

White, John

To: John Baker
Subject: RE: Gosport

Hi!

Many thanks for the email. I noted you were working on Saturday. I am out of the office on Monday and Tuesday on a course too! - hence here on Sunday night trying to keep on top of things.

Just returning to you in respect of the points below : -

1. Gosport inquest

Yes the App 8 includes Mr Wilson's costs.

2. Wilson

The events at the inquest showed to me clearly that one counsel would never have managed Wilson on top of the others. It was incredibly difficult and hard work for both counsel as it was. I think the problem with inquests involving geriatric medicine issues is that there are multiple pre-existing illnesses; in this instance multiple illnesses for multiple patients, heavy documentation, complex disclosure during the hearing and all concerning events many years ago. The breadth of concurrent health issues is incredibly labour intensive for the advocates. Also the mix of hearing evidence on ten cases concurrently jumping to and from relevant experts and witnesses would have been far too much to expect for one counsel alone, dealing with all the most significant cases.

3. MacKenzie

It is a different coroner. Mr David Horsley is dealing with this inquest, not Mr Bradley. I know that Mr Horsley was meeting with the police to examine disclosure. He has stated clearly in correspondence to me that he would be assisted if Mrs MacKenzie is represented. He has also indicated to me that he may instruct his own medical expert witnesses. Previously he stated to Mrs MacKenzie that the circumstances of her late mother's death were completely different to the others but we do not know what he means by that, having not had disclosure of the documentation as yet. She is a retired pensioner and we have provided details as to her means to you. If it would assist you, this might be an instance where you would like to make a final decision after the coroner has provided disclosure and come to a view as to the format of the inquest.

. Payment

Naturally the outcome of the above applications are of critical importance to us and to counsel. If you can make payment in July, or even a payment on account whilst other matters are resolved, then that would be magnificent.

Thank you as always for your helpful assistance and I look forward to catching up when we are both back in the office.

Best wishes

Code A

-----Original Message-----

From: John Baker

Code A

Sent: 04 July 2009 10:34

To: White, John

Subject: Gosport

John,

I hope you are well, apologies for not getting back to you sooner on these matters.

Main Gosport matter

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I have an app to extend the costs grant to £81k. Can you confirm if that includes Mr Wilsons costs?

Mr Wilsons application

given that he was really part of the main Gosport matter I take the view that he can be covered by the initial grant but I need to know the position regarding costs as above.

Gillian Mackenzie

Given that the commission has agreed to fund the "Generic " issues and inquest (possibly to the tune of £81k) I do not see that this is a matter which should attract funding for representation given that it is the same Coroner as in the main action and many of the complex issues will be have been dealt with then. I am not convinced that the Coroner cannot properly investigate the matter and reach the appropriate verdict without representation. Before I make a final decision can you let me know the current position.

I am on a course Mon to Weds next week but will be back in on Thursday and will pick this up then.

In any event I will try to get payment to you in July.

Code A

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