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Portland Street
Manchester. M1 3LF.



Strictly Private & Confidential

Ms Lesley Richards

Code A

Our ref: TET/ALW/00492-15579/6447843 v1

Your ref:

Tamsin Hall
Assistant Solicitor

Code A

(Direct Dial)

4 January 2008

Dear Ms Richards

General Medical Council - Dr Jane Barton

I am instructed by the General Medical Council, the governing body of the medical profession.

As you may be aware the General Medical Council, as a result of the outcome of the investigations carried out by Hampshire Constabulary, has now decided to refer Dr Barton for a hearing before its Fitness to Practise Panel. The Panel will consider whether her fitness to practise is impaired.

I have been instructed to prepare the case for hearing and I note that you assisted Hampshire Constabulary with their investigations. I have been provided with all of the investigation material from Hampshire Constabulary, including witness statements, which will be used as evidence by the General Medical Council at the hearing.

If you made statements to any other body, for example the Commission for Health Improvement, then I would be grateful for your further information in this regard. In particular, if you could forward me copies of any additional information that you may have then this would be exceedingly helpful.

I anticipate that I will need to call you as a witness for the GMC Fitness to Practise hearing. If you have no new evidence than that which you have already discussed with the Police this will take the form of you producing your previous statement and then giving evidence in relation to this.

I have therefore prepared a production statement on your behalf. As you will see this produces a copy of your witness statement made to the police dated 11 August 2004. Unfortunately I cannot use your statement for the GMC proceedings unless I have a signed production statement. I am sure that

Instead of sending out Christmas Cards this year, we will make a donation to each of our three nominated charities - Water Aid, Barnardo's and Richard House. For more information on our charity work, please visit www.ffw.com

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you will appreciate the importance of your evidence and I would like to take this opportunity to thank you in anticipation of your co-operation.

It is important that you read your original statement to the Police carefully. If you are happy with it and do not wish to add anything the please sign the production statement and return it to me. My contact details are: Field Fisher Waterhouse LLP, Portland Business Centre, Portland Tower, Portland Street, Manchester, M1 3LF.

I have enclosed a pre-paid envelope for your ease.

However, if you feel there are details that you would like to add to your statement or anything that you'd like to discuss regarding your previous statement, or would like to discuss the case generally please do not hesitate to contact me on Code A or alternatively via email at

Code A

I would also like to take this opportunity to let you know that you will be required to give evidence at the General Medical Council hearing in London. The hearing has been provisionally listed for **8 September – 31 October 2008**. It is likely that your attendance will be required during September and I would therefore be grateful if you could provide me with details of any dates that you will be unavailable during that month for example if you have any holidays booked. Further, it would be helpful if you could confirm that I have the correct correspondence address for you, and if you could also provide a contact telephone number and email address for me.

Thank you for your assistance in this matter. I look forward to hearing from you.

Yours sincerely

Code A

Tamsin Hall
for **Field Fisher Waterhouse LLP**

General Medical Council

Dr Jane Barton

Statement of Lesley Richards

I, **Lesley Richards**, will say as follows:

- 1. I am the daughter of Gladys Richards.
- 2. Exhibited to this statement and marked **LR/1** is a copy of the witness statement dated 11 August 2004 I made in relation to my mother's care.
- 3. I can confirm that I have been given the opportunity to add to or amend this statement but do not wish to do so.
- 4. I understand that my statement may be used in evidence for the purposes of a hearing before the General Medical Council's Fitness to Practise Panel and for the purposes of any appeal, including any appeal by the Council for Healthcare Regulatory Excellence. I confirm that I am willing to attend the hearing to give evidence if asked to do so.

I believe that the facts stated in this witness statement are true

Signed:

Lesley Richards

Dated:

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Form MG11(T)

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WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Statement of: RICHARDS, LESLEY FRANCES

Age if under 18: 0.18 (if over 18 insert 'over 18') Occupation: RETIREDREGISTEREDGENERAL

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signed: Lesley RICHARDS

Date: 11/08/2004

I originally made a statement to the police dated 31st January 2000 (31/01/2000). I made this statement in my previous married name of LACK. I have been known by my maiden name of RICHARDS since 1/4/2000 (01/04/2000). I have been asked about my mother, Gladys RICHARDS, operation site.

