

9 June 2023

Applications and Submissions

Lucy Letby: Cross-examination and Re-examination

CONTENTS

Applications

Submissions by MR MYERS & MR JOHNSON

MS LUCY LETBY (continued)

Cross-examination by MR JOHNSON (continued)

Re-examination by MR MYERS

Housekeeping

Friday, 9 June 2023

(10.00 am)

(In the absence of the jury)

Applications

MR JUSTICE GOSS: Mr Johnson, Mr Myers, there are two issues now we have to address. Perhaps we could deal with what I perceive to be the shorter one, which is the matter that Mr Johnson raised about the interruption of his cross-examination at that particular point. I have seen what you have written, Mr Johnson. Essentially, you're seeking clarification as to whether it was a false point.

MR JOHNSON: Yes.

MR JUSTICE GOSS: Not deliberately a false point --

MR JOHNSON: No, no.

MR JUSTICE GOSS: -- but a false point by reason of circumstances or not.

Mr Myers.

Submissions by MR MYERS

MR MYERS: One moment, please, my Lord, thank you.

The issue that arises, or arose, in the course of cross-examination -- I'm grateful for a copy of the transcript we have here -- arose as two things were unfolding so far as our concerns were engaged. The first was the extent to which the

cross-examination was heading towards, however that happened, issues of privilege.

MR JUSTICE GOSS: Yes.

MR MYERS: That was a real concern. And the second was our concern that the defendant not be at any disadvantage as to what her case should be.

As to whether this is something that needs to be dealt with in the way suggested by the prosecution before the jury, we say that is unnecessary and inappropriate. But I'll deal with the situation to explain the position that we're in.

Plainly, that evidence is agreed. That's how it's gone before the jury. Now, the defendant's position from her defence statement, which we haven't looked at, is at paragraph 163, was that in general:

"I cannot recall what conversations I had with [Baby N]'s parents, but I did not call his father to tell him about [Baby N]. The nursing notes say that Bernadette Butterworth contacted the persons."

Is there an issue, therefore? Well, it is apparent that there is an issue and therefore should it have been agreed in that circumstance? No. That's how that appears from that. And to have done so is a mistake.

Ultimately, that will rest with me.

Now, it's important in identifying that, that I also identify this. The way in which this point has developed in cross-examination is something that we were unaware of, and I'll come to what I mean by this, before we ever embarked upon the defendant's cross-examination, and that is the suggestion that Bernadette Butterworth is a fictitious entry in the notes. That isn't anything that we were aware was part of this case, as far as I can recall, until the defendant came to be cross-examined.

If it was the case that this from the outset had been revealed as an assault in that way on that issue, it's difficult to see how it wouldn't have the prominence to engage a direct challenge. I'm saying this because of the suggestion this be rehearsed before the jury.

The purpose of having notification of the prosecution case is that we know the extent and nature of what we're dealing with. The prominence of this and the questioning about putting a lie in the notes about Bernadette Butterworth was news to us.

She's been a witness in this case. If this is the prosecution position, that's something that properly should have been dealt with with a statement from her in some way or dealing with it with her. She's been available throughout, there have been many statements taken, and she's attended to give evidence.

I point this out to make it plain that whilst I acknowledge, in light of the defence statement, that agreed evidence of this type is or may be a mistake, that's happened in circumstances where the nature of what is being said is completely unclear until cross-examination and the prominence of that nursing note and what is said about it not clear at all.

MR JUSTICE GOSS: All right. Thank you. I understand what you're saying. I'm not stopping you for a reason that is adverse to you. I'm actually just going to seek clarification. Mr Johnson, are you going to seek to pursue this point?

Submissions by MR JOHNSON

MR JOHNSON: About the Bernie Butterworth note? Absolutely.

MR JUSTICE GOSS: You can make the point, but Mr Myers has said it shouldn't have been agreed, this statement.

MR JOHNSON: Well --

MR JUSTICE GOSS: That's what it's all about, whether she is making that point up when she's giving her evidence.

MR JOHNSON: Well, this is all part of a larger issue.

MR JUSTICE GOSS: Well, it is, but you've got many other examples, if I may say so.

MR JOHNSON: Oh yes. Yes. Yes, absolutely. But, with respect, Mr Myers needs to make it clear to the jury that the fault lies with him.

MR JUSTICE GOSS: I think that's what he's going to do.

MR JOHNSON: That's fine. I have absolutely no problem.

What I want to avoid, and that's why I put in my note this morning:

"Out of justice to the defendant this needs to be clarified."

Because the impression the jury may have is that I was doing something wrong and I wasn't.

MR JUSTICE GOSS: I understand that. That's why Mr Myers has said that --

MR MYERS: Yes.

MR JUSTICE GOSS: -- but I don't think we need to go into the details of it.

MR JOHNSON: No, no.

MR JUSTICE GOSS: Just say that Mr Myers accepts that on the instructions that he had, that should not have been agreed.

MR JOHNSON: Yes, that's fine.

MR MYERS: I should say it's our concern as to the justice of this that led me to get to my feet when I did to make the objection that I did.

MR JUSTICE GOSS: That's why I stopped it at that point because I'm familiar with this sort of situation -- and there is so much detail in this case in any event.

Further submissions by MR MYERS

MR MYERS: I'm grateful for that, my Lord.

MR JUSTICE GOSS: There we are.

MR MYERS: We can say, yes, that is something -- that is a mistake in agreeing that, we can see that, and I'll also deal with that in due course in one way or another.

I'm guided by your Lordship. Our observations on the point about Bernadette Butterworth are part of what we say about the way this point has developed. I don't want to go beyond what your Lordship regards appropriate to say at this point. If it's simply a case of saying that the defendant's case was that she didn't call him, it's also that the nursing notes say Bernie Butterworth contacted the parents, that is what she says, but if what's required is to say that statement should not have been agreed, I can say that and that's a mistake, and not of the defendant's, in terms of agreeing it.

Further submissions by MR JOHNSON

MR JOHNSON: And make it clear, with respect, that the line taken in cross-examination was reasonable.

MR JUSTICE GOSS: Yes.

MR JOHNSON: That there's no criticism of the questions, the problem arose because a mistake was made by the defence, not a fault of the prosecution.

Can I just deal with the Bernadette Butterworth point as well, please, my Lord?

There is clear evidence from the parents that the person who made the call was Lucy Letby. The idea that the prosecution then have to scoot off to --

MR JUSTICE GOSS: Yes, I'm with you on that point. It's not something --

MR JOHNSON: And that should not be said in a speech either because it's implying fault in the prosecution.

MR MYERS: I disagree with that firmly.

MR JUSTICE GOSS: Look, I'm going to put this to bed at the moment because we've got other things to be getting on with. There needs to be resolution between the two of you as to what is going to be said to the jury, in agreed form, and if you can't agree it then you can make your respective submissions as to what should be said and I will say how it should be dealt with. All right?

MR MYERS: Very well, thank you.

MR JUSTICE GOSS: I appreciate it is a point and it's a point that needs to be addressed but it can be addressed, to my mind, relatively straightforwardly, accommodating both sides' positions.

MR MYERS: Very well, my Lord.

MR JUSTICE GOSS: Can we move on to perhaps the more significant issue? I'm very grateful to both sides for providing me with the written material. Can I just say that I see this issue as being an issue that was addressed in the case of Grocott.

MR JOHNSON: Yes, this is 8-347 of Archbold.

MR JUSTICE GOSS: Yes. It appears in 4-407 in Archbold.

It's referring to the case of Scott and then the more recent -- it was Lord Justice Toulson who gave the judgment of the Court of Appeal. Again, I think we need to be clear about precisely what it is you are seeking to do --

MR JOHNSON: Yes.

MR JUSTICE GOSS: -- then we can take it from there.

I understand why the schedule has been drawn up because otherwise it would be very difficult.

MR JOHNSON: Exactly.

MR JUSTICE GOSS: But before we come on to the use of the schedule, let's decide what it is you are wanting to put.

It is basically to put to the witness the fact that there is a body of material, I won't describe the nature of that material, but a body of material which tends to undermine evidence that she gave about her circumstances following her removal from the unit.

MR JOHNSON: Precisely.

MR JUSTICE GOSS: Exactly. Now, I'm going to address that first as an issue in this case. Mr Myers, is there any basis for objecting to that being done?

MR MYERS: I'd like to --

MR JUSTICE GOSS: In other words, putting to the witness in cross-examination that there is material which may, depending on the view taken by the jury of it, undermine evidence that she's given about a particular issue.

Further submissions by MR MYERS

MR MYERS: It's difficult to answer that anyway from where we are than to say that the defence view is that the material doesn't undermine what she said.

MR JUSTICE GOSS: Ah well, that's going to cause you difficulty then, because this is -- the principle is clear from 4-407:

"That the judge has a discretion to admit evidence in rebuttal in situations other than contemplated in Frost above has been stated in these courts."

It's limited by the principle that:

"Evidence which is clearly relevant, not marginally, minimally or doubtfully relevant, to the issues and within the prosecution and the Crown should be adduced by the prosecution as part of their case."

Are you saying this should have been adduced by the prosecution as part of their case?

MR MYERS: Well, no, we have raised four points and relevance is of one of them. And the point we make with relevance most precisely is that this doesn't go to do, we say, what the prosecution says it does, which is to negate some false impression that they maintain has been created. We don't accept that this material goes to show that she was necessarily anything other than in the state that she says she was in over the relevant period.

MR JUSTICE GOSS: Well, that's then for the...

MR MYERS: The first step, though, at this stage of the proceedings must surely be whether the prosecution are entitled to rely upon that, given where we've got to.

MR JUSTICE GOSS: Yes.

MR MYERS: The question in the first instance, putting aside the points and the concerns we raise as to our ability to consider the nature of the material that's been produced, is as to whether the relevance arises ex improviso.

We've identified four grounds on which we object to it: the nature of the material; whether the relevance does arise ex improviso, we say it doesn't; whether it's relevant anyway; and whether there's any unfairness.

MR JUSTICE GOSS: Can we deal whether it arises ex improviso?

MR MYERS: Yes.

MR JUSTICE GOSS: You have just said that it's not material that the prosecution should have adduced as part of their case. You would have objected to it, I have no doubt.

MR MYERS: Yes, because we'd say it's not relevant. But in any event before we get to that point, the reason that they say -- even if we're wrong about that, let me put it that way, and the material is prima facie relevant, the reason they seek to introduce it now rather than dealing with it during the defence case is that they say that the defendant's evidence engages this and it's something that arises for the first time, couldn't have been foreseen, and therefore they are now entitled to put it in. Because if this could have been foreseen during the prosecution case, it should have been introduced and we should have been having this argument then, not now.

The suggestion that Ms Letby's case is that she was in a state of mental turmoil, unwell, feeling isolated, unable to contact other people, isn't something that was made for the first time in evidence-in-chief. It was identified clearly beforehand, not least by virtue of the fact that we were required to set out a document explaining the relevance of material. And I put it in two annexes to our argument: what we said about that on 24 April with regard to the evidence of Eirian Powell, and the prosecution's response, in which they incorporate what we've said about Ms Letby and her increasing isolation and unhappiness.

So this isn't a new issue. If at that point the prosecution were of the view, ah well, this goes to bear upon that, they had every chance to do so. That, I respectfully observe, is the whole purpose of this.

And that's why, in my respectful submission, the first question is: has this genuinely arisen ex improviso?

And we say that it hasn't, relevant or not.

MR JUSTICE GOSS: All right. Mr Johnson?

Further submissions by MR JOHNSON

MR JOHNSON: This material didn't go to an issue in the case before the defendant introduced this as an issue, so it was inadmissible before the defendant gave evidence in the terms she did. She has set this hare running.

We are entitled to shoot it if we can.

(Pause)

MR JUSTICE GOSS: Yes.

MR JOHNSON: A simple point.

Further submissions by MR MYERS

MR MYERS: Well, my Lord, all I can say in response to that is we were specifically asked to identify issues for relevance and we've listed, on 24 April, that Eirian Powell's evidence is relevant to Lucy Letby's circumstances post-removal from the unit, her increasing isolation and unhappiness. That couldn't be -- that was done directly in response to a request from the prosecution and your Lordship in light of the prosecution's concerns to identify the issues to which this went. There couldn't be a better illustration of the fact it was identified, and Ms Powell was questioned accordingly.

Further submissions by MR JOHNSON

MR JOHNSON: My Lord, I can raise another point in answer to that. The defendant's case has changed between that document and her evidence. What she said -- well, what was being suggested when Eirian Powell was giving evidence was that she was told she couldn't talk about the circumstances of her suspension from the unit. What she has said in the witness box is she was forbidden from communicating with people from the NNU and that cut her off from her family. That's the point. That's why what was irrelevant has become relevant.

(Pause)

MR JUSTICE GOSS: Right. Yes, Mr Myers.

Further submissions by MR MYERS

MR MYERS: We've dealt with that in paragraph 4 -- in fact, there was cross-examination on that very issue with Eirian Powell. I don't propose just to repeat what your Lordship has in writing from us. In fact, the witness was then cross-examined about impact from the removal and limited contact with other people.

MR JUSTICE GOSS: What the prosecution are saying is: yes, that was something that was raised, but she has gone considerably further than what was being considered relevant at that time. She has made specific assertions, which are set out in the prosecution note.

And they're saying that that creates a false impression.

MR MYERS: Well, ultimately, questions of rebuttal evidence and its introduction will lie with your Lordship's discretion on it.

MR JUSTICE GOSS: It is a matter for discretion.

MR MYERS: It is a matter for discretion.

MR JUSTICE GOSS: It goes both to whether it is permissible at all -- admissible at all, sorry, I meant to say, admissible at all, and, if it is admissible, the form in which it should be admitted.

