



H A M P S H I R E C o n s t a b u l a r y

Chief Constable Paul R. Kernaghan QPM LL.B MA DPM MCIPD

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Dear Mr Close

Investigation into the Deaths of Arthur Cunningham, Alice Wilkie, Robert Wilson and Eva Page

I am writing to you in connection with the above investigation which is a continuation of the papers I understand you earlier supervised relating to the investigation into the death of Gladys Richards. I understand that you have already spoken to Deputy Chief Constable Ian Readhead about this matter, but I have enclosed with these papers a report from Chief Superintendent Clacher which outlines the current position insofar as it relates to the complaints currently being made against Hampshire Constabulary.

I was appointed by Mr Readhead to gather the outstanding evidence relating to the above deaths in order that the CPS may make a decision as to whether this additional evidence has any bearing on the decision made earlier this year not to proceed with any criminal charges. I have included in this file the following documents for your consideration:

1. Report of Professor Ford, Consultant Physician
2. Report of Doctor Mundy, Consultant Physician and Geriatrician
3. Medical notes relating to the patients named above

It is important to note that I have not been appointed as a new Senior Investigating Officer (SIO) and accordingly I have not conducted any further enquiries into this matter. Given the nature of the complaints against the constabulary and the fact that the issue of causation was the central point in your earlier decision, it has been decided that the papers in their current format should be submitted for your consideration. Professor Ford specifically addresses causation.

However, given the nature of the complaints, I have also included for your consideration a copy of the Commission for Health Improvement (CHI) report of July 2002 which is critical of the policies in place at the hospital during the relevant period in 1998/9. One of the operational decisions to be taken by the police is whether to conduct a similar investigation to establish whether the Trust may be liable under Section 3 of the Health and Safety at Work Act 1974 or indeed whether any individual may be liable under Section 37 of the same Act. Whilst it is accepted that statements would need to be obtained and probably further questions asked, the report does highlight some key findings and I would appreciate a



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view as to whether a prima facie case may already be established under Section 3. To conduct such a health and safety investigation would clearly be time consuming and expensive which may not be justified if the CPS were able to offer some advice at this stage as to the viability or otherwise of a prosecution.

Whilst you already have previous knowledge in this matter, if I can help any further in relation to this additional bundle of material, please do not hesitate to contact me.

Yours sincerely,

Redacted

**Paul Stickler
Superintendent**