I inspected my mother's wound where she had her replacement hip on a number of occasions at the Gosport War Memorial Hospital. I remember distinctly that the scar had healed perfectly.

In my original statement I refer to Phillip BEED telling me that my mother had developed a massive haematoma and that this was the cause of her pain and the reason for the use of Diamorphine. This conversation took place on Tuesday 18th August 1998 (18/08/1998).

On 21st August 1998 (21/08/1998) my mother died. I was present at her death and shortly afterwards I and my daughter Karen READ laid my mother out.

We washed her face and hands and brushed her hair. We then changed her into a clean nightie. In order to change the nightie we had to turn her on to both sides so I had a clear view of her body. There was no sign of a haematoma nor did she have any pressure sores.

If my mother had a haematoma I would have expected to see a raised bruised area of some magnitude with discolouration of the skin.

Signed: Lesley RICHARDS
2004(1)

Signature Witnessed by:

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Continuation of Statement of: RICHARDS, LESLEY FRANCES

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I have been asked if my mother showed any symptoms of suffering from Bronchopneumonia.

The symptoms for bronchopneumonia are a raised temperature, increased secretions from the nose, mouth and chest, sterterous breathing (difficulty in breathing) and laboured respirations.

My mother's breathing was soft and gentle and quiet throughout the last days of her life.

I am now aware that my mother was given Hyocine which suppresses secretions but this would not prevent symptoms of bronchopneumonia from being present. In my opinion my mother had no signs and symptoms of suffering from bronchopneumonia.

I have been asked about the events relating to the registering of my mothers death.

On 24th August 1998 (24/08/1998) I collected a sealed envelope from the administration office at the Gosport War Memorial Hospital, this contained my mothers death certificate.

I took this envelope to the Registrars Office at the Civic Offices in Gosport.

I handed the envelope to the registrar, a lady I now know as Helen PASSMORE .

She opened it and asked me what was my relationship to the deceased.

I told her that I was the daughter and she began to fill out the relevant documentation.

I have registered the deaths of a number of relatives as well as a number of elderly people who had no next of kin when I was director of nursing in a nursing home, so I am conversant with the procedure.

Helen PASSMORE handed the certificate supplied by the hospital and said something to the effect of "Can you read through this and confirm that it is correct".

Signed: Lesley RICHARDS
2004(1)

Signature Witnessed by:

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Continuation of Statement of: RICHARDS, LESLEY FRANCES

Form MG11(T)(CONT)
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I looked at the certificate and the first thing that I noticed was that the entry was 1a which normally means that there would be a b or a 2 indicating more than one contributing factor to the cause of death.

There was only one entry and the cause of death was given as 1(a) Bronchopneumonia.

I knew that my mother didn't have Bronchopneumonia at the time of her death so I said to the Registrar "This is not correct". She replied "What do you mean?" I said "My mother didn't have bronchopneumonia. She was in hospital following surgery and a fall. She definitely didn't have bronchopneumonia".

Helen PASSMORE said "Don't say another word, if you say another word I will have to stop this interview and call the Coroners Officer and there will be a post mortem". I was by this time extremely distressed and in tears. I didn't want my poor mother to be cut up. I wanted her to be left in peace. I didn't argue any further and so I said "Ok, just give me the certificate so that I can get mother cremated".

I accepted the certificate with my mother's cause of death given as Bronchopneumonia (LR/DC/1).

I went home and told my daughters Peta and Karen what had happened shortly afterwards.

On the first occasion of my speaking to the police at Gosport Police Station I raised the matter of my mother's death certificate with DC Code A I told him that I was concerned that I had accepted an incorrect death certificate and that I might be guilty of an offence. He assured me that I wouldn't be prosecuted over the matter.

I also raised the matter of my mother's death certificate with DCI BURT when I made my original statement.

Taken by: Code A

Signed: Lesley RICHARDS

2004(1)

Signature Witnessed by:

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Continuation of Statement of: RICHARDS, LESLEY FRANCES

Form MG11(T)(CONT)
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Signed: Lesley RICHARDS
2004(1)

Signature Witnessed by:

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