


PRIVATE EYE

SPECIAL REPORT PARTS 21 & 22

A photograph of Lady Justice Thirlwall, a woman with short blonde hair and glasses, wearing a black judicial robe. She is seated at a dark wooden podium with ornate carvings. In front of her is a laptop and a nameplate that reads "Lady Justice Thirlwall". Two microphones are positioned on either side of the podium. The background is a solid blue wall.

Lady Justice Thirlwall

THE LESSONS OF THE LUCY LETBY CASE

DR PHIL HAMMOND (MD)

THE LUCY LETBY CASE: PARTS 21 & 22

PART 21

Media conflicts

"WE DO not say that Ms Letby is innocent. What we do say is that there is now so much doubt, the Criminal Cases Review Commission should urgently refer the matter to the Court of Appeal."

So proclaimed a *Mail on Sunday* leader on 4 May, alongside a long opinion piece from David Davis MP, who explains how he changed his mind about Letby: "Bogus statistical arguments have been exposed [see last *Eye*]. Weak expert evidence has come under irresistible pressure. And a picture has emerged of a unit with poor medical management that very probably contributed to, or even caused, the deaths of a number of these babies [*Eyes passim*]... I concluded some time ago that Lucy Letby is almost certainly innocent. A large proportion of the country is now coming to the same conclusion."

Davis has also written to Mark Roberts, chief constable of Cheshire Constabulary, to formally ask him to investigate whether Dr Ravi Jayaram, a consultant paediatrician at the Countess of Chester Hospital, may have committed perjury. Jayaram insisted under oath Letby never called him for help with Baby K; but an email from him to his colleagues states she did indeed call him (*Eyes passim*).

Meanwhile, the *Telegraph* has uncovered that Cheshire police paid a media advisory company run by Caroline Cheetham, co-host of the *Daily Mail* podcast about Letby, nearly £24,000 since 2022. Media Factory Limited was not only paid by Cheshire police for media training, but its hugely influential one-sided podcast somehow managed to secure "exclusive interviews with detectives". More of a Plodcast?

The podcast was co-hosted by Liz Hull, the *Mail's* northern correspondent, who was listed as a Media Factory Limited member of staff as recently as April 2022, a month after payments from the police began. Liz Hull told *The Press Awards* she worked "round the clock" to secure a post-verdict interview with DS Paul Hughes. The podcast won multiple awards, had nearly 40m downloads and remained free to access throughout the period when draconian media restrictions prevented any other narrative – ie other journalists and experts pointing out that of all the competing explanations for the babies' collapses and deaths, deliberate harm is the least likely. There are far more likely explanations, backed by better clinical and statistical evidence, which is why Letby deserves an appeal.

PART 22

Thirlwall delay

PUBLICATION of the Thirlwall Inquiry report into what happened at the Countess of Chester (CoC) hospital has been delayed until "early 2026", presumably to give the Criminal Cases Review Commission (CCRC) time to determine whether Lucy Letby's convictions should be referred back to the appeal court.

"Warning letters" are due to be sent out from September 2025 to those who are likely

to be criticised for not spotting or stopping Letby sooner. However, if the convictions are later overturned, Thirlwall may end up criticising the wrong people, or criticising the right people for the wrong reasons. No wonder she's delaying. Perhaps the General Medical Council (GMC) can help?

Questions of competence

AT THE heart of the Letby case are questions of competence that the GMC can't ignore. One set of eight expert witnesses paid for by the prosecution are certain the only explanation for the collapses and deaths of babies at the CoC was deliberate harm. Another set of 24 expert witnesses, working pro bono for Letby, are equally certain there is no medical evidence of deliberate harm and that all the collapses and deaths can be fully explained in terms of natural causes compounded in some cases by very substandard care. They can't all be right, and they can't all be competent. And it's the GMC's job to protect the public from incompetent doctors.

GMC challenge

IF THE GMC believes lead prosecution expert Dr Dewi Evans is right that multiple diagnoses of deliberate harm were obvious from mere deduction, and that anyone could have spotted them, then this calls into question the competence of dozens of doctors who treated the babies, carried out the postmortems and conducted expert reviews of the same evidence and failed to spot this. The reputations of some of the world's leading neonatal experts would also lie in tatters.

If the GMC believes the defence experts are right, it will have to address how the prosecution experts got it so wrong, and how the Chester paediatricians failed to spot the seriously substandard care they were providing, instead attributing it to deliberate harm by Letby. The GMC clearly has a huge task ahead determining competence that would greatly assist the Thirlwall Inquiry, the CCRC and the appeal court. So why is it refusing to investigate?

Dr Jayaram referral

IN JULY 2024, Dr Svilena Dimitrova, a level 3 (ie highest level of care) neonatology consultant in Brighton, referred Chester consultant Dr Ravi Jayaram to the GMC. She strongly objected to a claim he had made on ITV News, in the case of Baby K, that: "The only possibility was that the [breathing] tube had to have been dislodged deliberately."

Dimitrova argued: "This is total and utter medical nonsense and a misleading statement, as this is by far not the only possibility for a 25-weeker whose tube had dislodged... I urge you to investigate."

The GMC responded: "We don't feel that these are issues that would warrant further GMC action being taken."

Dr Evans referral

DIMITROVA has also referred lead prosecution expert Dr Evans to the GMC. "As a consultant neonatologist, I am reading through the medical statements he [Evans] has made and it is quite clear to me that this doctor has no expertise in neonatology [...]. The comments he has made about some of these cases are just complete

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medical nonsense to any neonatologist." Again, the GMC declined to act. But it did forward the complaint to Evans.

Evans bites back

EVANS was not impressed and shared his annoyance with *Daily Mail* journalist Guy Adams, who then complained to Dimitrova's health trust employer.

"Dr Evans says: 'Somebody called Dimitrova complained about me to the GMC. She's a neonatologist in Brighton, from Bulgaria originally. Not only does she work in the NHS, she is part of the Ockenden inquiry into maternity care. She said I was not fit to be a medical expert witness and should be removed from that position. It's a disgraceful way to attack a member of your profession and shows incredibly poor judgement. Quite frankly I think she should be chucked off the Ockenden thing.'"

Safety in numbers?

DIMITROVA's view that Evans is seriously wrong is now backed up by 23 other experts from around the world who have reviewed all the evidence in great detail. Given the experience and academic standing of these experts, it seems inconceivable the GMC will not want to determine who the public needs protecting from. It should urgently demand all the evidence and start investigating.

However, it will likely dodge its responsibilities and wait to see if the convictions are overturned, which could take many years and put the public at unacceptable risk.



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