



**Hampshire Constabulary**  
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**I.R Readhead LL.B**  
 Deputy Chief Constable

Your Ref:  
 Our Ref: Operation Rochester

Date: 23<sup>rd</sup> November, 2004.

Mrs. G.M. MacKenzie

**Code A**

Dear Mrs Mackenzie,

I am responding to your letter dated 6<sup>th</sup> August 2004, addressed to the Chief Constable, but which was passed to me to conduct some enquiries.

I apologise for the delay in responding finally to your letter, but it was necessary to review old case papers and obtain further information from the Operation Rochester investigation. I have now also had the opportunity to consider legal advice given to the Chief Constable in relation to this matter.

In your letter you advise that you wish to make a 'formal complaint of a criminal offence committed by...Mrs L F Lack.' The police recording of crime is governed by the National Crime Recording System. When examining such a report of a crime related incident the standardised test that I have to apply, in deciding whether a crime should be recorded, is that on the balance of probabilities i.e. is the incident more likely than not the result of a criminal act? The legal advice we have received is that Mrs Lack fully complied with the law in providing the information required by the registrar under Section 17 of the Births and Deaths Registration Act 1953. The fact that Mrs Lack may have disagreed with the cause of death does not constitute a criminal offence.

Thank you for bringing this matter to my attention, but I have to advise you that I do not intend to record this allegation as a crime, and subsequently I do not intend to conduct a criminal investigation.

Yours sincerely

**Code A**

**I.R. Readhead**  
 Deputy Chief Constable