

# Gosport hospital deaths to get public inquiry at last

Years after a 'death audit' was triggered by claims of opiate overuse, ministers are set to act

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Independent inquiry into the "shortening" of lives of elderly patients at a Hampshire hospital announced by ministers

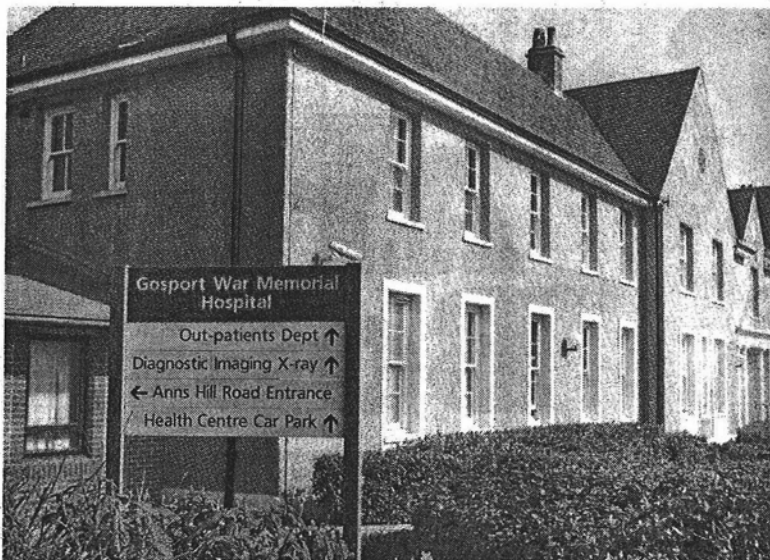
will address the findings of a damning audit into deaths at Gosport War Memorial Hospital last month, a senior government source told *The Independent*

led by Professor Richard Smith, a patient safety expert from the University of Leicester who said that the use of opiate and morphine and other sedatives were routinely given to elderly patients in the period between 1988 and 2000, many of whom were not in pain.

A "proportionately high" proportion of elderly patients were given opiate injections before death, the Baker report said. "The routine use of these drugs 'almost certainly shortened the lives of some patients of whom might have been able to live from hospital alive'."

Mr Baker's recommendations included investigations into the deaths, and a study of patients to ascertain whether they were linked to particular doctors.

Concerns about the liberal use of opiate among elderly patients at Gosport were first raised by nurses in 1991, but continued for another decade. Complaints from families in 1998 led to three police investigations, two unrelated inquests and a criminal misconduct hearing. The report was suppressed by the Department of Health for years on the grounds that it would interfere with these proceedings. The report has reignited calls for an independent



The Gosport hospital. Below: *The Independent* breaks the story in March 2009 CHRIS ISON/PA

Hampshire Police were first contacted in August 1998 by Gillian Mackenzie reporting the death of her mother Gladys Richards, 91, who was prescribed morphine despite "no obvious signs of pain".

Professor Brian Livesley, an expert in elderly care called in by the police, concluded: "As a result of being given these drugs, Mrs Richards was unlawfully killed." Treasury counsel took the view that his assertions were "flawed in respect of his analysis of the law". In August 2001 the CPS said there was insufficient evidence for a successful prosecution.

The Baker "death audit" was commissioned by the Chief Medical Officer in 2002 as another police investigation - this time into 92 "suspicious" deaths at the hospital - got underway. A team of medical and forensic experts reported "serious concerns" about 15 per cent of the deaths to the police, and expected charges to be brought on the strength of the medical evidence. The CPS closed the case in 2007.

In 2009 an inquest jury found that painkillers and other sedatives were "inappropriately" prescribed to five patients which contributed to their deaths. In 2010 the General Medical Council found Dr Jane Barton, part-time clinical assistant at Gosport between 1989 and 2000, guilty of "multiple instances of serious professional misconduct". There was widespread anger when she was placed under restrictions rather than struck off. Ms Barton, who insisted she always acted in the best interest of patients, removed herself from the medical register a year later.

Mrs Mackenzie last night said: "After all these years of fighting, I would welcome an independent inquiry. Not just into the deaths, but also into how the police behaved and why crucial evidence was not permitted at the inquests, the GMC and to the CPS, so that finally we will know everything."

## 'I'm exploring options for how we can establish all the facts'

**NORMAN LAMB MP**  
Minister for Care and Support

## 'Why was crucial evidence not allowed at the inquests?'

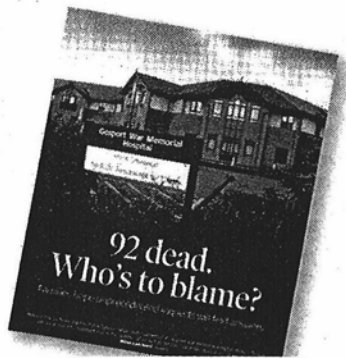
**GILLIAN MACKENZIE**  
Daughter of Gladys Richards, who died in 1998

inquiry into the deaths and subsequent "flawed" investigations which were mired by delays.

The senior source said an inquiry should also examine confidential documents held by the police, Crown Prosecution Service, NHS and government departments, so relatives' outstanding questions and cover-up allegations could be addressed.

At least two forensic medical experts who investigated the deaths on behalf of Hampshire Police a decade ago have spoken to government officials in recent weeks.

Norman Lamb, Minister for Care and Support, who in opposition campaigned for a Shipman-style public inquiry into the Gosport deaths in this newspaper, said in a statement yesterday: "I am exploring options for how we can establish all the facts in relation to this scandal. I am deeply concerned by the findings of the Baker report." He added: "I am also conscious that a lot of documents remain unpublished. I want openness so we can establish all of the facts."



# Mr Kerry to meet Hague in London for Syria talks

Mr Kerry will spend this week

that any military action might