files being infected with viruses which ultimately caused delays. The data from the H drives (once all downloaded) totalled 3.2TB, and contained 1.7m files.

58. It was identified that four former members of staff did not have H drives - Duncan Nichol, James Wilkie, Mary Ellen Dean, and Rachel Hopwood. There was a H drive located for Andrew Higgins; however upon review the H drive was empty (no documents saved in the drive).

59. H drives were located for the following individuals:

Alison Kelly	<u>alison.kelly9@</u> I&S
Anne Murphy	<u>anne.murphy9@</u> I&S
Anne-Marie Lawrence	<u>annemarie.lawrence@</u> I&S
Carmel Healey	<u>carmel.healey@</u> I&S
Chris Green	<u>chris.green8@</u> I&S
Julie Fogarty	<u>julie.fogarty@</u> I&S
Clare Edwards	<u>clare.edwards5@</u> I&S
Debbie O'Neill	<u>debbie.o'neill@</u> I&S
Debbie Peacock	<u>dpeacock1@</u> I&S
Dee Appleton-Cairns	<u>dee.appleton-cairns@</u> I&S
Dr (Mr) Sean Tighe	<u>sean.tighe@</u> I&S
Dr Jim McCormack	<u>jim.mccormack@</u> I&S

Dr John Gibbs	john gibbs@ I&S
Dr Murthy Saladi	murthy.saladi@ I&S
Dr Susie Holt	susieholt@ I&S
Eirian Powell	eirian.loyd.powell@ I&S
Heidi Douglas	hdouglas2@ I&S
Jackie Hughes	Jackie.hughes8@ I&S
Jan McMahon	Janet.mcmahon2@ I&S
Josh Swash	joshua.swash@ I&S
Karen Rees	karen.rees2@ I&S
Kathryn De Beger	kathryndebege@ I&S
Lorraine Burnett	lorraine.burnett@ I&S
Mark Brandreth	Mark.Brandreth1@ I&S
Mr Ian Harvey	i.harvey@ I&S
Ruth Millward	ruthmillward@ I&S
Sian Williams	sian.williams16@ I&S
Stephen Cross	stephen.cross1@ I&S
Sue Hodgkinson	sue.hodkinson@ I&S
Susan Gilby	susan.gilby1@ I&S
Tony Chambers	tony.chambers@ I&S
Yvonne Farmer	yvonne.farmer@ I&S

Epiq and use of Relativity

60. During March 2024 all of the H drive data and mailbox data, as outlined above, was ingested onto the Trust's system and downloaded. At the end of February 2024, we had spoken with the Inquiry about the sheer volume of documentation we had accessed which was potentially relevant, and we had agreed to speak with Epiq about the use of their data

platforms, including Relativity, to process the volume of data and collate it all for disclosure to the Inquiry. Hill Dickinson spoke with Epiq to progress this on 29 February 2024.

61. It was initially proposed that due to the volume of data, the Trust would complete the download into its FTK search software and carry out keyword searches across the data to identify potentially relevant material and reduce its size, with the results then to be loaded into the Epiq platform. This was in an attempt to reduce the cost of ingesting all the downloaded data into the Epiq platform. However, it became clear that due to the volume of material and the requirement for this to be disclosed as quickly as possible, it was necessary to upload all of the material to the Epiq platforms for processing in order to ensure the process of searching, collation and disclosure was as efficient and effective as possible, despite the fact that this would come at considerable cost to the Trust.

62. The upload of the material to the Epiq platform and its subsequent processing by Epiq has taken a number of weeks from 12 March 2024 due to the sheer volume of data and necessity to reduce each document uploaded (including emails) to a single document/email to enable the processes described below to work effectively. This data, together with the Facere Melius data referred to at paragraph 41c above, has all been processed by Epiq and transferred to a review workspace on Relativity. The material already disclosed to the Inquiry by the Trust was also uploaded to the review workspace to enable de-duplication processes to be run against this already disclosed material.

