

**WRITTEN QUESTION TO THE MINISTER FOR HEALTH AND SOCIAL SERVICES
BY THE DEPUTY OF ST. MARTIN
ANSWER TO BE TABLED ON TUESDAY 2nd FEBRUARY 2010**

Question

- (a) Will the Minister give the total cost to date of all legal fees incurred by the Health and Social Services Department in taking advice and representing the Department in relation to Mrs Rourke and the exclusion of a Hospital Consultant Gynaecologist?
- (b) Will the Minister provide -
- (i) a breakdown as to whom the fees were paid and monies received?
 - (ii) the cost of all the enquiries/investigations undertaken in relation to the above two persons?
 - (iii) the details of the various reviewbodies appointed and monies received?
 - (iv) the total cost in salaries paid to the excluded Consultant and to the various staff employed to cover his absence from work?
- (c) Who was responsible for the oversight of the expenditure?

Answer

- (a) The Health and Social Services Department has incurred legal fees to the sum of £136,953.05 in relation to advice received and the representation of the Department in respect to the death of Mrs Rourke and the exclusion of the Consultant Gynaecologist.
- (b) (i) The legal fees were paid to a single law firm, Backhurst, Dorey and Crane.
- (ii) Enquiries and investigations have been undertaken by:
- Verita at a cost to date of £558,430.29
 - Hannah Goodwin, who were commissioned by the States Employment Board to look at the procedure adopted when the Consultant Gynaecologist was excluded. Their review is yet to be completed and the total cost is not expected to exceed £40,000
 - Mr K Hutchinson, an independent Human Resource professional, who was asked to review the need for a disciplinary procedure. His fees were £6,750.
- (iii) Review bodies were consulted in accordance with the policy for handling concerns and disciplinary procedures relating to the conduct and performance of doctors and dentists. This included consultation with the National Clinical Assessment Service (NCAS) with whom HSSD have a standard contract for services in place, at an annual cost of £16,200. This contract allows HSSD to consult with NCAS on all matters arising in relation to clinical performance. The General Medical Council were also consulted and this incurred no charge.
- (iv) To date, the total salary costs for the excluded consultant and staff employed to cover his absence are £760,372
- (c) Expenditure was authorised and monitored by the incumbent Chief Officer and since August 2009 by the Acting Chief Officer.