

Gosport Independent Panel – Terms of Reference

1.1 Concerns about the care of older patients in Gosport War Memorial Hospital have been the subject of scrutiny since 1998. Families of those who died have persistently sought a full and independent investigation into the circumstances surrounding the death of their relatives and into the care they received prior to death.

1.2 There have been numerous investigations into the events surrounding these deaths: three police investigations, a Commission for Health Improvement investigation; a General Medical Council (GMC) inquiry; the Council for Healthcare Regulatory Excellence review and inquests into eleven deaths at the hospital. In 2010, after reviewing the material from the ten inquests and the GMC proceedings, the Crown Prosecution Service (CPS) concluded that ‘the evidence is insufficient to provide a realistic prospect of conviction for an offence of gross negligence manslaughter.... in respect of each of the ten deaths reviewed.’

1.3 In 2013, the Department of Health published a clinical audit of care which had taken place in 2003 by Professor Richard Baker covering the period 1988-2000. The report concluded that ‘a practice of almost routine use of opiates before death had been followed in the care of patients of the Department of Medicine for Elderly People at Gosport hospital....The practice almost certainly had shortened the lives of some patients, and it cannot be ruled out that a small number of these would otherwise have been eventually discharged from hospital alive’.

1.4 For the families, there remain unanswered questions about the care of their relatives, the circumstances surrounding their treatment and death and the slow progress of the various investigations.

1.5 In light of this, the Minister of State for Care and Support, Department of Health (Norman Lamb) has established the Gosport Independent Panel, under the chairmanship of Bishop James Jones, to review the documentary evidence held across a range of organisations concerning the initial care of families’ relatives and the subsequent investigations into their deaths in Gosport War Memorial Hospital.

Terms of reference

1.6 The Government is committed to maximum possible public disclosure of the documentation relating to the events at Gosport War Memorial Hospital from all possible sources.

1.7 The remit of the independent panel will be to:

- Consult with the families of the deceased and of those treated to ensure that the views of those affected are taken into consideration;
- Obtain, examine and analyse documentation from all relevant organisations and individuals (governmental and non-governmental) to include:

- a) Undertaking the review of historic health and social care records to establish treatment prior to death and the care of the elderly and vulnerable in the hospital;
- b) Examining the role of Gosport War Memorial Hospital and Redclyffe Annexe management, both clinical and administrative, and staff and other health and social care organisations. This will include their response to any concerns which were raised with them;
- c) Reviewing all investigations related to complaints made to and concerns raised with all other relevant organisations and individuals;
- d) Reviewing the relationships between the different investigations and their relationship with the families.

1.8 The Gosport Independent Panel will:

- Oversee the maximum possible public disclosure of all relevant information relating to unexpected deaths and treatment at the Gosport War Memorial Hospital;
- Manage the process of public disclosure, initially to the affected families;
- Produce a report which will provide an overview of the information reviewed by the panel and will illustrate how the information disclosed adds to public understanding of these events and their aftermath.
- Establish an on-line archive of Gosport documentation, including a catalogue of all relevant information and a commentary on any information withheld for the benefit of the families or on legal or other grounds.

1.9 The review by the Independent Panel is expected to complete by the end of 2017. The Secretary of State for Health will make arrangements for publication of the final report to Parliament.