I'll say this -- and I hope it's in order to assist: I would be -- it is proposed, is it, Mr Johnson, that the jury have a copy of this schedule to keep and not to use as a document to be referred to during the course of any permitted questioning in relation to it?

Further submissions by MR JOHNSON

MR JOHNSON: What we were proposing to do -- we have it available digitally for deployment on the screens.

We weren't proposing to give the jury a paper copy.

MR JUSTICE GOSS: I am pleased to hear that because that would be inappropriate.

MR JOHNSON: We respectfully agree. It all depends on the answers that we get, of course, how much detail we have to go into.

MR JUSTICE GOSS: Well, exactly, yes.

MR JOHNSON: If the defendant decides that actually she wasn't telling the truth to the jury about all this then very quickly we can dispose of it. If she persists in the line that she has adopted then it would involve a more granular approach. That's out of my control.

MR JUSTICE GOSS: All right. Mr Myers, then the starting point is that if I permit the prosecution to ask questions in relation to the material that's set out on the schedule, the jury will not have a paper copy. Any particular piece of material that the prosecution wish to ask the defendant about will be put up on the screen, as I understand it, as an isolated piece of material; is that right, Mr Johnson?

MR JOHNSON: Yes. The schedule as it appears in writing or as it appears in the printed copy is rather more manageable as a digital document, it's more legible.

MR JUSTICE GOSS: So that can be done that way.

MR JOHNSON: The purpose of giving it in paper to the defendant is so that she can look at context.

MR JUSTICE GOSS: Exactly.

MR JOHNSON: Because as we've seen on many occasions with these documents, context is important. So if she wants to make any points, she can do.

MR JUSTICE GOSS: That leads me on to the next question: whether she should be provided with a paper copy --

MR JOHNSON: Absolutely.

MR JUSTICE GOSS: -- she should have a paper copy and the opportunity to -- and an opportunity to consider it before she resumes her evidence?

MR JOHNSON: I have absolutely no objection to that at all.

Further submissions by MR MYERS

MR MYERS: We have no observations as to that, but one matter I do identify, my Lord, and it's something we make reference to in our note prepared in the short compass of time available, is that as the prosecution well know, the defendant's mental state has marked fragilities associated with, amongst other things, the impact of matters relating to times at the arrest and also, we submit, affected by things from this period.

It won't be unknown to the prosecution the likely consequence of putting this material before her. They see a gain in that and have made an application -- a forensic gain and they have made an application to the court under this note to use this material. One of the concerns that we list under unfairness, along with its potential prejudicial impact when set against the allegations, is its potential to cause upset or destabilisation for what we submit is, at best, relatively little gain.

MR JUSTICE GOSS: Well, it's not for you to -- you can submit that, but that's not a --

MR MYERS: Very well. I do say simply because we have a genuine concern as to its impact, I won't enlarge upon that because your Lordship has the material. But the business of showing it to the defendant, going through it with the defendant, we shall see how that proceeds.

MR JUSTICE GOSS: Exactly.

MR MYERS: It causes us significant concern.

MR JUSTICE GOSS: It may be the case. Mr Johnson, is there anything else you wish to say at this stage?

Further submissions by MR JOHNSON

MR JOHNSON: No. If it helps Mr Myers, I was planning to deal with this material at the end of the list of matters that I'm dealing with today, so if it has the effect he fears then it won't prevent me from having asked other questions.

Now, the issue then, and this is a matter for my learned friend's judgement, I am happy for the defendant to be given advance notice of this. If my learned friend thinks it's helpful

for her to have it now, I am happy. If he thinks she shouldn't be given it now, I am happy.

MR MYERS: It would be more helpful to have it sooner than later.

MR JUSTICE GOSS: Fine, let's do that then.

MR MYERS: Thank you.

MR JUSTICE GOSS: She should be provided with a coloured copy because it's so much easier than a black and white one --

MR JOHNSON: It's here.

MR JUSTICE GOSS: -- and afforded an opportunity to look at it.

MR JOHNSON: I think she may need a bit of time to get to grips with what it shows. I'll leave that for your Lordship and my learned friend to judge how much.

MR JUSTICE GOSS: I would think -- well, it's material of which she will be aware because it's come from her mobile phone and other -- is it all from her mobile phone and some paper documents?

MR JOHNSON: Diary, Facebook, mobile phone.

MR JUSTICE GOSS: How long, Mr Myers?

MR MYERS: Thirty minutes, my Lord.

MR JUSTICE GOSS: I was going to say 20 to 30 minutes.

MR MYERS: I should say, before we conclude this, that I'm grateful to Mr Maher and Ms Clancy, who were up until the small hours trying to make what they could of such material as we have had. Your Lordship has seen our observation that are in excess of 150,000 pages of material, not all of which we understand we have. But they have done their best to deal with it.

One matter we raised was the difficulty of dealing with it in the time available. I don't raise that now because we know how we're proceeding, but I think on their behalf I would like to acknowledge the work they did, extensive work, in assisting me in dealing with this application.

MR JUSTICE GOSS: The court is very grateful to you and them. So what we will do is we will rise now. I will set out my reasons for my ruling in writing in due course, but I just wanted to make progress with the trial at this stage and why I'm

exercising my discretion as I am. So a copy can be provided to the defendant now. She is being given a copy.

Just so that you understand, this is a schedule that's been prepared, Ms Letby, of material that you've heard is downloads from your phone, from your Facebook page -- I think it's a Facebook page, isn't it, or pages?

MR JOHNSON: I'm not the person to ask, my Lord, I'm sorry.

MR JUSTICE GOSS: And I'm not. And from diaries. It's all in chronological order and the reason you're being given this now is so you can familiarise yourself with it because you'll be asked some questions about it. This document is not going to go before the jury as a document, but it may be, depending on what you say about the contents of this document, there may be sections that are put up on the screen? All right? So that's the process that's going to be undertaken.

Thank you. We'll say we'll sit again at 10.55.

Thank you very much.

(10.26 am)

(A short break)

(10.55 am)

MR MYERS: My Lord, before we begin, shall I just confirm the issue of the mistake? If I make that plain, that is my mistake that that statement was agreed.

MR JUSTICE GOSS: Right.

MR MYERS: That's what I understand the prosecution wish, with your Lordship's leave.

MR JOHNSON: No, we also ask for my learned friend to make it clear that my line of questioning was unobjectionable.

MR MYERS: I make it clear to this extent: exploring the issue is unobjectionable; the manner of questioning we do not accept is unobjectionable. That's something I cannot accept. But at this point we can say that it's a legitimate line of questioning to have explored that with the defendant.

MR JUSTICE GOSS: Well, let me make a note then. If I was to say to the jury that the defence acknowledge -- well, I'm wondering whether... You acknowledge that it was a mistake to agree the evidence --

MR JOHNSON: Can I invite your Lordship to put it in context to this degree --

MR JUSTICE GOSS: I thought you were going to draw up an agreed formula between you.

MR MYERS: I imagine this cannot be contentious: that on Wednesday Ms Letby's cross-examined about a telephone call with [Father of Baby N], the father of [Baby N], and questioned as to if ever it was raised by her that there was an issue as to the making of that telephone call and that we acknowledge that issue was raised by the defendant in advance and it's our mistake to have agreed to that statement in those circumstances.

MR JUSTICE GOSS: And that the pursuit by the prosecution of questions in relation to that, to the point at which they stopped, was an appropriate line of questioning.

MR MYERS: Yes, my Lord.

MR JUSTICE GOSS: It was a legitimate line of questioning.

No agreement as to the manner of it, but it was a legitimate line of questioning.

MR MYERS: The manner is a different matter throughout, but this was a legitimate line of questioning.

MR JUSTICE GOSS: Mr Johnson?

MR JOHNSON: Yes, thank you.

MR JUSTICE GOSS: Mr Myers, if you could simply state that at an appropriate point. I don't know whether you want to do it now.

MR MYERS: He may want it straightaway. Mr Johnson said he wanted to deal with it --

MR JUSTICE GOSS: Mr Johnson?

MR JOHNSON: It might clear the decks.

MR JUSTICE GOSS: We'll deal with it straightaway.

Thank you very much. Jury in, please.

(In the presence of the jury)

MR JUSTICE GOSS: Sorry about the delay, members of the jury, I was dealing with an issue of law, as I understand you were told by the usher.

Before we proceed with Mr Johnson continuing and completing his cross-examination, Mr Myers is just going to make a statement.

Do you remember the point that there was a dispute between counsel about the questioning in relation to a certain aspect of the evidence? Mr Myers is very briefly going to put it in context and explain what the situation is.

MR MYERS: Thank you, my Lord.

Ladies and gentlemen, you might remember on Wednesday Ms Letby was cross-examined about a telephone call with [Father of Baby N], who's the father of [Baby N], and her, and she was questioned as to whether that was ever raised by her, that there was an issue as to the making of that telephone call. You may remember that, the questioning about that.

It's important on behalf of the defence that we acknowledge that issue was raised by the defendant in advance and so it is our mistake to have agreed the reading of that statement on that in those circumstances. And we also recognise that the questioning as to that is a legitimate line of questioning.

MR JUSTICE GOSS: But it got to the point that it did and you've now heard that it wasn't something -- it was something that the defence knew of, but it's one of the many aspects of this case. So the evidence of [Father of Baby N] is his evidence, the defendant has given her evidence in relation to it, you decide where the truth lies. All right? Thank you very much.

MR MYERS: My Lord, thank you.

MS LUCY LETBY (continued)

Cross-examination by MR JOHNSON (continued)

MR JOHNSON: I'm going to move on to events that happened after the events concerning the children and I'm going to tell you the headlines of the topics I'm going to deal with. All right?

I'm going to start with the texts that you sent and received that were in the post-indictment sequence of events that's on the iPads. Then I'm going to go to the Gang of Four and your allegation that there was a conspiracy between four named doctors. I'm then going to deal with your searches for parents on Facebook.

Then to the circumstances in which you said you were isolated from your friends and, finally, your arrest.

All right? So that's the menu.

You said in evidence that you found that you would not be going back to the neonatal unit the day before you were due to go back to work. Do you remember saying that?

LETBY: Yes.

JOHNSON: Did you receive some sort of communication telling you that there was an issue?

LETBY: Yes.

JOHNSON: And from whom was that communication received?

LETBY: Yvonne Griffiths, I think.

JOHNSON: Yvonne Griffiths?

LETBY: I think it was, yes.

JOHNSON: All right. I'm going to ask, with Mr Murphy's help, just to put up the sequence of events, showing the post-indictment texts. The 26th, which is tile 1, shows that Sunday, 26 June was a day off. That of course was the day after [Baby Q] had collapsed.

LETBY: Yes.

JOHNSON: At this stage you liked [Dr B], didn't you?

LETBY: I liked all of the doctors at that point, yes.

JOHNSON: But if we go to tile 4, for example:

"I like [Initial of Dr B]."

LETBY: Yes.

JOHNSON: That's a reference to [Dr B]?

LETBY: It is, yes.

JOHNSON: At tile 58, this was the evening of Monday the 27th, and this was a point at which you were worried about what was going on, isn't it?

LETBY: Yes.

JOHNSON: What did you think the issue was?

LETBY: I didn't know what the issue was. That's why I was asking if there was a problem. I had not been informed about what was happening.

JOHNSON: Yes, but what was your -- you must have been trying to work out what might have been the problem, so what was going through your head?

LETBY: That potentially I'd done something wrong.

JOHNSON: In what sense?

LETBY: That I'd made a mistake.

JOHNSON: Tile 62 may help you. Does that help any more in --

LETBY: Yes, I was in trouble if I'd made a mistake, yes.

JOHNSON: At tile 65, the timing seems to have been playing on your mind; is that right?

LETBY: Yes, the time of the call, yes.

JOHNSON: Yes. Why did that specifically worry you?

LETBY: Because it was very late in the day to ring me to say, "Don't come in to work the night shift", and also it's out of hours for the management team as well.

JOHNSON: So you realised something unusual was going on, didn't you?

LETBY: I was concerned that something was wrong, yes.

JOHNSON: Yes, but unusual because management don't usually work at the time of day you received the call?

LETBY: No, not after 5 o'clock, no.

JOHNSON: And the very fact that this was an issue being raised out of hours, so to speak, made you think that it might be something serious?

LETBY: Yes.

JOHNSON: This of course was all in the context of you having told us that Dr Gibbs was making enquiries about the circumstances of [Baby Q]'s collapse in the immediate aftermath?

LETBY: Yes.

JOHNSON: Yes. You realised, didn't you, that there were serious concerns about you at this stage?

LETBY: No.

JOHNSON: No?

LETBY: No.

JOHNSON: Did you have a bit of a meltdown?

LETBY: I was upset about it, yes. I didn't know what was happening.

JOHNSON: There's a difference between being upset about something and having a meltdown, isn't there?

LETBY: I think that depends on how somebody perceives that word. Yes, I was upset about it, yes, and worried.

JOHNSON: So "upset and worried" is as high as you'd put it?

LETBY: I would class a meltdown as the same thing. I was very upset, yes.

JOHNSON: Very upset?

LETBY: Well, I'm not...

JOHNSON: I'm genuinely interested in how you categorise this, so you help us.

LETBY: I was upset and I was concerned that something was wrong.

JOHNSON: [Dr A], tile 74, said that:

"Ravi [that's [Dr B]] and the medical director..."

Who is the medical director?

LETBY: Can I name him?

JOHNSON: Yes.

LETBY: Ian Harvey.

JOHNSON: So is he the chief -- was he in charge of the whole hospital?

LETBY: Of the doctors' side, yes. The medical director, yes.

JOHNSON: "[They] had met this morning and said they wouldn't accept [[Baby N]] back."

TG, is that a reference to [Baby N]?

LETBY: Yes.