63. From 8 to 30 April 2024 Epiq has been running various processes across the material uploaded. This has included:
 - De-duplication of the material during the processing of the material uploaded, based on exact duplicates of documents based on their metadata properties.
 - The application of agreed search terms to the H drive and mailbox data on the basis that all such data had been uploaded (for example the entire mailbox or PST file or H drive) and it was necessary to identify relevant data. Due to the sheer volume of documentation, it was not possible to do this using the Trust's FTK software or other basic software packages. Date parameters (1 January 2015 to 31 December 2018) were applied to the data (other than Susan Gilby's data as she only joined the Trust in August 2018) and search terms using key words. The terms used were:
 - (NNU OR Neonatal) AND (incident OR governance OR complaint OR concern OR death OR Lucy OR Letby); and
 - Letby

Epiq first ran the searches using search terms on their own and the acronym LL. However, this returned a significant number of results (over 270,000). The acronym LL would return results including words such as I'll and We'll and Epiq was unable to build a search index to exclude lowercase ll. Epiq therefore advised on use of the search terms in a different format in order to ensure that we carried out reasonable and proportionate searches to capture relevant data. These searches identified 145,906 documents (including family ie. embedded or attached documents) responsive to the search terms.

- Email threading to identify email chains and duplicate emails.
- Textual near duplication (TND) – to identify duplicate text in documents where the metadata elements have changed, in order to identify duplicate documents.

64. The results of this process were communicated in an email from Epiq to Hill Dickinson on 30 April 2024 at 18:48hrs. This read:

Below is the summary of the steps taken to identify the final population:

Email threading:

- *We ran the email threading on 154,525 documents on the workspace.*
- *This resulted in 13,146 inclusive emails, or 87,449 documents including families. An inclusive email is an email that contains unique content not included in any other email.*
- *20,846 documents were not analysed for email threading as they were identified as non-emails.*
- *46,230 documents were marked as non-inclusive emails or duplicate documents/emails (including family). A non-inclusive email is an email whose text and attachments are fully contained in other (inclusive) emails.*
- *This resulted in a total of 108,295 documents (including family) that were identified for TND analysis. This includes:*
 - *Inclusive emails and their family = 87,4[4]9.*
 - *20,846 documents that were not analysed for email threading.*

Textual near duplication:

- *There were 108,264 documents out of the 108,295 documents eligible for TND.*
- *This resulted in 4,565 documents identified as textual near duplicates at **parent level** across the three datasets (Hill Dickinson, FM and NHS).*
- *We then split the 4,565 documents by the three datasets. Below is the breakdown:*
 - *Hill Dickinson = 1,347 documents.*
 - *Facere Melius = 60 documents (this excludes any documents with a TND present in the Hill Dickinson dataset).*
 - *NHS = 2,868 documents (this excludes any documents with a TND present in the Hill Dickinson dataset).*
- *We merged the FM and NHS TND documents which resulted in 2,928 documents (31,150 including families).*

- *We identified the internal TND documents across the NHS and FM datasets which resulted in 22,394 documents including family. This gives us the final TND exclusion from the disclosure set.*
- *To identify the final disclosure set, we excluded the 22,394 documents from the TND starting set of 108,295 documents. This resulted in $108,295 - 22,394 = 79,536$ documents.*
- *During the comparison, we identified that some emails with differences in date and time have been identified as near-duplicates. We performed a manual comparison of the date and time of these emails and found 90 emails (312 including family) with differences in date and time.*
- *The 312 documents were added to the 79,536 documents. However, 148 of the 312 documents were already present in the 79,536.*
- *The final count to disclose is 79,700 documents including family (16,591 at parent level).*

65. I believe that the above activity and processing is the only reasonable, proportionate and viable approach that we could have taken to the identification and collation of potentially relevant material held by Facere Melius and contained within the various mailboxes and H drives due to the sheer volume of documentation we located. The Trust has not had the opportunity to review the 16,591 documents at parent level to confirm whether they are all potentially relevant documents. However, as these documents are a mix of the material held by Facere Melius for the purposes of its Hidden in Plain Sight report and the results of searches across the mailbox and H drive data using key words, the Trust has taken the decision that all such documentation could potentially be relevant and therefore should be disclosed to the Inquiry at this stage and subsequently reviewed for relevance. An instruction was therefore given to Epiq on 1 May 2024 to start the processing of 'production' of the 79,700 documents for onward transmission to the Inquiry. I understand that the documents were provided to the Inquiry on 3 May 2024.

