

Code A

29. 8. 02

Dear Mr Close

I now enclose a copy of a letter from D.C.C. Readhead and a copy of my reply. I would confirm that D.C.C. Readhead has informed me that the Dow sent the papers to Mr C. Newell. I hope that all the papers will eventually arrive on the same desk.

The statement dated 27 April 1999 was sent to the D.P.P. on 1st July and was forwarded to Mr. Bob Wheeler.

Yours sincerely

Code A

Enc. Copy letter to Lord Goldsmith
D.C.C. Readhead
from D.C.C. Readhead.

Copy for Mr Paul Close CPS



Hampshire Constabulary
 Police Headquarters
 West Hill
 WINCHESTER
 Hampshire
 SO22 5DB

Tel: **Code A**Fax: **Code A**Telex: **Code A**

I R Readhead LL.B
 Deputy Chief Constable

Your ref:

Our ref: IR/DCC/hjs

19th August, 2002.

Mrs. G. MacKenzie

Code A

Dear Mrs. MacKenzie,

You will be aware that Chief Superintendent Dan Clacher has been conducting a complaint enquiry on my behalf following correspondence which had been received from a number of bereaved families including yourselves concerning the loss of loved ones at Gosport War Memorial Hospital.

As we have not corresponded before, I would like to place on record my condolences to you and the rest of your family during what has clearly been a distressing period. This is often aggravated as the official processes which have to be followed tend to be impersonal and cold in nature.

Chief Superintendent Clacher submitted his final report to me on 22nd July, 2002. It was a very comprehensive document and whilst concentrating on the areas of the complaint, also gave an overview of all the action police had taken to-date. His report was not a reinvestigation of those matters already in our knowledge. On 23rd July, 2002 I wrote to the Chief Crown Prosecutor of the Hampshire CPS, Mr. R. Daw about this matter. He in turn has corresponded with the Director of Casework at the Crown Prosecution Service Headquarters in London to see if they would be prepared to accept a submission of all the evidence in our possession, including the report by Chief Superintendent Clacher and the Commission for Health Improvement.

It is the Crown Prosecution Service who provide the independent advice on the criminal law and ultimately it is they who make the final decision if it is in the public interest to bring any criminal charges, not the police.

It is my intention to ask Superintendent Paul Stickler who is the Divisional Commander at Havant, to undertake the responsibility for collating all the matters referred to above and submit it to the Crown Prosecution Service. Mr. Sticker is an experienced senior officer who has served for many years in the Criminal Investigation Department. I must, however, emphasise that this is not a new investigation into the events at the Gosport War Memorial Hospital and he will not be seeking additional evidence at this time. Due to other commitment he will not commence this work until early September although I have asked for it to be with the CPS, appropriately prepared, by the end of that month.

Mrs. MacKenzie

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19th August, 2002..

I will obviously keep you advised of any other developments but I would not anticipate at this stage being in a position to do anything further until October. If I can be of any assistance in the interim, then no doubt you will contact me. My suggestion would be that you use either myself or Chief Superintendent Derek Stevens as a point of consultation.

Yours sincerely,

Code A

I.R. Readhead
Deputy Chief Constable

copy to Paul Case

Code A

28th August 2002

I.R Readhead LLB
Deputy Chief Constable
Hampshire Constabulary
Police Headquarters
West Hill
Winchester
Hampshire
SO22 5DB

Dear D.C.C. Readhead,

Re. IR/DCC/LJS

Thank you for your letter 19 August which I received on 24 August on return from Guy's Hospital. As you are no doubt aware from your support staff I have been unable to read or write since eye surgery at Moorfields on 8th July but I am now able to do so. I have to return again to Guy's in September for further kidney stone treatment. It has not been 'my year'.

I am not impressed or encouraged by your letter. I am well aware of Chief Supt. Dan Clacher's role regarding the complaint enquiry and obviously from the contents of your letter you are backing John James' decision (?) in not carrying out investigations into "each unique case which should be considered on its own facts and merits". Some families contacted the police as far back as April 2001 and nothing at all has been done. Selecting four 1998 cases is not good enough out of more than 11 cases of concern (1998 - 2001) brought to the attention of the police. Some next of kin were not even invited to the February meetings arranged by John James and their names and addresses were not circulated nor were they contacted to see if they wanted to be in touch with other families (eg. D Graham). You are in charge of the Professional Standards and from the very outset (October 1998) I have seen little evidence of a standard of anything more than incompetence- particularly from Gosport CID and the Professional Standards Department. Your condolences are somewhat late and an apology for the behaviour of your Professional Standards Department dealing with my complaint would have been more appropriate last year. I exclude DCI Ray Burt from any criticism but I am aware that concentration was on the period 17 August - 21 August when it should have been 11 August on admission to Gosport. The 'Malice aforethought' was clearly indicated on admission in the written notes on the medical file by Dr Barton.