JOHNSON: Another child with whom you had had contact?

LETBY: Yes.

JOHNSON: Did that get you worried?

LETBY: No.

JOHNSON: That didn't get you worried?

LETBY: That the unit weren't accepting [Baby N] back? No.

JOHNSON: Let's look at 76, please. Were you having a meltdown?

LETBY: Yes.

JOHNSON: And you were very worried, weren't you, that this had gone all the way to the top?

LETBY: No, I was concerned about the next day. I didn't have any concerns about it being raised higher than that, no.

JOHNSON: Tile 85, please. Can you just read that out, please?

LETBY: "Messes with your head a bit to be told that at this time. Would have sounded more reasonable if had done it earlier, which is why I wonder if it's come from higher up as she usually finishes at 4."

JOHNSON: You were worried that this had gone all the way to the top, weren't you?

LETBY: From this, yes.

JOHNSON: You are familiar with these messages, aren't you?

LETBY: Yes.

JOHNSON: You knew they were on to you, didn't you?

LETBY: No.

JOHNSON: Tile 88. This is [Dr A] to you saying:

"There is no problem. I suspect my head is in about the same place. The management was appropriate and your..."

So he is reassuring you there, isn't he, at tile 88?

LETBY: Yes.

JOHNSON: Do you remember how you responded to that?

LETBY: No.

JOHNSON: I will remind you. Tile 89. You were in a meltdown, weren't you?

LETBY: Yes.

JOHNSON: Tile 92, please. You read it out, please. Sent 12 minutes later.

LETBY: "Sorry, that was rude. Felt completely overwhelmed and panicked for a minute. We all worked tirelessly and did everything possible. I don't see how anyone can question that. E has always been very supportive."

JOHNSON: What were you doing in those 12 minutes?

LETBY: I can't answer that.

JOHNSON: This was a big moment in your life, wasn't it? Do you agree?

LETBY: I can't answer that, what I was doing.

JOHNSON: Was it a big moment in your life?

LETBY: I don't think it was a big moment in my whole life in respect of everything that's gone on, no.

JOHNSON: The fact is that you were worried that the authorities in the hospital might have sussed out what you had been up to?

LETBY: No, that's not right.

JOHNSON: Tile 94, please. Can you read out that, please?

LETBY: "I'm having a meltdown ++ but think that's what I need to do."

JOHNSON: What grade of meltdown were you having?

LETBY: At this point, quite a dramatic one, yes.

JOHNSON: Not just upset?

LETBY: Well, I can't define every emotion that I felt at that moment, no.

JOHNSON: What was dramatic about it?

LETBY: What -- I've said it's dramatic? I don't know where I've said that, sorry.

JOHNSON: You said it about 20 seconds ago.

LETBY: That it was a dramatic moment?

JOHNSON: I said:

"Question: What grade of meltdown were you having?

"Answer: At this point, quite a dramatic one, yes."

LETBY: Yes.

JOHNSON: What was dramatic about it?

LETBY: That it was all happening very last minute into the evening.

JOHNSON: So it's just the timing of a phone call was enough to send you into a ++ meltdown, was it?

LETBY: Yes, because that's not normal.

JOHNSON: Well, babies collapsing isn't normal, is it?

LETBY: No, it isn't, no.

JOHNSON: Babies dying isn't normal, is it?

LETBY: No.

JOHNSON: Many people have remarked when these things were happening you were very calm.

LETBY: It's a professional role.

JOHNSON: So what was so -- what was it that sent you into a ++ meltdown here that you were capable of dealing with dying babies very calmly?

LETBY: Because this is personal. At work I put on a professional head and I can control my emotions at work. This is a home event in my personal life.

JOHNSON: Yes. You were worried they'd sussed you out, weren't you?

LETBY: No.

JOHNSON: Now, this is 18.16, so just after quarter past 6; is that right?

LETBY: Yes.

JOHNSON: What did you spend that evening doing?

LETBY: I don't recall.

JOHNSON: Were you trying to work out how you were going to deal with the problems that you thought might just be round the corner?

LETBY: I didn't know what problems were just around the corner.

JOHNSON: Oh, you did.

LETBY: No, I didn't.

JOHNSON: Let's look at tile 107, please. This was made at 23.29.

LETBY: Okay.

JOHNSON: About 5 hours after your ++ meltdown.

LETBY: Yes, if that's the time, yes.

JOHNSON: You had your thinking cap on, didn't you?

LETBY: Yes.

JOHNSON: Yes. What were you thinking?

LETBY: There were things that I needed to document when I next went back to work that I hadn't documented so far.

JOHNSON: Yes. What was the purpose of these documents, please?

LETBY: They're the documents of the babies I'd been caring for, which I hadn't completed yet.

JOHNSON: Yes. We're going to go to one now. It's a Datix form for the baby JA. All right? But just before we go to it, I want to move forward in the sequence to tile 134.

So this is [Nurse E] telling you that she'd been chatting to [Dr A] and:

"[Dr A] had told [her] about J's being changed and I said it hadn't and he told me about the open port."

LETBY: Yes.

JOHNSON: You will remember, having given evidence about this and having told the jury that this was in relation to a clinical incident that you had witnessed --

LETBY: Yes.

JOHNSON: -- and there was a baby who, on his intravenous access, there'd been an uncapped port?

LETBY: Yes.

MR JUSTICE GOSS: Mr Johnson, sorry, could you keep your voice up, please? I don't know whether it's because the microphone is not very near you, but people in other places are having difficulty hearing you.

MR JOHNSON: I'm sorry.

At 137 you say:

"Thank goodness I did a Datix."

Is that right?

LETBY: Yes.

JOHNSON: And at 140:

"Thought it was a massive infection risk and risk of air embolism."

LETBY: Yes.

JOHNSON: Let's go to the Datix form now, please. This is the Datix form for the child JA and, my Lord, I exhibit this,

please, as with all the other documents that I have referred to during the cross-examination.

There we see that you made this report at 20.55 on 30 June 2016.

LETBY: No, I believe the date -- the opened date when I've started the form is 1 July.

JOHNSON: I see. All right. So the incident is 30 --

LETBY: From reading that, I would say yes.

JOHNSON: You know how these things work, I don't. So just to put that in context, this is an incident being recorded 4 days after the text that we were just looking at at 107 when I was suggesting you had your thinking cap on, relating to an incident that had happened 3 days after that text.

LETBY: Okay.

JOHNSON: Yes. So if we can go back to the form in general, please, Mr Murphy.

Can we move on to the next -- well, yes, if we could highlight the bottom part of the page, please.

Thank you.

A clinical incident was how you described it and:

"Equipment problem: malfunction or unavailable."

Is that right?

LETBY: Yes.

JOHNSON: Is this your selection from the drop-down menu?

LETBY: Yes.

JOHNSON: "No harm. Low potential harm."

What you then record -- is that on the 30th, as you said, at 15.00 hours? So let's just put that into context, please: this is 5 hours or so before the end of the day shift that you were on?

LETBY: If I was working that shift, yes.

JOHNSON: Well, you're reporting an incident that's happened on a shift, aren't you?

LETBY: Yes.

JOHNSON: Yes. So 5 hours before the end of the shift, about 7 hours after the start of the shift?

LETBY: Yes.

JOHNSON: Yes. So 7 hours after you first met this child, JA.

LETBY: Yes, if I was looking after JA, yes.

JOHNSON: What you say is:

"Upon administering IV medication via UVC, the port on one of the lumens was noted to not have a bung on the end and was therefore open."

LETBY: Yes.

JOHNSON: "Registrar informed."

Was that [Dr A]?

LETBY: I couldn't say who it was.

JOHNSON: "Lumen not accessed, bung added and line labelled not to be used."

If we go on to the next page, please. We see your name appears there as the person reporting it.

LETBY: Yes.

JOHNSON: And the next page, please. And the next. The next.

And the next. No further information here, is there, as we scroll through?

LETBY: Not from me, no.

JOHNSON: So we have a case the jury are considering relating to allegations of pumping air into the circulations of several children, don't we?

LETBY: Yes.

JOHNSON: On 27 June, after the final of these incidents, we have you in a meltdown ++?

LETBY: Yes, if that was the date, yes.

JOHNSON: And a couple of days after that, we have you reporting an incident in which you are identifying the risk of an accidental air embolus, don't we?

LETBY: Yes.

JOHNSON: Yes. You had your thinking cap on, didn't you?

LETBY: No, that's what I found with this baby and I felt it needed to be documented.

JOHNSON: Had you missed it in the previous 7 hours of the shift before 15.00 hours?

LETBY: Yes, I don't believe the port needed to be accessed until 15.00.

JOHNSON: You remember that?

LETBY: No, but it says there I've accessed it for medication, which would assume that I hadn't gone to that port prior to that.

JOHNSON: As part of your checks as a QIS qualified band 5 nurse, do you look at the child that you're dealing with?

LETBY: Yes.

JOHNSON: Do you note whether the bungs are on the ports?

LETBY: Yes, I should have checked, yes.

JOHNSON: Yes. You removed the port and then reported it as a clinical incident, didn't you --

LETBY: No, I didn't, no.

JOHNSON: -- to cover yourself -- there's a bit of an insurance policy going on here, isn't there --

LETBY: No.

JOHNSON: -- so you can suggest that this was a hospital where things were so lax that people even left the bungs off the intravenous access for these children?

LETBY: No, that's what I found.

JOHNSON: And it covered you for a suggestion of accidental air embolus, didn't it?

LETBY: No.

JOHNSON: Can we go to 232, please. You talking about children going off within hours of handover.

LETBY: Within hours or on handover, yes.

JOHNSON: And that is a characteristic, isn't it, of many of these cases towards the end of the indictment?

LETBY: Yes.

JOHNSON: 234:

"Or were acutely unwell when [you] took over."

This is you getting your defence in with your mates, isn't it?

LETBY: No, this is me stating what was happening at that time.

JOHNSON: Which children did you have in mind at this point?

LETBY: I can't say.

JOHNSON: Well, we've spent the last few days going through them, can you really not remember?

LETBY: Not every child on the unit, no, that I looked after, no.

JOHNSON: 239. Can you read that out, please?

LETBY: "Hoping to get as much info together as possible. If they have nothing or minimal on me, they'll look silly, not me".

JOHNSON: What did you mean by that?

LETBY: So at that point I'd been removed from the unit and I was wanting to get as much information together to provide the Royal College of Nursing with the information on what had been happening in the last few months.

JOHNSON: Did you think attack was the best form of defence?

LETBY: Sorry?

JOHNSON: Did you think attack was the best form of defence?

LETBY: I don't think this is attack. This is me responding to what's happening to me.

JOHNSON: 253. Tony was your rep, was he, did you say?

LETBY: Yes.

JOHNSON: "Going to speak to Karen..."

Is she one of the nurses at the hospital?

LETBY: The director of nursing.

JOHNSON: "... and insist on the review being no later than first week of September. Wouldn't advise pushing to get back to the unit until it's taken place. I feel like I'm being shoved in a corner and forgotten about by the trust."

Were you seeking to get sympathy from [Nurse E]?

LETBY: Well, yes, it was a very difficult time. I had been completely isolated and, yes, she was my best friend.

JOHNSON: Yes, completely isolated. How were you isolated? Just remind us.

LETBY: Being removed from the job that I loved and put into an area where I didn't know anyone, where I was having to pretend that I was there because I wanted to be.

JOHNSON: Mm. How was the isolating manifesting itself in other ways?

LETBY: Can you re-word that, please?

JOHNSON: Of course. Were there any other features of the isolation?

LETBY: I'm sorry, I don't understand that.

JOHNSON: Well, you know where we're going, don't you?

LETBY: No, I was not able to speak to anybody on the unit at that point.

JOHNSON: And who had told you that?

LETBY: It was told to me at the meeting with Sian Williams and also my reps advised it as well.

JOHNSON: So that's 8 August when you're not allowed to talk to anybody, you say. Did you abide by that direction?

LETBY: No, I talked to some friends that had been allowed to be spoken to, yes.

JOHNSON: Give us the list again, please.

LETBY: It was Minna, [Nurse E] and [Dr A].

JOHNSON: No others?

LETBY: Not about any of the details, no.

JOHNSON: Your isolation?

LETBY: Yes.

JOHNSON: 258. This is another example of what you were saying about your isolation, isn't it?

LETBY: Yes.

JOHNSON: This is what you told the jury back on 2 May, wasn't it, that you weren't allowed to speak to anyone?

LETBY: Yes, about the reasons for being moved, yes.

JOHNSON: Oh no. What you said was you weren't allowed to speak to anyone apart from [Nurse E].

LETBY: That is correct, yes.

JOHNSON: It wasn't limited to discussing the reasons for your removal; it was, "Do not communicate with", wasn't it?

LETBY: Yes, and also with the colleagues in my new work role, I was not to tell them why I was there.

JOHNSON: Well, they weren't your friends, were they, anyway?

LETBY: No.

JOHNSON: And you knew, didn't you, by this stage, that you were being blamed for the collapses and deaths of these children?

LETBY: No.

JOHNSON: I want to move on to the Gang of Four and the conspiracy between these doctors; okay?

LETBY: Okay.

JOHNSON: On 18 May, I asked you this question:

"Question: Are you suggesting that there is some sort of agreement between any of the medical staff who have given evidence in this case, some sort of agreement to get you?

"Answer: In a consultant group, yes, I do believe that.

"Question: Who's in the conspiracy group then?

"Answer: Which individuals?

"Question: Oh yes.

"Answer: I believe Ravi Jayaram, Stephen Brearey, [Dr B] and John Gibbs.

"Question: So the Gang of Four? I'll refer to them in that way rather than repeating their names."

I then said:

"Question: And what is the conspiracy between the Gang of Four?

"Answer: They have apportioned blame on to me.