Material held by former Trust Board members

66. A number of former Trust Board executive members – Tony Chambers, Alison Kelly, Ian Harvey and Sue Hodgkinson – have been designated by the Inquiry as core participants separate from the Trust. They are not represented by Hill Dickinson but by a separate firm, Weightmans. During discussions with their legal representative, Hill Dickinson was advised that they held a number of documents that were potentially relevant to the Inquiry. It is understood that these documents have been disclosed to the Inquiry by Weightmans. With the agreement of the Inquiry, Hill Dickinson obtained a copy of the documents from Weightmans so as to ascertain what was held and so as to be able to de-duplicate that material as against the material already disclosed to the Inquiry by the Trust and as

against the mailbox and H drive data identified for those individuals. This was to ensure that the Trust was not providing duplicate data to the Inquiry.

67. As set out above, mailbox and H drive data for these individuals has been identified and uploaded to the Epiq platform. This data formed part of the data against which the search terms were applied, the results of which form part of the dataset now disclosed to the Inquiry by the Trust, via Epiq, as potentially relevant material.

Further disclosure / requests from Inquiry

68. I have continued to carry out searches across the Trust's IT system for information in response to requests from the Inquiry and others (such as the NMC and Cheshire Police). I reference the more significant requests (in terms of volume of information requested) below.

Nursing and Midwifery Council ("NMC")

69. The NMC made a request to the Trust for documentation in August 2023 related to an NMC referral concerning Alison Kelly (former Director of Nursing at the Trust). I understood at the time that Facere Melius held all the requested material and had collated and indexed this as part of its preparation of its Hidden in Plain Sight report. Therefore, I asked Facere Melius to assist with responding to the NMC request for information. To that end, Facere Melius prepared a hard drive of the requested material that was shared with the NMC on or around November 2023.
70. In April 2024, I was provided with a spreadsheet of material by the Inquiry which had been provided by the NMC to the Inquiry and was, as I understood it, the material that the NMC said it had received from the Trust in November 2023. The Inquiry was keen to understand if all the information given by the Trust to the NMC had been shared with the Inquiry. It was confirmed that the Trust could not provide such confirmation as Facere Melius had provided the NMC material and the schedule listed documents which the Trust could not identify. Hill Dickinson therefore spoke with Facere Melius and together they reviewed the schedule of material. Facere Melius confirmed that the schedule was produced by them, albeit it appeared that it had since been edited to some extent by the NMC. Despite that, Facere Melius confirmed that it was a schedule of the material provided to the NMC, that it was a schedule produced by them and that the document references were references that they gave to the documents [eg. COCH/100/679/000012]. Facere Melius confirmed that these documents formed part of the documents listed on the schedule provided to the

Inquiry on 21 February 2024 by Facere Melius (documents pertaining to the Hidden in Plain Sight report).

71. In view of this information, we concluded, together with Facere Melius, that the material:
- Had already been provided to the Inquiry by Facere Melius directly, as it is understood they were asked to disclose all documents referenced in the draft Hidden in Plain Sight report; and/or
 - Had already been provided to the Inquiry by the Trust, as Facere Melius provided all Trust documents referenced in the draft Hidden in Plain Sight report to the Trust at the end of November 2023 and this was all subsequently disclosed by the Trust to the Inquiry as potentially relevant; and/or
 - Was material that was not referenced in the draft Hidden in Plain Sight report and was not provided to the Trust at the end of November 2023, but was Trust material that had subsequently been collated and uploaded by Facere Melius to the Epiq platform and processed onto the Trust Relativity workspace for disclosure to the Inquiry. This material is within the material disclosed to the Inquiry on 3 May 2024 on the basis that, as it was provided to and retained by Facere Melius for the purpose of the Hidden in Plain Sight investigation and report, it is all deemed potentially relevant to the Inquiry.
72. Therefore, to the best of my knowledge and belief, all of the material in the NMC spreadsheet has either been provided to the Inquiry or will shortly be provided to the Inquiry.

