



Ms Margaret Falsey
Committee Secretariat
Committee of Public Accounts
Leinster House
Dublin 2

3 July 2018

Dear Ms. Falsey,

I refer to your letter of 21 June, ref PAC32-I-969 in regard to information requested by the Committee. The information sought is below.

1. A note on the Scally Scoping Inquiry

Following on from the case of Ms. Vicky Phelan, which highlighted significant problems in relation to how people experience our health service, the Minister for Health established a Scoping Inquiry into issues arising in relation to CervicalCheck, to be undertaken by Dr. Gabriel Scally (Professor of Public Health at the University of the West of England and the University of Bristol). The Scally Inquiry was established on 8 May, and is examining all aspects of CervicalCheck, and all relevant documents within the Department and the HSE.

How the timescale for the Scally Inquiry was arrived at

It was at an earlier point considered that a Statutory Investigation would examine the CervicalCheck programme and the wider issues that have come to public attention and concern. However, concerns were expressed that the time involved in such an inquiry, and the nature of it, could inhibit the provision of information to those affected by the CervicalCheck issues and the wider public and stakeholders. The decision to set up the Scally Inquiry recognised that, rather than establishing a long process at the outset which will not provide findings for some time, it is essential to have an understanding as early as possible of all the facts insofar as they are known, and the issues that require further examination. Cross-party engagement identified that it was desirable not just that the Inquiry scope out issues for further investigation, but also that it establish the facts to the greatest extent possible and place these into the public domain as soon as can be. The need for a tight timetable was a key priority emerging from these engagements.

The consideration that went into the work required for the Inquiry

Development of the terms of reference proceeded having regard to the issues of public concern and detailed submissions received from opposition spokespersons for health in the days leading up to the Government decision on 8 May. The comprehensive Terms of Reference reflect the issues raised by all parties. As well as examining facts, and identifying issues that may merit a statutory investigation, the Scoping Inquiry is essential to ensure terms of reference for any investigation are drafted in such a way as to ensure all issues are addressed in full. As part of his Inquiry, Dr. Scally is working with women who have been affected, to ensure their concerns are at the centre of the process.

Whether this timescale was appropriate given the Terms of Reference

Given the sensitivity and importance of the CervicalCheck issues, both for affected women and families and for the wider public and stakeholders, there is a need for information to be made available as early as possible in relation to the matters to be examined. It is considered that it was therefore appropriate to maintain an ambitious timescale at the outset, notwithstanding the comprehensive Terms of Reference arrived at as a result of the cross-party engagement undertaken.

In order to support the making available of information as early as possible, the Terms of Reference explicitly provide for discrete reports or findings on particular matters. Dr Scally submitted a First Report also on 11 June, which fully addresses point (d) in his Terms of Reference, namely to examine the information provided by CervicalCheck to those receiving a service. He has also confirmed that it is anticipated further discrete reports will be produced over the period of the review. This approach ensures the necessary balance is struck between providing information on the outcome of his Inquiry at the earliest stage possible, while allowing for the necessary examination of these complex issues.

On 11 June 2018, Dr Scally submitted a Progress Report to the Minister which set out the need to extend the timeframe until approximately the end of Summer 2018. The revised timescale reflects the complexity of the issues emerging, something which could only be assessed as the work progressed. It also reflects the volume of work to be undertaken, including further engagement with women in particular; this includes meetings for affected women and families in Dublin, Cork and Galway.

2. A note clarifying where responsibility falls as per the recommendation in Dr Scally's report in relation to process for structured conversations with the women and families affected.

Dr Scally, in his Progress Report of 11 June, recommended that *"a process be commenced as soon as reasonably possible, to hold structured conversations with every woman affected who wishes to have her experience documented, and with the relevant surviving family member/s of any affected woman who has died if they so wish.*

It will be necessary to identify, engage and provide adequate resources for, suitably qualified individuals who, with appropriate training and preparation, can engage in these conversations with a view to producing an account that reflects both the woman's experience of the cervical screening programme and the problems that they are currently experiencing. I am of the view that this is the most effective, sensitive and dignified option. Therefore, appropriate persons should meet and conduct the relevant conversations with the women as soon as possible.

The processes developed and utilised by Mr. Justice Quirke's commission should greatly help and guide this work. It is important that it is clear to all concerned that the focus is to be on the direct experiences of the women, their problems and current situation. In order to ensure the transparency and efficacy of the exercise I recommend that a small number of the women, or relatives of the deceased, should be invited to assist in oversight of the process."

The Minister on 11 June informed Government of his intention to request Dr Scally that he identify arrangements that he could put in place as part of his Inquiry to undertake this process.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jim Breslin', written over a horizontal line.

Jim Breslin
Secretary General