"Question: And the motive for apportioning blame on to you is what, please?

"Answer: I believe to cover failings at the hospital."

Do you remember that exchange?

LETBY: Yes.

JOHNSON: And you will also remember that each time we've moved to a different case I have asked you the same or substantially the same questions about what you allege to have been the shortcomings.

LETBY: Yes.

JOHNSON: What I'm going to do now is to go through what you have said in relation to the shortcomings and see whether that matches up to a motive to make these serious allegations against you. All right?

LETBY: Okay.

JOHNSON: So far as [Baby A]'s case was concerned, you raised staffing levels in the context of the delay in inserting a long line to give him dextrose. That was the shortcoming?

LETBY: Yes.

JOHNSON: Nothing else?

For [Baby B], you raised nothing?

LETBY: No.

JOHNSON: [Baby C], you raised nothing?

[Baby D]: you said that the fact that her antibiotics were delayed may have had an impact on her.

But as for anything else, you raised nothing.

[Baby E]: you said that it was the delay in giving him a blood transfusion, but otherwise you raised nothing.

[Baby F]: you raised nothing.

[Baby G]: initially, you suggested that your friend [Nurse E] may have overfed [Baby G], but then you retracted that and otherwise raised nothing.

[Baby H]: you said that the location and how the drains -- whether the drains were securely put in may have had an influence, but otherwise you raised nothing.

[Baby I]. Event 1, nothing. Event 2, you suggested that Ashleigh Hudson should have had her on a monitor because she hadn't been off antibiotics for more than 48 hours. Event 3, you raised nothing.

Event 4, you said that potentially Dr Chang being called away may have had an influence.

[Baby J]: you raised nothing.

[Baby K]: you raised nothing, save to suggest that perhaps the ET tube wasn't securely fixed.

[Baby M]: you raised nothing.

[Baby N]: you raised nothing other than to say it was busy and there were issues with intubation.

[Baby O]: you raised nothing, save for the way that concerns raised by Sophie Ellis were dealt with and you confirmed when we went through the charts that there was nothing untoward on the charts.

[Baby P]: you raised nothing other than to say potentially an issue with a chest drain.

[Baby Q]: you raised nothing.

What are you suggesting was the motive for the Gang of Four to make false allegations against you?

LETBY: At this time I did not know who -- what babies they were discussing, what the allegations were. I felt at the time anything that could have gone wrong, they were potentially putting on to me. I didn't have exact details at that point of which babies and why.

JOHNSON: No, no, we're talking about the trial. You were telling the jury that these doctors' evidence has been influenced by a conspiracy.

LETBY: Yes, that's what I believe, yes.

JOHNSON: So given that we now know the details of what you are suggesting were the shortcomings, how do those shortcomings account for their conspiracy?

LETBY: But I'm not saying a specific issue, I'm saying in general I don't think a lot of the babies were cared for on the unit properly.

JOHNSON: So does it come to this: because in your view care at the Countess wasn't very good, they have made these allegations against you?

LETBY: Yes, I believe there are shortcomings from the medical team and that has been put on to me, yes.

JOHNSON: And the best you can come up with for the shortcomings is what you have detailed and what I have just summarised?

LETBY: No, because I'm not a medical professional to know exactly what should and shouldn't have happened with those babies.

JOHNSON: Well, so, what, you're saying it's above your pay grade to determine, in effect, what the shortcomings are?

Is that what you're saying?

LETBY: Of a medical professional, yes.

JOHNSON: Well, I'm going to ask you about something then in your defence statement if that's the position. Can we go to paragraph 11 of the defence statement, please?

Just to put this into context, so far as staffing levels are concerned and these children, the only one you have actually raised -- the two you've actually raised are Dr Harkness being on his own, in effect, with [Baby A] and having to deal with all the children, and Dr Chang, on the occasion that [Baby I] died, when she was called away. Is that right?

LETBY: Yes.

JOHNSON: Your defence statement, though, says this -- and this is before you have any medical opinion to support your case, isn't it? 11 February 2022.

LETBY: What do you mean by medical opinion?

JOHNSON: You're not relying on any expert report to make the suggestions that you're making in your defence statement on 11 February 2022?

LETBY: No.

JOHNSON: No. You see, I've just asked you about what you're saying are the failings and you said, well, it's really above my pay grade to say that.

LETBY: No, to say specifically from a medical capacity.

JOHNSON: Yes, exactly. But we can see what you say in paragraph 11, can't we:

"I don't believe that the staffing levels at the Countess of Chester were at the level they should have been over the relevant period"

LETBY: Yes.

JOHNSON: We've dealt with all these cases individually, haven't we?

LETBY: Yes.

JOHNSON: And you, I suggest, have failed to identify specifically, in specific cases, where there is a deficiency in staffing levels.

LETBY: Okay.

JOHNSON: Well, do you agree with that?

LETBY: No, I think it has been raised at times where the nursing staff acuity wasn't quite right. I have not talked about medical staff here.

JOHNSON: No, but in each of these babies' cases I have asked you: has the nursing staff or the medical staff levels contributed to the collapse or death of this child?

LETBY: Yes. That doesn't mean I'm not -- the overall care that they received, I was referring to the actual collapse, that I think some of the babies didn't have adequate care over a period of time.

JOHNSON: But, you see, the point in this case is whether the collapses and deaths of these children is attributable to you sabotaging them or to some naturally occurring phenomenon which is exacerbated by a deficiency in the level of care, isn't it?

LETBY: Yes.

JOHNSON: So you are raising these issues as a general complaint in paragraph 11, but you cannot give specifics, can you?

LETBY: No.

JOHNSON: No. Paragraph 13:

"The defence question the quality of care, irrespective of the allegations made against me. The defence raise the possibility that sub-optimal care has caused or contributed to the deteriorations and deaths in this case. This concern is raised with regard to each and every count on this indictment. It is beyond my ability to analyse and enlarge upon this topic comprehensively or to deal with all possible questions of negligence, but I include this in the defence statement to identify the issue."

So you are raising the point, aren't you?

LETBY: Yes.

JOHNSON: And you have been given by me an opportunity to expand on it, haven't you?

LETBY: Yes.

JOHNSON: Is there anything else you want to say about it?

LETBY: No.

JOHNSON: I'll move on to the parents, please. On 25 June 2015, 21.50, you searched for [Mother of Babies A & B]. The reference, if anybody wants it, is in the [Baby B] sequence at tile 367.

One minute later, at 21.51, you searched for [Mother of Baby D] and for [Father of Baby D], the parents of the baby who you don't remember; that's in the [Baby D] sequence at tile 360 and 361.

What was the connection in your mind between those three people?

LETBY: That they're babies that have died or been seriously unwell.

JOHNSON: On 5 October at 20.15, a Monday, at 01.16, you searched for [Mother of Baby I]. A minute later, for [Father of Babies E & F].

A minute after that, [Mother of Baby H]. What did they have in common?

LETBY: Again, they're babies that had significant things happen to them and were on my mind.

JOHNSON: All at the same time?

LETBY: Yes, as well as possibly other families as well, yes.

JOHNSON: You weren't searching for them though, were you?

LETBY: I don't know. I haven't got the information in front of me.

JOHNSON: Why didn't you give that answer to the police?

LETBY: Which answer?

JOHNSON: That these were babies who had died or been seriously unwell and they were on my mind.

LETBY: Because I couldn't recall why I'd looked at some of them.

JOHNSON: Is that a true answer?

LETBY: Yes.

JOHNSON: You were checking up on your victims, weren't you?

LETBY: No. I look at a variety of parents and people.

JOHNSON: On 5 October, [Baby I] was still a patient at the Countess of Chester. So why is [Baby I] in the same -- or [Baby I]'s mother in the same group as the [Surname of Babies E & F]'s or [Father of Babies E & F] and [Mother of Baby H]?

LETBY: I can't say that they're in a group, but they're on my mind at that time.

JOHNSON: They are a group, aren't they, because they're searched for at 1.16, 1.17, and 1.18?

LETBY: Yes, and there's nothing else around that time either.

But yes, they were on my mind.

JOHNSON: I'm not interested in anybody but the children in this case; all right? You are a killer who was looking at your victims, aren't you?

LETBY: No.

JOHNSON: On 5 November, a Thursday, 23.40, searching for [Mother of Babies E & F]. 23.41, [Mother of Baby G]. 23.44, [Mother of Baby I]. How do you spell the mother of [Baby G]'s name?

LETBY: I'm not sure right now.

JOHNSON: Come on, you've got a very good memory. How do you spell it? It's an unusual name, isn't it?

LETBY: Yes.

JOHNSON: Isn't it?

LETBY: Yes.

JOHNSON: How do you spell it?

LETBY: I think it's [redacted].

JOHNSON: No. You were reading it off a handover sheet, weren't you?

LETBY: No.

JOHNSON: Seven handover sheets there with the name?

LETBY: Yes.

JOHNSON: That's your memory-refreshing document or documents, isn't it?

LETBY: No.

JOHNSON: What did [Mother of Babies E & F], [Mother of Baby G] and [Mother of Baby I] have in common?

LETBY: They're babies that were on my mind.

JOHNSON: Why were they all on your mind at the same time?

LETBY: I can't answer that. Sometimes a lot of babies and families are on my mind.

JOHNSON: Because you had either killed them or tried to kill them, hadn't you?

LETBY: No.

JOHNSON: [Mother of Baby G] and [Mother of Babies E & F] were on your mind again at 21.34 and 21.37 on 14 November. Any particular reason there?

LETBY: No.

JOHNSON: 17 December, 22.46, [Mother of Baby J]. 22.48, [Father of Baby J]. 23.27, [Mother of Babies E & F]. What's the connection?

LETBY: They're on my mind at that time.

JOHNSON: On 25 December, Christmas Day, you searched for [Mother of Babies E & F] but not for [redacted]. Any particular reason that [Mother of Babies E & F] was on your mind yet again?

LETBY: No, just -- I often thought of [Mother of Babies E & F].

JOHNSON: She was the person that caught you in the act, wasn't she?

LETBY: No.

JOHNSON: A good reason to remember her, wouldn't it be?

LETBY: No, [Mother of Babies E & F] and I had a good relationship at the time.

JOHNSON: On 23 June 2017, on the anniversary of their birth, you searched for the [Surname of Babies O, P & R] boys --

LETBY: Yes.

JOHNSON: -- or the [Surname of Babies O, P & R] family? This is the date you wrote the note to them, isn't it?

LETBY: Yes.

JOHNSON: Why did you write the note to all three of the lads?

LETBY: I can't recall. They're triplets, so...

JOHNSON: Yes, but two of them were dead, [Baby O] and [Baby P]. The third, [Baby R], was still alive.

LETBY: Okay. I don't recall how I've directed the note to them.

MR JOHNSON: It may be time for a break, my Lord, and we can come to that after the break unless -- I'm happy to carry on.

MR JUSTICE GOSS: About how much...?

MR JOHNSON: I'm just thinking in terms of the morning given that we have to stop at 1 anyway. I'm not going to finish in the next 10 minutes because I still have to deal with some other issues.

MR JUSTICE GOSS: All right. We'll have the 15-minute break now then.

Fifteen minutes, please.

(11.50 am)

(A short break)

(12.05 pm)

MR JOHNSON: On 2 May this year, you were asked by your counsel about the circumstances surrounding your suspension from the neonatal unit; do you remember?

LETBY: Yes.

JOHNSON: And you told the jury that you just changed as a person, your mental health deteriorated and you felt very isolated, and -- these are your words:

"I felt very isolated from my friends and family on the unit."

LETBY: Yes.

JOHNSON: You went on to say:

"We were a very supportive unit. Regardless of whether we were personal friends, we were a very supportive nursing team."

Do you remember that?

LETBY: Yes.

JOHNSON: You don't want to change that, do you?

LETBY: No.

JOHNSON: "At the time the hospital advised me not to communicate with anybody on the unit and to sort of go with the pretence that it was a voluntary secondment. And it was identified at that time that there were two or three friends that I would be able to speak to, but otherwise I was not to have contact."

"Not to have contact with anyone on the unit"; that's what you said, isn't it?

LETBY: Yes.

JOHNSON: Was it true?

LETBY: Yes.

JOHNSON: Did you abide by the direction?

LETBY: Yes.

JOHNSON: So you didn't have contact with anyone but the people who you were told you could have contact with?

LETBY: At that very beginning part, yes. It did change as time went on.

JOHNSON: Ah. Well, you didn't tell us about that. You were given a document this morning, weren't you?

LETBY: Yes.

JOHNSON: What's in the document?

LETBY: My social life.

JOHNSON: Your social life. Where did the document come from?

LETBY: You've made it.

JOHNSON: Yes, it's come from the prosecution, hasn't it?

LETBY: Yes.

JOHNSON: And it was given to you this morning before we started?

LETBY: Yes.

JOHNSON: And you have read it, haven't you?

LETBY: Yes.

JOHNSON: And you know that it disproves everything you said about your contact with your friends, doesn't it?

LETBY: I disagree, no.

JOHNSON: You disagree?

LETBY: Mm.

JOHNSON: So are you saying there's nothing in that document showing you in contact with people other than [Nurse E], [Dr A] and Minna Lappalainen?

LETBY: No.

JOHNSON: You're not saying that? That was what you were telling the jury was the position on 2 May, isn't it?

LETBY: Yes.

JOHNSON: Yes. Every day I have asked you the same question, haven't I --

LETBY: Yes.

JOHNSON: -- whether there's anything that you have said which you would like to change?

LETBY: Yes.

JOHNSON: And you were telling the jury on 2 May that, from your suspension through to your arrest, you were not allowed to have contact with anyone from the unit other than [Nurse E], [Dr A] and Minna Lappalainen.

LETBY: Yes.

JOHNSON: Yes. Why did you tell that lie?

