

Broughall, Debbie

From: Broughall, Debbie
Sent: 05 February 2009 11:11
To: 'Greg Clark-SO'
Subject: FOI-393 Freedom of Information Act Request from BBC TV in Southampton

Dear Mr Clark

Thank you for your request for an internal management report from 1991 examining drug prescribing practices at Gosport War Memorial Hospital.

Your initial request was received on 04 February 2009 and I am dealing with it under the terms of the Freedom of Information Act 2000.

I shall write to you again within 20 working days when I have further details. In some circumstances a fee may be payable and, if that is the case, I will let you know. A fees notice will be issued to you and you will be required to pay before we will proceed to deal with your request.

If you have any queries about this email, please contact me quoting the reference number above in any future communications.

Further information about the Freedom of Information Act and the Environmental Information Regulations may be found on the Information Commissioner's website at <http://www.ico.gov.uk/>.

Yours sincerely

Debbie Broughall

Debbie Broughall
 Freedom of Information Officer
 Hampshire PCT
 Aldershot Centre for Health
 Hospital Hill
 Aldershot
 Hampshire GU11 1AY

Direct Dial Tel:
 Area Office Reception Tel:
 Area Office Fax:

Email:

Hampshire PCT Freedom of Information Email: foi@hampshirepct.nhs.uk

From: Greg Clark-SO [mailto:
Sent: 04 February 2009 18:30
To: FOI (HPCT)
Subject: Freedom of Information Act Request from BBC TV in Southampton

Dear Sir or Madam

I am writing to make a Freedom of Information Act (FOIA) request relating to previous investigations of events at the Gosport War Memorial Hospital.

I am specifically seeking a copy of an internal management report from 1991 examining drug prescribing practices at the hospital. The existence of this document was first publicly made known in 2002 when it was apparently handed to Hampshire police as part of their

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investigation into a number of deaths at the hospital. At that time (approximately September 2002), the then chief executive of Fareham & Gosport Primary Care Trust, Ian Piper and Tony Horner, then chief executive of East Hampshire Primary Care Trust temporarily stepped down from their positions. I've included that detail in the hope it helps you identify the specific document because I do not know what it was officially called or who commissioned it.

For similar purposes of clarity, the report I am seeking is NOT the Commission for Health Improvement report from July 2002.

I would like a copy of the 1991 report together with any subsequent management minutes discussing the report and any action programme. I would anticipate that these documents would include references to named individuals. If that is likely to cause Data Protection Act problems, I would ask you to redact the names rather than withhold the entire document. I would argue that with the inquests opening shortly into the deaths of ten patients at the hospital which is likely to examine drug prescribing practices on the wards, the balance of the public interest test in favour of releasing this information - even with redactions - outweighs any qualified exemptions you may be considering.

I do not know whether the 1991 report is included in the disclosure bundle for the forthcoming inquests. If it is, I would ask you to provide the report as it is already, or soon will be, in the public domain. That would remove any justification not to release the document. If the report is not in the disclosure bundle, I would urge you to still make a decision in principle about releasing the information. While I have been advised that it is not possible to prejudice inquest proceedings, your organisation may take a different view so the debate would then become about the timing of an FOI publication, perhaps to coincide with the conclusion of the inquests.

My preferred format to receive this information is by email sent to Code A
 If you need any further information from me in order to deal with my request, please use the email above or call me on Code A I would be grateful if you could confirm that you have received this request.

Thank you very much in advance.

Greg Clark

Greg Clark, Assistant News Editor
 "South Today" BBC1 Weekdays 6.30pm
 Broadcasting House, Havelock Road
 Southampton, Hampshire SO14 7PU

Tel.: Code A
 Fax: Code A
 email: Code A

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immediately.

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Further communication will signify your consent to this.