

bf 6/5.

Fareham and Gosport **NHS**
Primary Care Trust

Unit 180, Fareham Reach
166 Fareham Road
Gosport
PO13 0FH

Alexander Harris Solicitors
Cheriton House
51 Station Road
Solihull
B91 3RT

Tel: 01329 233447
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Your ref: RF/A/31829/2/9922
Our ref: Ripley/Lit/Misc/CH

23 April 2003

Dear Sirs

Re: Code A

Fareham and Gosport Primary Care Trust are currently dealing with your requests regarding Code A

Your letter dated 25 March 2003 (Item 2) requests disclosure of 'Any existing adverse incident reports, key witness statements or clinical risk management documents which have been compiled following the incident we are investigating.' The letter goes on to request (Item 3 (i)) 'Any protocols or guidelines which have been produced referring to the accepted standard of treatment for the type of incident in question.'

However, the incident you are investigating is not described and there are no incident reports in the name of your client. Therefore, in order to enable disclosure of all relevant risk management documentation, protocols and guidelines, please would you confirm the type of incident in question.

I look forward to hearing from you.

Yours sincerely

Caroline Harrington
Risk & Litigation Manager

Fareham and Gosport 
Primary Care Trust

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02 April 2003

Dear Sirs

Re: Code A

Thank you for your letter dated 25 March 2003.

Your request is being addressed and we will be in contact again in due course.

Yours sincerely

Caroline Harrington
Risk & Litigation Manager



**Alexander
Harris**

solicitors

GOSPORT WAR
MEMORIAL HOSPITAL
27 MAR 2003

FIRST CLASS

FAO Legal Department

Fareham & Gosport NHS Primary Care Trust
Gosport War Memorial Hospital
Gosport
Hants.

Our ref:

RF/A/31829/2/9922

Your ref:

Please ask for:

RICHARD FOLLIS

Direct dial:

0121 7115111

25 March 2003

Dear Sirs

We have been instructed by Code A to investigate a potential clinical negligence claim.

We request disclosure of:

1. ✓ Single-sided A4 sized copies of all records in your possession relating to Code A medical treatment;
2. X Any existing adverse incident reports, key witness statements or clinical risk management documents which may have been compiled following the incident we are investigating. If there are no such records, please explain why they were not prepared in accordance with part 3 of the Pre Action Protocol for the Resolution of Clinical Disputes;
3. Copies of all Clinical Governance records in your possession which should include, but not be limited to, the following:
 - (i) Any protocols or guidelines which have been produced referring to the accepted standard of treatment for the type of incident in question;
 - (ii) Records concerning external and internal investigations into whether standards set by those protocols or guidelines have been and are being met;
 - (iii) Any details of remedial action which has been or will be undertaken and reviews to determine if the remedial action has had any effect;
 - (iv) Any other documents produced by other Clinical Governance groups or officers.

*Comps
Corresp.*

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Consultant: Prof. Daniel S Simons B.A (Hons) J.D (Member of the Florida Bar)

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We would ask that all original documents are preserved for inspection at a later stage if appropriate. This request for disclosure is made under the provisions of the Clinical Negligence Protocol and therefore voluntary disclosure should be made to us within 40 days, failing which we shall seek an Order for pre-action disclosure from the Court.

This request for disclosure is made pursuant to the Data Protection Act (1998).

We enclose our client's signed authority in order to enable you to deal with this request.

Please treat this letter as notice that, based upon the information available to us at the present time, our client intends to pursue a clinical negligence claim against Fareham & Gosport NHS Primary Care Trust. **Please confirm, by return of post, the correct title of the defendant to this claim and inform us immediately of any subsequent change to that title.** We have included, at part 7 of the enclosed form of application for pre-action disclosure, sufficient information to enable you to commence immediate investigation into this matter.

In the event that we issue a letter of claim on behalf of our client we expect you to serve your reasoned response within the 3 month period allowed by the Clinical Negligence Protocol. We place you on notice that extensions of time for service of the reply will not normally be given.

We wish to point out that the details we have included at part 7 of the enclosed form of application for pre-action disclosure are not necessarily exhaustive at this stage and we may wish to alter and/or add to them once we have perused the records.

We also enclose a copy of our client's Notice of Issue of Public Funding.

We look forward to hearing from you and/or your defence organisation by return.

Yours faithfully

Code A

ALEXANDER HARRIS