



Code A

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25/09/2002 15:29

To: Mike Evans/CQEG-IIU/DOH/GB@DOH,

Code A

cc: Janet Walden/CQEG-IIU/DOH/GB@DOH

Subject: RE: RESTRICTED - Inquiry

Thanks, Mike. I will examine this and get back to you with advice on the human rights issues.

I will probably need more details to give advice on the form of the inquiry; any more detailed background that you can provide about the fact situation would be useful. Information about the other investigations by Police and CHI will also be necessary. Are these still ongoing? In relation to the Police, I would be interested to know if any charges were laid, or if convictions occurred.

From your comments, it also sounds as if the local Health Authority will be responsible for setting the terms of the inquiry. Why is this?

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-----Original Message-----

From: Mike.Evans [Code A]

Sent: 25 September 2002 12:53

To: Gillian.Aitken [Code A]

Cc: Janet.Walden [Code A]

Subject: RESTRICTED - Inquiry

Importance: High

Gill/Michael

I have tried to contact you by phone without success. I should be very grateful if we could have an early word about an inquiry being set up by a health authority. Very briefly the concerns are about alleged over-prescribing and unnecessary prescribing of opiates to elderly patients in hospital over what is now known to be a considerable period of time (viz at least since 1991). Investigations by police and CHI have thrown up serious concerns, but have failed to answer important questions because of their particular remits. The proposed inquiry (high-level/QC.....) will draw these strands together.

However, we are bound to face the allegation that the care these patients received contributed to their deaths. The question therefore arises (particularly in the context of Art 2) as to whether the inquiry should involve an examination of all, or a sample of, individual deaths at the hospital concerned. While the HA may take the view that in any event the inquiry should seek information about the treatment of individuals, I should be glad of your advice as to whether this would legally be (a) desirable or (b) essential. It would also be helpful to hear your views

about the form of the inquiry.

Regards

Mike Evans