

Private & Confidential

Briefing Note for Crown Prosecution Service (CPS)

Gosport War Memorial Hospital Independent Management Investigation

Status of the investigation

This is an internal NHS management investigation commissioned by Hampshire & Isle of Wight Strategic Health Authority, East Hampshire and Fareham & Gosport PCTs. The investigation has no statutory basis and will depend on the cooperation of past and present NHS staff. The outcome of the investigation will be reported in private to the Chief Executive of the Strategic Health Authority and the chairmen of the PCTs. In the fullness of time - and once all other investigations are completed - the outcome and conclusions of the management investigation will be made public. Michael Taylor and Ed Marsden - two experienced NHS managers - are conducting the investigation.

Aims and objectives

The aim of the investigation is to establish what NHS managers knew about the matter of diamorphine prescribing at Gosport War Memorial Hospital (GWMH) and what action (if any) they took. The investigation will seek to resolve the question of what Ian Piper and Tony Horne knew so as their employers can make a decision about their current re-deployment and whether there is a need for any disciplinary action. The investigation could potentially identify other staff against whom disciplinary action may have to be taken. This could include senior NHS staff who were in post during the period covered by the terms of reference.

The attached terms of reference set out the specific issues the investigation is expected to cover (see Annex A.) The time period covered by the investigation is from the late 1980s to 1998.

Methodology

To date the investigating team have carried out the following work:

- Reviewed a substantial number of documents from Portsmouth Health Care Trust and the former health authority. (These documents include board minutes, executive management team minutes, various policy documents as well as a substantial number of adverse incident forms.) Among this material are a number of papers that are relevant to the investigation.
- Initiated a second trawl for documentation, as there may be further material available that is relevant to the investigation. Emphasis will be given to establishing the managerial responsibility of individuals against job descriptions and developing standards of NHS management practice between

1988 and the end of 1990s. The standards that will need to be tested include: risk management, monitoring of clinical quality and dealing with concerns raised by hospital / community based staff.

- Set in train a literature search at the Department of Health library so as to be able to understand the policy and operational context of the NHS in the late 1980s.
- Conducted a small number of informal scene-setting discussions with individuals who have knowledge of the Hospital but whom are not associated directly with the matters under investigation at GWMH.
- Identified a list of potential witnesses that the investigating team would wish to interview. The list is attached at Annex B. (The intention is to share this list with Hampshire Constabulary and seek their consent to interviews going ahead prior to letters being sent to individuals.)
- Discussed the conduct of the interviews with the lawyer advising the Strategic Health Authority and the two PCTs.

Outputs

The investigating team will produce a written report for the Strategic Health Authority and the PCTs. The report will be presented to the chief executive and the two chairmen respectively. They are likely to limit circulation of the report to their own advisers e.g. lawyers.

Potential outcomes

The investigation could lead to a number of outcomes including:

- 'no case to answer' in respect of Ian Piper, Tony Horne and others;
- disciplinary action being taken against either one or both of these individuals;
- disciplinary action being taken against other - as yet unidentified - individuals.

Timetable

The investigation should take no more than a matter of months to complete. An initial estimate is that the investigation should be concluded by March 2003.

Michael Taylor
19 December 2002

Ed Marsden