LETBY: I was mistaken. So as time went on -- it was in the table document in the post-indictment that I was allowed to start

communicating with the unit, but I was not to tell them any of the details of my secondment.

JOHNSON: You were exaggerating, weren't you?

LETBY: No.

JOHNSON: You were telling the jury a sob story, weren't you --

LETBY: No.

JOHNSON: -- that you had been cut off from your family, as you defined them?

LETBY: Yes.

JOHNSON: Yes. Were you looking for sympathy?

LETBY: Yes, it was a very difficult time, yes.

JOHNSON: Mm. You thought you'd get sympathy by telling a lie, didn't you?

LETBY: No.

JOHNSON: Was it just a mistake?

LETBY: Yes.

JOHNSON: If we go through this 26-page document, we will find times and more times and more times of you out drinking with other people from the unit --

LETBY: Yes.

JOHNSON: -- won't we? Going on days out with other people from the unit? Days out?

LETBY: I don't know. I can't...

JOHNSON: Oh, come on. You've read it, haven't you? Where did you go with [Dr A]?

LETBY: London.

JOHNSON: To London. How many times did you go to London with [Dr A]?

LETBY: Once.

JOHNSON: Are you sure about that?

LETBY: Yes.

JOHNSON: [Dr A], who was not your boyfriend?

LETBY: That's right.

JOHNSON: 8 June 2017. Is that right?

LETBY: What, sorry?

JOHNSON: You and [Dr A]'s away-day in London.

LETBY: I don't remember the exact date.

JOHNSON: Have a look on page 18 of 26. We'll put it on screen as well.

LETBY: Yes.

JOHNSON: Actually, can we just go back to the previous page, please? Scroll down, please. If we stop there, we can see all sorts of stuff here, can't we, from April, May, the beginning of June? Liz and Minna, phoned [Dr A], "[Dr A] Hertford". What's that on 6 May?

LETBY: I think it's where I met [Dr A], in Hertford.

JOHNSON: Where did you meet him on 7 May?

LETBY: Cheshire Oaks.

JOHNSON: CO, Cheshire Oaks. Where did you meet him on 26 May?

LETBY: Starbucks.

JOHNSON: 2 June?

LETBY: Cheshire Oaks.

JOHNSON: Yes. And 8 June was your away-day, wasn't it?

LETBY: Yes.

JOHNSON: Did you stay overnight?

LETBY: No.

JOHNSON: 16.14:

"I'm near the park next to where you are. Let me know when you're finishing up and I'll see you outside."

LETBY: Yes.

JOHNSON: And his response?

LETBY: "Okay, will do. See you soon."

JOHNSON: You have missed a bit out.

LETBY: No:

"Okay, will do. See you soon."

JOHNSON: And you've just missed a bit out.

LETBY: That he's put an emoji?

JOHNSON: Yes.

LETBY: Yes.

JOHNSON: What's the emoji?

LETBY: A heart.

JOHNSON: And your response?

LETBY: A smiley face and a heart.

JOHNSON: He wasn't your boyfriend?

LETBY: No. [Dr A]'s a married man. It's not a relationship at all, it's a friendship.

JOHNSON: This document, it may be we don't need to go through it page by page, it is peppered with you out socialising with lots of different people from that unit, isn't it?

LETBY: Yes, at times, yes.

JOHNSON: All the time, really. Not just at times. You had a very, very active social life, didn't you?

LETBY: Yes.

JOHNSON: Yes. Can we go to page 19 of 26, please, 28 September 2017, two diary entries. What do they say on the same day?

LETBY: Which, sorry?

JOHNSON: 28 September, there are two diary entries which have been reproduced in this document. What do they say?

LETBY: "London. [Dr A]".

JOHNSON: How many times did you go to London with [Dr A]?

LETBY: Once. We had to cancel this time because [Dr A] had a medical appointment.

JOHNSON: But he wasn't your boyfriend?

LETBY: No, [Dr A]'s a married man.

JOHNSON: You have deliberately misled this jury about your background, haven't you?

LETBY: No.

JOHNSON: You have deliberately misled them about your circumstances following your suspension from that unit, haven't you?

LETBY: No.

JOHNSON: And you have also deliberately misled them about the circumstances of your arrest, haven't you?

LETBY: No.

JOHNSON: Well, just remind us about what happened when you were arrested.

LETBY: What do you mean?

JOHNSON: You really don't remember?

LETBY: You want me to describe how I was arrested?

JOHNSON: Yes, how awful it was and why it was so awful.

LETBY: I've already explained that once.

JOHNSON: Yes, well, it's a long time ago and I'd like you to remind us, please.

LETBY: They knocked at my door at 6 o'clock in the morning and they arrested me.

JOHNSON: And how were you dressed when you left the house?

LETBY: I think I had a nightie on and then a tracksuit bottom and top and trainers.

JOHNSON: Oh, but you told the jury you were taken away in your nightwear, in your pyjamas, I think was how you put it.

LETBY: Yes.

JOHNSON: You were taken away in a blue Lee Cooper leisure suit, weren't you?

LETBY: I don't recall exactly. I just know I had a nightie on.

JOHNSON: Do you want me to show you a video of it?

LETBY: No.

JOHNSON: Well, I'll ask you again. You were taken away in a blue Lee Cooper leisure suit, weren't you?

LETBY: Yes.

JOHNSON: On 10 June 2019, when you answered the door, you answered in your nightie.

LETBY: No, I didn't answer the door on -- the 2019.

JOHNSON: Oh, you've got a very clear memory of this then, haven't you?

LETBY: Yes, I remember this through the -- the arrests, yes.

JOHNSON: When the police came face-to-face with you, you had a nightie on, didn't you?

LETBY: In 2019?

JOHNSON: Yes.

LETBY: I had my pyjamas on, yes.

JOHNSON: No, you had a nightie on.

LETBY: Okay.

JOHNSON: Do you want to see a video?

LETBY: No.

JOHNSON: Do you remember having a nightie on?

LETBY: I can't recall specifically which night. I was in bed.

JOHNSON: Do you remember what you left the house wearing?

LETBY: Um... No. I know I was unable to get dressed and I think I took a dressing gown as well.

JOHNSON: You put your blue Lee Cooper leisure suit on again, didn't you?

LETBY: Yes.

JOHNSON: Then you asked them to let you put your dressing gown on over the blue Lee Cooper leisure suit, didn't you?

LETBY: Yes.

JOHNSON: So you weren't taken away in your pyjamas, were you?

LETBY: No.

JOHNSON: And you remember this, don't you?

LETBY: Yes.

JOHNSON: Why did you lie to the jury about it?

LETBY: I don't know.

JOHNSON: You don't know? What advantage were you looking for by telling the jury that you were taken away by the police in your pyjamas? What benefit was there?

LETBY: Because that's what happened on the first time. That was how quickly everything happened.

JOHNSON: No, no. On the first time you were taken away in your blue Lee Cooper -- do you want to watch the video?

(Pause)

You are a very calculating woman, aren't you, Lucy Letby?

LETBY: No.

JOHNSON: You tell lies deliberately, don't you?

LETBY: No.

JOHNSON: And the reason you tell lies is to try to get sympathy from people, isn't it?

LETBY: No.

JOHNSON: You try to get attention from people, don't you?

LETBY: No.

JOHNSON: In killing these children, you got quite a lot of attention, didn't you?

LETBY: I didn't kill the children.

JOHNSON: And you're getting quite a lot of attention now, aren't you?

(Pause)

On the third arrest, you left the house in a pink or salmon pink coloured GAP leisure suit, didn't you, leisure top?

LETBY: I can't recall. Again, I don't know.

JOHNSON: You weren't in your pyjamas, were you?

LETBY: No.

JOHNSON: No. I'm just going to finish by asking you about some of the notes that you wrote. Can we start with image 9, please?

This is a note to [Baby P], [Baby O] and [Baby R], isn't it?

LETBY: Yes, the names are there, yes.

JOHNSON: Yes. Why were you writing to the three of them?

LETBY: It's not set out as a formal letter. I'm writing how I felt at that time and it was their birthday and I've mentioned all three of them.

JOHNSON: Yes. But it's slightly difficult to interpret it exactly, but what it says is:

"[Baby P]..."

Above it says "Love is all we needed", which you've told us is a Craig David song. Then it says:

"[Baby P], [Baby O] and [Baby R]. Today is your birthday but you aren't here and I'm so sorry for that."

We know that [Baby O] and [Baby P] were no longer with us.

Why were you including [Baby R] in that?

LETBY: I've just written three names. I've also written [Dr A].

JOHNSON: But this isn't, "[Dr A], today is your birthday but you aren't here", is it?

LETBY: No.

JOHNSON: Answer the question, please.

LETBY: I can't answer that.

JOHNSON: Is it because in your mind, as [Dr B] perhaps anticipated, there was a terminal end in store for [Baby R] if he'd stayed with you?

LETBY: No.

JOHNSON: Was that your objective, to kill all three?

LETBY: No.

JOHNSON: Was that the thing -- the prospect of that exciting you?

LETBY: Absolutely not, no.

JOHNSON: Is that why you reacted the way you did, about which we were told by [Dr B]?

LETBY: No.

(Pause)

JOHNSON: I'd like to go to -- I'll just find my note of which image it is, I'm sorry. Page 18, please.

If we can enlarge it, please.

There's a lot going on in this note, isn't there?

LETBY: Yes.

JOHNSON: "I am an awful person", you write down in the top right-hand corner, don't you?

LETBY: Yes.

JOHNSON: And that is true, isn't it?

LETBY: No, that's how I felt at that time: I was not good enough and I must be an awful person.

JOHNSON: "I'll never know what it's like to have a family", appears on this note, doesn't it?

LETBY: Yes.

JOHNSON: But you had done nothing wrong?

LETBY: No.

JOHNSON: What made you think at the time you wrote this that you would never have a family?

LETBY: Because despite having done nothing wrong, I was still in the position that I was in, and I could not see how that was going to end.

JOHNSON: So you had a good job --

LETBY: Yes.

JOHNSON: -- working in the Patient Safety Department of the Countess of Chester; yes?

LETBY: Sorry?

JOHNSON: You had a good job working in the Patient Safety Department at the Countess of Chester?

LETBY: Well, when you say good job, no, that wasn't a choice for me, no.

JOHNSON: It was a different job.

LETBY: Yes.

JOHNSON: Still a good job, isn't it?

LETBY: Good as in enjoyable?

JOHNSON: Well, it's a secure job.

LETBY: Yes.

JOHNSON: It's with a very secure employer?

LETBY: Yes.

JOHNSON: It pays well?

LETBY: Not as much as my nursing, but yes.

JOHNSON: Still pays well. You had a house?

LETBY: Yes.

JOHNSON: You had a car?

LETBY: Yes.

JOHNSON: You had a boyfriend?

LETBY: Yes.

JOHNSON: So why would you never know what it's like to have a family?

LETBY: That's how I felt at that time. I could not see a future for myself.

JOHNSON: We don't need to go back through the social media stuff to show you out on the razz with your friends, do we?

LETBY: No.

JOHNSON: You were having a good time, weren't you?

LETBY: Yes, there were times in those years that I did have good times, yes.

JOHNSON: Drinking fizz, going to the races?

LETBY: Yes.

JOHNSON: Yes. You felt like this because you knew that you had killed and grievously injured these children?

LETBY: No.

JOHNSON: And that is the truth, isn't it?

LETBY: No, it's not the truth.

JOHNSON: You are a murderer.

LETBY: No, I am not.

JOHNSON: You have murdered many children.

LETBY: I've never murdered a child or harmed any of them.

MR JOHNSON: I have nothing further. Thank you.

MR JUSTICE GOSS: Yes, Mr Myers.

MR MYERS: My Lord, I can start now and then we can have a break and I'll complete after lunchtime if I may.

MR JUSTICE GOSS: Yes. You choose when you want to have a break at any time around 1 o'clock.

MR MYERS: Thank you, my Lord.

Re-examination by MR MYERS

MR MYERS: Ms Letby, just so that everybody understands, the purpose of me rising now is just to deal with some additional issues. Just so everyone follows, it's not to deal with everything we've dealt with all over again; other points can be raised later on. So this is just to deal with some of the issues that have arisen. Do you understand?

LETBY: Yes.

MYERS: Just to remind us, you started giving evidence -- do you remember which day you started giving evidence?

LETBY: 2 May.

MYERS: 2 May. So 5 weeks and 3 days ago. We've had breaks over that period for many reasons and everyone understands that and appreciates the demands of being here. But over that period, you've been waiting to give evidence or giving evidence, haven't you?

LETBY: Yes.

MYERS: And again, just so we can keep in mind, you've given evidence in fact for 14 days over that period?

LETBY: Yes.

MYERS: I'm going to ask, ladies and gentlemen, if we can have the defence statements, if you've got them to hand, because I'll be referring to this as we go along. If you have that available, I'd be grateful.

Just before we come to that, I'm going to remind you of something that was said in cross-examination, so when the prosecution were asking you questions on 17 May.

With regard to the defence statement, you were asked this:

"Question: Now, by 11 February, you had had most of the prosecution statements and exhibits for about a year, hadn't you?

"Answer: I can't recall the definitive dates of when I received everything from November 20.

"Question: All right. Well, you were arrested in November 2020; that's right, isn't it?

"Answer: Yes.

"Question: A lot or a good proportion of the prosecution documents were served in the very early part of 2021; do you remember that?

"Answer: Yes.

"Question: There have, of course, been various documents that have come through as the case has progressed, even during the trial to be fair, haven't there?"

That's right, isn't it?

LETBY: Yes.

MYERS: You said yes.

Are you able to help us with the increase in the number of documents since this case began from what you've -- from the time of the defence statement up to the time of trial?