As I have repeatedly stated I am not distressed by the death of my 91 year old mother but I am appalled at the circumstances of her death and the apparent "cuffing" of a case of alleged unlawful killing. The age of a patient has no bearing on the case but the attitude by John James that 'they were elderly patients anyway' is disgraceful. An officer is supposed to uphold the law and show no discrimination towards the victims or defendants. He should attempt to prevent further cases.

The CPS can only act on the evidence submitted by the Police. It is not a question of 'distress being aggravated by official processes and cold in nature' - it is a question of alleged indifference to the deaths of rehabilitation patients being treated as palliative care patients. The police investigations apparently were of a lower standard than those of the Commission for Health Improvement on which you are now relying.

Your Department was aware, as out of courtesy I had informed them, I had written to the Director of Public Prosecutions on 1 July before the publication of the CHI Report. I alleged that not all the evidence had been submitted to Paul Close. I still make that allegation that evidence from my sister was not included in her statement. She has confirmed this to Dan Clacher and the reason. I also mentioned to John James that there had been no evidence of a haematoma when my sister and niece (both nurses) had laid my mother out. John James could see no reason to check that this had been included in evidence nor would he query my sister on this omission.

I received a letter from Paul Close on 31 July. He had received no information and stated he would contact the police. I doubt whether the CPS had been aware of other potential cases before the decision was made in July 2001 on my case. I fail to understand why you wrote to Mr Daw on 23 July who in turn wrote to London - how many more delaying tactics are going to be used? You are already aware of the criticism of Hampshire CPS who accepted an independent medical opinion from Dr Lord on Dr Barton's actions. Dr Barton was her own Clinical Assistant. There is no question of permission to submit further evidence in such serious cases. It is indeed your duty to do so.

In industry this continuous incompetence would not be tolerated and certainly not at the taxpayers expense. There can be no query over the public interest issue. The deaths that have arisen in allegedly similar circumstances relating to the same Doctor(s) nursing staff, policy since the 'investigation' of my mother's death can be laid on the doorstep of the Hampshire Constabulary due to lack of investigation. It should be borne in mind that there has been one alleged death following care at the Gosport War Memorial 2001 (Bulbeck) and another near miss due to an overdose of drugs (Ripley). As reported in the CHI report the new policies relating to drugs were not in place until mid 2001. If you do not interview next of kin who have contacted police you are not going to be aware of details.

I hope Supt. Paul Stickler (Sticker) is a stickler for detail - your typist apparently is not. I fail to understand how he can submit anything of great importance regarding patients in Daedelus and Dryad wards when none of the staff have been interviewed regarding cases

(other than those relating to my mother's case) and staff and the Doctors have left the employ of Gosport War Memorial Hospital.

I am however pleased to hear that you will keep me advised of any developments. It is now two months since the publication of the CHI report and during their investigations you were aware of developments. Your press release of 3 July speaks of 'transparency' - I have yet to experience Police transparency - in general 'fog' in communication to the relatives of the victims has been the order of the day and communication has been abysmally low from John James and Police HQ. I will not be contacting Derek Stevens who gave his blessing to John James banning me from his February Meeting and stated John James could run the cases as he saw fit.

I would like a face to face interview with you at your convenience. It can only be mutually beneficial as my attitude to the Professional Standards Dept. has been tempered by previous experience of Police Officers Lockwood Fuge, Basson Whiting etc. and of course Morgan, Maddison, and Bettsworth.

Yours sincerely

Gillian M MacKenzie (Mrs)

Copies
Director of Public Prosecutions
Paul Close CPS ✓
Rt. Hon. D. Blunkett Home Office
Chief Constable Hampshire Paul Kernaghan
Police Complaints Authority Duncan Geer
Rt. Hon Tony Blair P.M.
Rt. Hon A Milburn M.P.
I Duncan Smith M.P.
N. Waterson M.P. Eastbourne
Attorney General