NNU What's App

73. The Trust was asked about What's app chats between doctors, nurses and others who worked on the neonatal unit in 2015/2016. Having asked current members of staff on the unit who worked on the unit in 2015/2016, I was informed of two What's app chat groups (one consultant group chat (which has since been renamed) and an NNU issue group chat) which existed in 2015/2016. I have managed to obtain copies of messages during this time period from the group chats on consultants' mobile phones (personal phones). These were provided to the Inquiry by Hill Dickinson on 22 March 2024.

Inquiry's request of 12 March 2024

74. On 12 March 2024 the Inquiry requested documentation relating to Trust Board meetings, Quality Safety and Patient Experience Committee meetings ("QSPEC"), Executive

Directors Group meetings and Women and Children's Care Governance Board ("WCCGB") meetings.

75. Documentation and information in response was provided to the Inquiry by Hill Dickinson on 15, 18 and 19 March 2024.

Inquiry's request of 26 March 2024

76. On 26 March 2024, the Inquiry requested a number of documents including the following:
- i. Any Trust instructions to Simon Medland QC in April 2017;
 - ii. Minutes of various meetings identified in the request;
 - iii. Confirmation of Letby being moved to day shifts from 7 April 2016.
77. The Trust confirmed on 28 March that it had located some of the documents requested (these had previously been disclosed although the document titles were perhaps not apparent), but could not locate a number of documents, including the documents referred to above at paragraph 76. I carried out searches for any such documents across the Executive S drive, scanned copies of executive notebooks, executive email accounts and H drives, including my own email account to check if I had been copied into any email correspondence referencing this information. It is not known whether any such documents exist. If they do, I have not been able to locate any such documents through the searches described above. As the Trust has now collated further documentation on the Epiq Relativity platform (see paragraphs 60-65 above), I will continue to carry out searches across this documentation to identify any relevant documentation that may respond to the Inquiry's requests.

Letby's occupational health file

78. Following the various searches referred to above and discussions internally, I identified that the Trust's occupational health team held a paper occupational health file relating to Letby. I asked for a summary of the material contained within the occupational health file and Hill Dickinson provided this summary list of documents to the Inquiry on 5 April 2024. On 8 April 2024 the Inquiry asked the Trust to confirm that the list was a comprehensive list of the contents of the file, and requested the provision of various items from the file which were deemed relevant to the Inquiry. Those documents were provided to the Inquiry by Hill Dickinson on 26 April 2024.

Inquiry's requests - April 2024

79. On 12, 15, 23 and 29 April 2024 the Inquiry asked the Trust for further information and documentation. There is currently a list of 11 items where further information/documentation has been requested. As with the requests referred to at paragraph 77 above, some of the information requested has been provided [on 17 and 26 April 2024], but I am still searching for documents that may correspond to the remainder of the requests. I have carried out searches for any such documents across the Executive S drive, scanned copies of executive notebooks, executive email accounts and H drives, including my own email account to check if I had been copied into any email correspondence referencing this information. I will continue searching in various drives across the Trust's IT system. Again, as described at paragraph 77, as the Trust has now collated further documentation on the Epiq Relativity platform (see paragraphs 60-65 above), I will also carry out searches across this documentation to identify any relevant documentation that may respond to the Inquiry's requests.
80. In view of the position outlined above, I cannot say with certainty that the Trust holds no further materials that may fall within the Inquiry's terms of reference. However, I can confirm that, in view of the extent of the material which may be held electronically and in paper form by the Trust and individual members of staff, both current and former, I have carried out searches personally (or overseen searches carried out by others) which I deem reasonable and proportionate to identify and disclose any relevant or potentially relevant material to the Inquiry. I can also confirm that further searches are being carried out, as described above, and that further documentation has recently (3 May 2024) been disclosed to the Inquiry from the Epiq Relativity platform.

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: *8th May 2024*