LETBY: I've had a significant number of documents added since that time.

MYERS: Are we talking a couple of hundred or thousands of pages?

LETBY: Yes.

MYERS: Yes to what, Ms Letby?

LETBY: Um... I would say thousands.

MYERS: And has evidence continued to be served during the trial?

LETBY: Yes.

MYERS: I'm looking at this first of all to deal with some of the detail in the defence statement. People may follow that's why I'm asking you these questions.

The neonatal reviews that we spent time looking at, had they been prepared and served on you by the prosecution at the time of your defence statement?

LETBY: No.

MYERS: Have amended versions, and we've heard this, have they been served during the course of the trial?

LETBY: Yes.

MYERS: You received draft versions in between the time of the defence statement and the trial?

LETBY: That's right, yes.

MYERS: Let's have a look through the defence statement, stop on the way, not all of it. Have you got a copy there, Ms Letby?

LETBY: Yes.

MYERS: We're looking in particular at the first section, which we haven't really looked at yet. It says:

"In accordance with sections 5, 6A and 6.7 of the Criminal Procedure and Investigation Act 1996 and for the purpose of the above proceedings, the defendant says as follows..."

That bit is the law that relates to this. We will hear more about that in due course, of course.

But it says, paragraph 2:

"I am not guilty of the offences alleged. I have done nothing with the intention of hurting any of the babies on the unit where I worked."

Is that true?

LETBY: Yes.

MYERS: "In providing this statement [paragraph 3] it is important that I state that the defence continue to receive relevant evidence and material from the prosecution and that my legal representatives continue to consider this and take my

instructions upon it where necessary. The defence case continues to be prepared and there remains a lot of work to do and a lot of information to receive."

Is that the situation?

LETBY: That's correct, yes.

MYERS: Where were you during the whole of this period?

LETBY: Remanded in custody, in prison.

MYERS: In prison?

LETBY: Yes.

MYERS: In the same part of the country as your defence team or a different part of the country?

LETBY: No, different parts of the country.

MYERS: Paragraph 4:

"This defence statement does not include every point I may make in my defence or every point that will be raised on my behalf. That would be unworkable and could not be completed at the moment because the defence case continues to be prepared. I have endeavoured to provide the detail necessary to set out the general nature of my defence overall and with regard to the specific allegations."

LETBY: Yes.

MYERS: Just pausing there, I want to ask some questions about a couple of matters relating to [Baby E]. Can we just turn to paragraph 69, please, ladies and gentlemen? You too, please, Ms Letby. Looking at paragraph 69 -- I'm coming to this because there was some lengthy questioning on this and paragraph 70:

"When I saw [Mother of Babies E & F] on the evening of 3 August 2015, she had come down with some expressed milk. I think this may have been later than 21.00.

I do not recall any blood around [Baby E]'s mouth when she came down, nor was there any conversation about a tube irritating him. I did say a doctor was coming to see him. I did not send [Mother of Babies E & F] away. If [Mother of Babies E & F] ever did see blood on [Baby E]'s mouth it must have been at a later time than 21.00 after blood came down the tube on free drainage."

Do you see where it says that?

LETBY: Yes.

MYERS: Now, it was pointed out to you on 24 May by the prosecution that you'd made no reference to [Baby E] having vomited in the defence statement; do you recall that?

LETBY: Yes.

MYERS: And it was said to you that you'd added the reference to vomiting in your evidence; do you recall that?

LETBY: Yes.

MYERS: Is that something, that he vomited, something you have made up since the time of the defence statement?

LETBY: No.

MYERS: Did he vomit?

LETBY: Yes, he did, yes.

MYERS: Just look at the [Baby E] sequence, please, tile 206.

Can we go into that, please? This is your nursing note, Ms Letby, for 4 August 2015, made at 04.31. I'm going to read through it.

LETBY: I can't see that, sorry.

MYERS: I'll read it out to you:

"Written in retrospect for care given from 20.00.

Emergency equipment checked. Fluids calculated. [Baby E] nursed in an incubator with humidity. IV fluids, Babiven and lipid via long line."

It gives details of insulin:

"Prior to 21.00 feed, 16ml mucky, slightly bile-stained aspirate obtained and discarded. Abdomen soft and non-distended. SHO informed. To omit feed.

At 22.00, large vomit of fresh blood. 14ml fresh blood aspirate obtained from NG tube. Registrar Harkness attended."

I'm going to stop there. You were criticised for the fact vomit did not appear in the defence statement in that paragraph. Is

vomiting something you'd actually made reference to in your notes?

LETBY: Yes.

MYERS: Is it something you made up later on?

LETBY: No.

MYERS: Can you explain why you didn't include the word "vomit" - from amongst the various thousands of pages in this case, can you explain why you didn't include that in your defence statement in that paragraph?

LETBY: I've not included every detail of everything that I've seen or documented during these cases.

MYERS: If we look at the next paragraph, paragraph 70:

"I do recall a mucky aspirate in his nasogastric tube."

This is the defence statement:

"There were 16ml of bile that needed to be aspirated. I showed this to Belinda Simcock and one of us called the SHO to update him. I said I was going to omit the feed and she agreed with this. I then put the tube on to free drainage."

Now, in evidence, you were criticised, when we look at the defence statement, because it says "16ml of bile". Do you see that?

LETBY: Yes.

MYERS: Are you able to help us with whether bile is what should be there or should anything else be there? You tell us.

LETBY: It was a bile-stained aspirate.

MYERS: Have you made up that it was bile-stained later on?

LETBY: No, that's what I've written in my notes at the time of the event.

MYERS: Yes. If we look in there we can see:

"16ml mucky slightly bile-stained aspirate."

Yes?

LETBY: Yes.

MYERS: I want to move on in the defence statement. Go to paragraph 5, please. Just read through to 13:

"I've wanted to be a nurse from when I was a teenager and I studied hard and worked hard to achieve this ambition. I wanted to work in neonatal nursing from when I first began my training in that area, which would have been in 2010."

6:

"I wanted to do this because I cared about babies and their parents and I wanted to help them at this stage of a baby's life. I would not want to hurt the babies I cared for."

Can you stop there? You've been accused, at the conclusion then of the cross-examination, of murdering babies and trying to murder them. What was your intention with regard to the children that you looked after?

LETBY: To provide the best care possible for them and their family.

MYERS: For how many years were you doing that?

LETBY: Four.

MYERS: Four years?

LETBY: Yes.

MYERS: Are you able to give a figure of how many babies you would have looked after over the whole of that period?

LETBY: It would be hundreds. I can't say specifically.

MYERS: Did it -- over that period, the thought of killing babies was something that excited you, is the way it's put?

LETBY: No.

MYERS: Were you trying to get attention in the way that it's put?

LETBY: No.

MYERS: I'll move on:

"It's not unusual [paragraph 7] to be close to the families of the babies we care for. Families sometimes stay in touch with the unit or with staff. I enjoyed this contact with families."

Did you enjoy that?

LETBY: Yes.

MYERS: We've heard about you looking up parents of babies on this indictment; yes?

LETBY: Yes.

MYERS: And other people?

LETBY: Yes.

MYERS: Was there any malicious or sinister reason for doing that?

LETBY: No.

MYERS: Why did you look them up?

LETBY: It's just a behavioural pattern for me that when somebody's on my mind, I look them up.

MYERS: Did you enjoy contact with them?

LETBY: Yes.

MYERS: The families?

LETBY: Yes.

MYERS: Move to paragraph 9. Paragraph 9 in fact says this:

"Once I started work at the Countess of Chester Hospital neonatal unit, I lived in nursing accommodation on site. I was happy to work as much as I could. I did not have a partner or family commitments and so I was able to work as many shifts as I could including night shifts. This meant that I ended up working regularly on the night shifts and for extended periods of time.

I was not in charge of doing the rotas, although I did not object to the shifts I was given."

10:

"In general, I cannot recall which babies I was caring for or what I was doing at many of the times the prosecution consider to be relevant. What I can say is that I was not harming any baby."

Now some babies you've been able to recall when you've been giving evidence; is that right?

LETBY: Yes.

MYERS: Can you recall every baby you cared for?

LETBY: No.

MYERS: Some babies you have recalled aren't children on this indictment and no allegation is made about them?

LETBY: That's right.

MYERS: Is there a reason why some babies stand out more than others when you've looked after them?

LETBY: It depends how much you've looked after a baby, you might have looked after them for a long time, you've got to know the families, there might be something about that baby that was a bit different that would make you stand out in their (sic) mind.

MYERS: Are all children in the unit for the same length of time?

LETBY: No. So it can range from a matter of hours to 6 months or more.

MYERS: Paragraph 11, please:

"I do not believe that the staffing levels at COCH were at the level they should have been over the relevant period. We did not seem always to have the right number of nursing staff on duty at the right level for the numbers of children we cared for. Also we seemed to be caring for a lot of children who had very serious health problems, even for a neonatal unit.

I question whether we were caring for some children who required a higher level of support than we could give at the Countess of Chester."

You were asked some questions today about staffing levels, weren't you?

LETBY: Yes.

MYERS: And with each child we looked at, you were asked each time to say if staffing levels caused or contributed to the collapse or the death, depending on the case. Do you remember that?

LETBY: Yes.

MYERS: Do you know actually how every individual member of staff was affected by staffing pressures at any given time?

LETBY: No, I don't, no.

MYERS: Do you know -- we know what question you were asked, but do you know whether every individual member of staff was performing their tasks as they were meant to at any given time?

LETBY: No.

MYERS: Could you see what everybody was doing?

LETBY: No.

MYERS: Or how they were doing it?

LETBY: No. When the unit is busy, you're very much focused on your role, your own role.

MYERS: Do you know or have any way of knowing whether staff pressures caused anyone to miss readings or signs that they should not have missed?

LETBY: No.

MYERS: Can you say at any given point, can you say, what the effect of all or any staffing issues actually were?

LETBY: No.

MYERS: Paragraph 12:

"To the best of my knowledge, there were no neonatologists at the Countess of Chester Hospital. The doctors dealt with a variety of patients in the hospital. I do not know if the way in which the doctors were organised provided the proper level of support for the neonates."

Paragraph 13:

"The defence question the quality of care on the Countess of Chester neonatal unit irrespective of the allegations made against me. The defence raise the possibility that sub-optimal care has caused or contributed to the deteriorations and deaths in this case. This concern is raised with regard to each and every count on this indictment. It is beyond my ability to analyse and enlarge upon this topic comprehensively or deal with all possible questions of medical negligence, but I include this in the defence statement to identify the issue."

LETBY: Yes.

MYERS: Earlier today when you were asked about questions of care, you made reference to the fact that you're not medically qualified.

LETBY: That's right.

MYERS: And what difference does that make? I don't ask that critically, Ms Letby, but explain to us, why did you point that out?

LETBY: That from a nursing perspective, I can comment on nursing care, but medical care is a different realm of care that I am not trained in, so I can't comment on all of the medical procedures or opinions.

MYERS: Because you were asked on every occasion whether anybody's mistakes caused or contributed to collapse or death, weren't you?

LETBY: Yes.

MYERS: So let's be clear: do you have medical training as a doctor?

LETBY: No.

MYERS: Do you do the same clinical tasks as a doctor?

LETBY: No.

MYERS: Do you have the same clinical and medical knowledge as a doctor?

LETBY: No.

MYERS: You've been asked that question each time. Are you able to make a medical assessment of a clinical situation as a doctor does?

LETBY: No, I can only put a nursing perspective on it.

MYERS: Are you in a position to identify all aspects of all possible failings in medical care?

LETBY: No, I'm not, no.

MYERS: I'm going to turn next to, on the question of your knowledge, Ms Letby, the cases of [Baby F] and [Baby L]. On 16

May, you were asked questions about what the prosecution call the Gang of Four. Do you remember that?

LETBY: Yes.

MYERS: And then we went straight from that to this. You were asked:

"Question: Do you agree that [Baby F] was poisoned with insulin?

"Answer: Yes, I agree that he had insulin, yes.

"Question: Do you agree that somebody gave it to him unlawfully?

"Answer: Yes.

"Question: Do you agree that somebody targeted him specifically?

"Answer: No.

"Question: So you think it was a random? Okay.

"Answer: I don't know where the insulin came from."

And then you were asked:

"Question: Do you agree [Baby L] was poisoned with insulin?

"Answer: From the blood results, yes."

Then you were asked finally:

"Question: Do you agree that somebody targeted him specifically?

"Answer: No, I don't know what the intent was, to cause harm. I don't know how the insulin got there or by who."

And we went on from there. Right?

LETBY: Yes.

MYERS: When you were asked, "Do you agree that [Baby L] was poisoned with insulin?", you said, "From the blood results, yes". When you said, "From the blood results, yes", what did you mean by that?

LETBY: I accept from the blood levels that have been analysed by the experts that that could only have come from exogenous insulin.

MYERS: Right. Do you have specialist knowledge of how the testing is conducted? Over and above evidence in this case, do you have specialist knowledge of how the testing is conducted in general?

LETBY: For insulin levels?

MYERS: Yes, analysis of insulin levels from a sample. Do you know how that is done?

LETBY: No.

MYERS: Look at paragraph 80 in the defence statement, please -- ladies and gentlemen, if you could turn there as well -- for [Baby F]. You say this, paragraph 80:

"I did not administer insulin [this is to [Baby F]] him or any of the TPN bags so as to make this happen.

Because I know I did not do this but I'm being blamed for it, I cannot accept that the material readings and measurements over the relevant period or blood analysis is necessarily accurate. If [Baby F] did receive insulin that he should not have received, I did not do that."

That's what you said with regard to [Baby F].

Perhaps for completeness, can we just look at paragraph 150 where you talk about [Baby L] in the same light. Are you there, paragraph 150?

LETBY: No, I don't have that page.

