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*Paul*

**OPERATION ROCHESTER – GOSPORT WAR MEMORIAL HOSPITAL  
Guidance to expert witnesses and Disclosure to GMC**

1. Attached please find a letter from the Hampshire police, which addresses these two topics.
2. Regarding the guidance on law etc to the experts I also attach two notes which I have prepared, relying heavily in part on Steve O'Doherty's training material for deaths in custody, which I would propose we send to Hampshire to incorporate into their guidance.
3. I would welcome your comments on these.
4. As to the second topic, that of disclosure to the GMC, my initial reaction is that the suggested disclosure limited to the category two material would be unobjectionable. However, I am concerned that it could lead to what is described as a high profile discipline hearing which would I assume probably precede and potential criminal trial. That would indeed be potentially prejudicial.
5. I do not know if disclosure could be on condition of no publicity or failing that an undertaking that there would be no disciplinary hearing until after a decision not to prosecute or the conclusion of the criminal proceedings whichever is the later.
6. Again I would welcome your views.

*RDS*

**R Drybrough-Smith  
Head London Division II**

*RDS.  
Sorry for slippage.  
of course I agree with the  
law notes (2 asnd)!. I enc your  
old working file with DP's advice  
in case law in it may assist.  
As to (4)+(5) I do not know the  
answers - can we discuss? I think I  
know a discipline hearing! Paul 1118.*