MYERS: Perhaps I can read it out.

LETBY: Mine goes from 18 to...

MR JUSTICE GOSS: You don't have page 19?

LETBY: No.

(Pause)

MR MYERS: "I did not administer insulin to [Baby L]. I do not understand why [Baby L]'s insulin test results were at the level that they were. Also, I do not understand how the results can have been so abnormal and yet there was no immediate investigation into this. Therefore I am unable to accept the accuracy of these tests."

LETBY: Yes.

MYERS: Returning to the question of the testing and what you said there, do you know or did you have any involvement with how the testing was done with these samples?

LETBY: No.

MYERS: Have you ever worked in the labs where it's tested?

LETBY: No, I haven't, no.

MYERS: Have you ever been involved in the transport or storage of samples for testing?

LETBY: No.

MYERS: Do you have expert knowledge of the way that handling of samples may or may not affect the outcome of testing?

LETBY: No.

MYERS: When you say you are not disputing the testing or the results, as you went to in cross-examination, is that based on the same evidence as we've received in this trial?

LETBY: Yes.

MYERS: Do you have any information beyond what we have in this trial as to how the analysis was conducted?

LETBY: No.

MYERS: Have you been able to have the samples the prosecution rely upon independently tested on your behalf?

LETBY: No.

MYERS: Look at paragraph 14 through to 20. If we could go there, please. Do you have the pages for that, Ms Letby?

LETBY: Yes, thank you.

MYERS: Let's start with 14, which follows on from what you'd said about your medical position:

"I did not do anything with the intention of hurting any baby. The fact that I cannot explain what has happened to cause deterioration or death in any particular case should not be held against me. I cannot explain everything that has happened. This is not my fault. I am concerned that I am being blamed for things I am not responsible for. Other people may be responsible

in some capacity for things that have gone wrong. This is an issue in the case, notwithstanding my inability to explain everything that has happened."

Does that remain your position?

LETBY: Yes, it does, yes.

MYERS: Can you know everything that has happened on that unit?

LETBY: No.

MYERS: Paragraph 15:

"I and other members of nursing staff noticed the increase in mortality over the relevant period. We thought this was due to the unit taking on more poorly babies than before or babies with more complex health problems. There was never any formal meeting about this so far as the general nursing staff were concerned."

Again, just dealing with what we haven't looked at there, do you agree with that?

LETBY: Yes.

MYERS: 16:

"No doctor or nurse raised with me any suspicion as to my role in any incident before I ceased working in the unit in June 2016."

LETBY: That's right, yes.

MYERS: You have identified the occasion when Dr Gibbs was asking who was present after [Baby Q]'s collapse.

LETBY: Yes.

MYERS: And you accept there was an enquiry being raised then?

LETBY: Not into me specifically but into who was looking after which babies on that day, yes.

MYERS: Was Dr Gibbs asking any particular questions about you, just to confirm what you say?

LETBY: No, he was asking who had been [Baby Q]'s nurse that day.

MYERS: Paragraph 17:

"Even in the immediate aftermath of the unit being downgraded, no criticism of my conduct in line with these allegations was raised with me."

18:

"The downgrading of the unit had nothing to do with me."

19:

"Once allegations began to be raised against me, I participated in a grievance procedure with the support of the Royal College of Nursing."

That's the grievance procedure we've heard about, is it?

LETBY: Yes.

MYERS: I want to turn to this if I could before we finish:

"I do not accept the good faith of Ravi Jayaram or Stephen Brearey during this process or generally. It is apparent they have been set against me for some time.

That is obvious from their witness statements as well as some aspects of their conduct towards me over the period 2015 to 2016 and after."

And to be clear, do you accept the good faith of Ravi Jayaram and Stephen Brearey during this process and generally?

LETBY: No, I do not.

MYERS: When you began to be cross-examined by the prosecution, they asked you this:

"Did you in your police interviews ever suggest that Ravi Jayaram is a liar who was inventing seeing you standing over [Baby K] on 17 February?"

Do you remember being asked that?

LETBY: Yes.

MYERS: That was followed by it being put to you that calling Ravi Jayaram a liar was something you were making up -- it was yesterday and you'd made it up then.

LETBY: Yes.

MYERS: Have you ever accepted the accuracy or honesty of what he said about the incident with [Baby K]?

LETBY: No.

MYERS: Do you recall clearly what happened in the nursery when [Baby K] was there?

LETBY: No, I don't, no.

MYERS: Or precisely what you were doing?

LETBY: No.

MYERS: Have you ever accepted that you were or it's possible that you were interfering with [Baby K] or had ever done anything to harm her?

LETBY: No.

MYERS: So far as the suggestion went that you had made up that he was a liar on 16 May, in other words when you gave evidence, I'm going to ask you about this. When Ravi Jayaram was being cross-examined about the [Baby K] incident on 28 February, it was put to him that the truth and accuracy of his account were not accepted; is that your case?

LETBY: Yes.

MYERS: And it was put to him that it didn't happen as he was telling the jury and the police; is that your case?

LETBY: Yes.

MYERS: And it was put to him on your behalf, by me, that you didn't accept the truth or the accuracy of any allegation made against you?

LETBY: That's right.

MYERS: And it was also put to him -- it was suggested that he was seeking to distract from the shortcomings in care, at least in part, by creating an issue against you?

LETBY: Yes.

MYERS: And is that your case?

LETBY: Yes.

MYERS: So were you ever only suggesting he didn't tell the truth when you came to give evidence on 17 May?

LETBY: No.

MR MYERS: My Lord, I'm going to move to a different topic.

I wonder if this is a good place to stop.

MR JUSTICE GOSS: Yes, certainly. 2.10, please, members of the jury.

(12.58 pm)

(The short adjournment)

(2.10 pm)

MR MYERS: Not a lot further to go, Ms Letby. Again, I remind you, just a couple of points I'm dealing with now whilst we're still dealing with your evidence.

There were, we can all remember, many times in your evidence when the prosecution gave you accounts or parts of evidence to you and the jury during cross-examination. Do you remember that?

LETBY: Yes.

MYERS: It would be set out and then there'd be questions asked of you about what had or hadn't happened or what you had or hadn't done. You recall that, don't you?

LETBY: Yes.

MYERS: Now, yesterday, when we were dealing with [Baby P], the prosecution were alleging that he was the worse for wear, his condition had deteriorated at the time of handover. Do you remember them asking that?

LETBY: Yes.

MYERS: Right. That was followed by this question:

"It's very similar, isn't it, to what had happened with [Baby O] the previous night? Just as you handed him over [Baby O] was having problems; do you agree?"

Do you remember that being asked, when they asked you it's the same as [Baby O]?

LETBY: No.

MYERS: Right. Well, you were asked that. The prosecution were wrong: [Baby O] didn't have problems on handover and that was corrected by them.

LETBY: Yes.

MYERS: Right. So there's no dispute that what you were told there was wrong; do you understand?

LETBY: Yes.

MYERS: Right. When they asked you the question: It's very similar, isn't it, to what happened with [Baby O] the previous night? Just as you handed him over, [Baby O] was having problems; do you agree?"

You said yes. Right? You said:

"Yes, [Baby O] had problems on into the night shift, yes."

Why did you agree with an inaccurate summary of evidence given to you by the prosecution?

LETBY: I can't answer that, I don't know.

MYERS: But you did, didn't you?

LETBY: Yes.

MYERS: The prosecution suggested on various occasions that you had fallen out with Melanie Taylor; do you remember that?

LETBY: Yes.

MYERS: On 24 May, it was said that she wouldn't speak to you about [Baby A]'s death in the aftermath of his death.

LETBY: Yes.

MYERS: So an assertion by them that you had fallen out with her. Had you fallen out with Melanie Taylor?

LETBY: No.

MYERS: Did you ever fall out with Melanie Taylor?

LETBY: No.

MYERS: I just want to have a look at a couple of entries in the [Baby B] sequence of events with the exact time we're looking at or approximately. Can we start at tile 126, please?

This is on 9 June 2015. This is 18.52. So this is the evening following the day of [Baby A]'s tragic death.

Do you follow?

LETBY: Yes.

MYERS: We've got a message from Melanie Taylor to you:

"Hi Lucy. Hope you are okay. Thanks so much, you were great. I've signed all the drugs now. Hope tonight goes okay."

Then can we look at your reply 2 minutes later at 127. You say:

"I think we all did everything we possibly could under very difficult and sad circumstances. Haven't slept much, don't really want to see parents tonight, but it's got to be done. Hope you are okay."

Do you see that?

LETBY: Yes.

MYERS: Were you and Mel Taylor falling out after [Baby A]'s death?

LETBY: No.

MYERS: Can we go, please, to tile 131 in the same sequence?

This is a little later that evening, not much later, a little later, 6 minutes from Melanie Taylor to you:

"No, I didn't either. I felt so bad leaving you there, I hope it was okay. I've been in today but didn't speak to parents because I burst out crying as soon as I walked through the door. I saw the photos and they were lovely."

132 for your reply. What was your reply, if you read that out, please?

LETBY: "Oh, don't feel like that. I'm sorry you had to end your shift like that. I said to [Nurse A] that I can't look after [Baby B] because i just don't know how I'm going to feel seeing parents. Dad was on the floor crying, saying, 'Please don't takes our baby away', when I took him to the mortuary. It's just heartbreaking."

Glad the photos are nice."

MYERS: Can we move next, please, to tile 135, next in the messaging between and you Melanie Taylor. This is a few minutes later, 7.07, Melanie:

"Oh God, how awful. I can't imagine how hard that must have been. I think that's a good idea to work out in one of the nurseries: you need time to get your feelings together as well, especially on nights when you're really tired on top of it all."

Your reply at 136, please?

LETBY: "It was the hardest thing I've ever had to do. Anyway, hopefully you have a more positive one tonight. I hope you are okay. You were brilliant. When are you next in?"

MYERS: And the reply from Melanie Taylor at 137:

"I'm on nights with you at the weekend."

Says Melanie Taylor. What did you say at 138?

LETBY: "Great, will chat then."

MYERS: And then Melanie Taylor at 139, "XX".

Was that you falling out with Melanie Taylor?

LETBY: No.

MYERS: Did you fall out with Melanie Taylor?

LETBY: No.

MYERS: I'm going to move to another matter. The prosecution have suggested on various occasions that you enjoyed the fact of deaths; do you remember that?

LETBY: Yes.

MYERS: And that you enjoyed the drama, I think was one suggestion. Is that right? Do you remember that?

LETBY: Yes.

MYERS: They gave as an illustration something involving Sophie Ellis. This is yesterday. It was put to you that you were "falling over yourself" to tell Sophie Ellis about [Baby P]. Do you remember that being put to you?

LETBY: Yes.

MYERS: And the prosecution went on to tell you she was at the races and they asked you:

"Why didn't you leave her alone?"

Do you remember that?

LETBY: Yes.

MYERS: I want to look at those messages. Can we go, please, then, first in the [Baby P] sequence to tile 628.

There's only three of them. But tile 628. Sorry to jump around, Mr Murphy, but it's in the [Baby P] section. Thank you.

This is a message on 24 June 2016 at 21.08 from Sophie Ellis to you:

"Hey Luce, hope you're okay. I heard poor little [Baby P] has been to Liverpool? What happened?"

LETBY: Yes.

MYERS: First of all, who contacted who?

LETBY: Sophie contacted me.

MYERS: Next, please, at tile 629. From you:

"Hey. If you've got chance, ring the portable unit phone and I'll speak to you. Too much for a text."

LETBY: Yes.

MYERS: That's from you?

LETBY: Yes.

MYERS: Then one we didn't go to, but let's look at the next one, tile 630. What do you say?

LETBY: "Actually you are at the races. Sorry, I forgot. Don't worry about ringing. Will text you tomorrow."

MYERS: Why didn't you want to tell her about this when she was at the races?

LETBY: It's not an appropriate time to be telling her about anything.

MYERS: Yes. Is this you falling over yourself to tell Sophie Ellis what had happened as the prosecution suggested to you?

LETBY: No.

MYERS: When it was suggested to you she was at the races and you wouldn't leave her alone, are they right about that?

LETBY: No, I wanted to leave her alone. I said I would text her tomorrow.

MYERS: Right. I want to have a look at the material which you received today, Ms Letby. That's the material from your phone and Facebook and things like that.

Did you receive that for the first time this morning?

LETBY: I did, yes.

MYERS: Shortly before you began to give evidence?

LETBY: Yes.

MYERS: You understand a number of criticisms are made of you and this is pointed to in support? Do you understand that?

LETBY: Yes.

MYERS: First of all, that you weren't isolated or unable to have contact with colleagues in the way that you had said?

LETBY: Yes.

MYERS: And also the fact, it was said, that the photos show you out on the razz with your friends; do you remember that?

LETBY: Yes.

MYERS: And it was said you're having a good time, weren't you?

And you said:

"Answer: Yes, there were times in those years that I did have a good time, yes.

"Question: Drinking fizz, going to the races?

"Answer: Yes.

"Question: Yes, you felt like this because you knew that you'd killed and grievously injured these children."

Do you remember that being said to you?

LETBY: Yes.

MYERS: You said no. Does what we have in this bundle of images - - and we are going to have a look at some of them -- have anything to do with you feeling however you were feeling because you had killed and grievously injured children?

LETBY: No.

MYERS: Are they all about drinking fizz and going to the races?

LETBY: No.

MYERS: I'm going to ask for Mr Murphy's help to put these up.

Do you have them in front of you, Ms Letby?

LETBY: Yes.

MYERS: I'm going to put my specs on because they are minute, some of these, ladies and gentlemen. We're going to look at some of the pages so we can see the type of material. If we can to page 1. To varying degrees it's difficult to enlarge them but I'm going to ask Mr Murphy. Can we look at the large entry there, Friday 8 July. That's it. The MSP Facebook one. Can you tell us who's in these photos?

LETBY: That's myself and my dad.

MYERS: Your dad, right. Where are you?

LETBY: We're on holiday in Torquay.

MYERS: Is this anything to do with being on the razz drinking champagne, enjoying the aftermath of babies dying?

LETBY: No.

MYERS: Right. Can we just -- if we go back into it, can we go down to 19.56. Thank you. Message from Lucy Letby to [Nurse E]. It's that and the line beneath, the two lines beneath:

"Yes, out for a meal with uni girls. I'll call you after if that's okay."

Can we drop down, please, to 14.07 at 08.03, so two lines below -- well, that's a picture.

"Out with uni girls", what's that a reference to?

LETBY: So these are the girls I used to live with when I was at university.

MYERS: This is on the -- is this -- when it said, "Out with uni girls", is that what that related to?

LETBY: Yes.

MYERS: Is this the girls you were talking about?

LETBY: Yes.

MYERS: This is when you were studying nursing?

LETBY: Yes, these are girls that I used to live with when I was studying my nursing, yes.

MYERS: Just so we can be clear, are you on that photograph?

LETBY: Yes.

MYERS: Which one are you?

LETBY: On the right-hand side, I believe.

MYERS: Yes. In the blue?

LETBY: Yes.

MYERS: All right, thank you. Go back in, please. If we just go down next to 22 July 2016. There is there, we can see, we don't need to enlarge it, perhaps, we can see at 20.54 that looks like a couple of glasses of something.

Do you know what's in them?

LETBY: Prosecco.

MYERS: Prosecco. So far as you knew, was there anything wrong with you drinking that during this period?

LETBY: No.

MYERS: Or seeing your friends?

LETBY: No.

MYERS: Pop down, please, to the bottom of that page. There's a message at 19.27 please. I'm not asking names but we see you with a person. Who's the person, their relation to you?

LETBY: That's my cousin and godson on his birthday.

MYERS: Can we go over the page, please, to page 2, and down to -
- I'm only talking some examples we can see as we scroll through the type of material. 16 August, JB31, that's it, the image with the white building, please.

Do you recall what that was about?

LETBY: Yes, my parents had come to stay with me in Chester and this is on a day out that we went to in Cheshire and that's myself and my dad.

MYERS: Do you know where you were?

LETBY: Port Sunlight.

MYERS: Can we look at the message just above this, please?

Thank you. So we've got a message from you to [Nurse E]. What are you saying?

LETBY: "Hey. Port Sunlight is lovely. Well worth a visit.

Perfect for a picnic and a stroll. How's your day?"

MYERS: Is that the sort of thing you did sometimes?

LETBY: Yes.

MYERS: Not just going to the races and on the razzle?

LETBY: No, this is time spent with my family.

MYERS: [Nurse E]. We see a number of messages to [Nurse E], don't we?

LETBY: Yes.

MYERS: Why are there so many messages to [Nurse E]?

LETBY: [Nurse E] is my best friend.

MYERS: Can we just go down to the photo at the bottom of that page, please. It's at 13.14 and just tell us again not the name

but the relationship of the person that you're with in that photograph.

LETBY: So it's a photo of myself and my two cousins.

MYERS: All right. That's taken at 13.14 -- on the camera at 13.14 on 23 August.

LETBY: Yes.

MYERS: Over the page, please. If we just look at the top image. Thank you, Mr Murphy.

This is -- is that you?

LETBY: Yes.

MYERS: Seven years ago, yes?

LETBY: Yes.

MYERS: And it may be familiar to some people, but where are you in that image?

LETBY: In the garden of Westbourne Road.

MYERS: Is that the house where you lived?

LETBY: Yes.

MYERS: Could we just scroll down next to an entry at 17.34 for 30 August please -- sorry, my mistake, 17.35. It's a message from Lucy Letby to group that includes Jennifer Jones-Key, Belinda Simcock, Nicky Dennison, Valerie Thomas and Janet Cox. Reference to:

"It's too sad."

Do you recall what that's about? Don't guess if you don't know.

LETBY: I think it's that Jennifer Jones-Key was moving jobs, potentially.

MYERS: And why are you contacting these people?

LETBY: We were in a group together. There was a group of us, that group there, that used to meet up socially.

MYERS: Right. You've been questioned about who it was that you could and couldn't have contact with.

LETBY: Yes.

MYERS: What do you say is the position with who you could or couldn't have contact with after you had been removed from the unit?

LETBY: When I was first removed from the unit, so in that July and August, I was told not to have any contact at all with anybody on the unit, and that changed around September time.

MYERS: What, with anybody on the unit?

LETBY: Yes. That was the advice given to me by the Royal College of Nursing, yes.

MYERS: Were there any people you were having contact with after you were removed from the unit?

LETBY: Yes.

MYERS: Who?

LETBY: [Nurse E], Minna and [Dr A].

MYERS: Did you have contact with other people from your unit?

LETBY: Potentially in this group, yes. I'm not sure.

MYERS: Did you discuss -- when you did have contact with people who weren't Minna, [Nurse E] and [Dr A], did you -- what issues did you discuss, what did you talk about?

LETBY: Purely social. It was nothing to do with my circumstances at that time.

MYERS: Can we go to page 5, please. Thank you.

In fact, could we go back one page, please? Sorry, Mr Murphy.

If we look at the image at 18.23, please.

A WhatsApp message. Who have we got in that image?

LETBY: [Nurse E] and another friend.

MYERS: , Thank you. Could we just look at some of the messages that follow from that, please. Just several messages.

At 20.03 can you see a message from [Nurse E] to Lucy Letby:

"Was it nice catching up with Minna?"

LETBY: Yes.

MYERS: What's that relating to?

LETBY: I'd met with Minna. Minna had been away on holiday, I think, and we were catching up.

MYERS: 20.26, a message from Lucy to [Nurse E]:

"Yes, it was, thanks. Went for a walk and cycleway.

Just going home now."

Then this, 14.47, 22 September. It says:

"All okay with E. Feel a bit more positive knowing she's definitely behind me. What are you working next week?"

What does that relate to?

LETBY: I'd met with Eirian Lloyd-Powell for the first time and had a conversation about what had happened and she was supportive of me.

MYERS: That's in September 2016?

LETBY: Yes.

MYERS: I want to go to page 7, please, Mr Murphy. If we look here we can see we've got to November 2016.

LETBY: Yes.

MYERS: We know from evidence you've given us, a period of time after you had been taken from the unit, that various notes were written by you.

LETBY: Yes.

MYERS: And you've described to us how you felt at the time you wrote those.

LETBY: Yes.

MYERS: If we look at the first picture there at 19.52 on 25 November, which one are you?

LETBY: On the left.

MYERS: And you're smiling there?

LETBY: Yes.

MYERS: Why do we not see you looking as sad on this as you sound from what you've said about the notes you wrote?

I'm not saying that critically, but I'd just like you to explain to anyone who --

LETBY: Because despite what is going on you have to try and find some degree of a quality of life.

MYERS: Could we scroll down that page, please, to 15.55. Have a look at a picture there. This is now 28 November 2016. Who's there?

LETBY: My parents.

MYERS: Right. Nothing to do with fizz or the races or razzle, no?

LETBY: No.

MYERS: Page 11, please, Mr Murphy. It says "Facebook posts".

Are these posts by you?

LETBY: Yes.

MYERS: 31 December, New Year's Eve 2016.

LETBY: Yes.

MYERS: It's got next to the heart -- what have you put, can you see?

LETBY: Yes.

MYERS: Could you tell us?

LETBY: "I'm not the same person I was when 2016 began, but I'm fortunate to have my own home. I have met some incredible people and I have family and friends who have stood by me regardless. Thank you to those who have kept me smiling. Wishing every happiness for us all in 2017".

MYERS: When it says, "I'm not the same person" --

LETBY: I wasn't the same person at this point.

MYERS: What had changed about you?

LETBY: I'd lost my confidence, I wasn't -- I just was not the same person.

MYERS: Some people might think, looking at the pictures here, you look like you're enjoying yourself and things, Ms Letby.

LETBY: Yes.

MYERS: How does that tally with saying you've lost your confidence?

LETBY: Because again I think there are times when you have to try and have some sort of quality of life and there are things that I enjoyed over the years, yes, but it doesn't take away from the fact that it had changed me as a person.

MYERS: I'm not going to go through page after page. I'm going to go to the last page, page 26 of 26, please, Mr Murphy. Just out of interest, where are we at the top picture there at 16.51?

LETBY: That's at Blackpool. It was [Nurse E]'s birthday.

MYERS: Who went? Do you recall?

LETBY: Yes, myself, [Nurse E], another friend, [Nurse E]'s husband and her son.

MYERS: So far as you understood, were you at least allowed a social life?

LETBY: Yes.

MYERS: Look at the picture below that, please. Could we have a look, just these last few images. 19.47, 18 June.

What's the event that you're at there?

LETBY: This is a social event with the girls that we've talked about in the WhatsApp group that we referred to earlier.

MYERS: All right. Just the last one in this bundle, please, at 17.00 on 29 June 2018. That's you with your father?

LETBY: Yes.

MYERS: Where were you?

LETBY: In Torquay.

MYERS: It's said that these images show you on the razz, drinking fizz, going to the races, enjoying it because you'd felt like that because you knew you'd killed and grievously injured children. Is that what these images are showing?

LETBY: No.

MYERS: Did you ever want to hurt any child to be happy?

LETBY: No.

MYERS: Or to be excited?

LETBY: No.

MYERS: Because you were bored?

LETBY: No.

MYERS: Or to get attention from anybody?

LETBY: No.

MYERS: Or for any of the different reasons the prosecution have suggested?

LETBY: No.

MYERS: Have you ever wanted to hurt any baby in your care?

LETBY: I have not, no.

MYERS: How content were you in your life before you began to get the blame for all of this?

LETBY: I had a very happy life.

MR MYERS: Thank you, Ms Letby.

MR JUSTICE GOSS: Thank you. I have no questions.

Therefore, that completes her evidence.

MR MYERS: It does.

MR JUSTICE GOSS: What you and I and Mr Johnson know, Mr Myers, is that we can't go any further this afternoon, I believe.

MR MYERS: No, we can't, my Lord.

MR JUSTICE GOSS: Therefore, rather than causing the jury any inconvenience by going out, waiting there and then coming back in again, I'm going to say to them that that completes their involvement in this case for this week.

The defendant has completed her evidence and if there is more evidence to be called on her behalf, it will be called on Wednesday of next week, because you will remember that we are not sitting on Monday or Tuesday.

All right?

If there is to be no more evidence, and I don't know whether there is or there is not, if there is to be more, we will hear that. If there isn't to be more we then move to the final stages of the trial, which involve me giving you preliminary legal directions, then counsel address you, the prosecution first, then the defence, and then I complete my summing-up, the main part of the summing-up, which, as I have said to you from the outset of this trial, will be a rehearsal of the events, not in minute detail, but going through each event and the evidence that you've heard and the nature of the evidence and providing you with references to some of the main features of it. All right?

So a long weekend for you, obviously, now. Please do remember, as you well know and well understand, I know, the importance of maintaining the integrity of this trial by adhering to your obligations as jurors not to communicate with anyone in any way about anything to do with this case and not to conduct any research about anyone or anything to do with this case. All right?

Thank you very much. Wednesday morning, 10.30.

(In the absence of the jury)

Housekeeping

MR JUSTICE GOSS: Mr Myers, Mr Johnson, if you're both content, rather than me rising and the defendant moving for what I anticipate will not be a long period, are you both content for Ms Letby to remain in the witness box?

MR MYERS: My Lord, yes. Do you mean as the court empties?

MR JUSTICE GOSS: Now, just so that we can timetable next week.

MR MYERS: Of course.

MR JUSTICE GOSS: It's just timetabling. It's just to discuss timetabling. Sorry, I wasn't being deliberately obtuse, but I wasn't being clear.

MR MYERS: I should have realised.

MR JUSTICE GOSS: As I've explained to the jury, if there is to be more evidence, that will be known on Wednesday morning.

MR MYERS: We should be in a position to assist with regard to that before Wednesday morning.

MR JUSTICE GOSS: Well, that's what I was going to raise.

I've already indicated that the defendant should be brought to this building on Monday morning --

MR MYERS: Yes, thank you.

MR JUSTICE GOSS: -- for a normal court sitting day. The very helpful senior escorting officer just indicated she is aware of that and to be brought again on Tuesday, and I anticipate that we may be in a position to address any matters that need to be addressed on Tuesday in court --

MR MYERS: Very well.

MR JUSTICE GOSS: -- if that's going to be possible.

MR JOHNSON: Yes, I'm sure. Thank you.

MR MYERS: We can keep your Lordship and the prosecution informed of any of the progress.

MR JUSTICE GOSS: Exactly, any information you can impart, if you would, and then we'll know where we are on Tuesday morning and prepare accordingly. Good.

Thank you very much.

So as far as members of the public are concerned, then although the case will formally be listed on Monday, there will be no court hearing on Monday in relation to anything to do with this case. But there almost certainly will be a hearing on Tuesday at 10.30.

It will not involve the jury. So for members of the media who are following these proceedings, that is what they need to know.

I don't think there's anything else?

MR MYERS: Nothing from us, my Lord, thank you.

MR JUSTICE GOSS: As far as my ruling in relation to this morning is concerned, that will be completed this afternoon and it will be uploaded to the digital case system and if anyone from the media wishes to have a copy of the ruling they have only to ask and you will be provided with one. It's a public document or it will be a public document when it's completed.

Thank you very much. Could I ask you to leave the courtroom, please? Thank you.

(2.41 pm)

(The court adjourned until 10.30 am on Tuesday, 13 June 2023)