

DM6

A On 28th September we received a further call from Dryad Ward to inform us that Brian had died at the weekend.

I know that Thalassa Nursing Home was investigated by the Nursing Home Inspectorate ... as a result of Brian Cunningham's demise. Everything was deemed however to be in order."

B We now have the statement of Shirley Sellwood, who describes herself as a friend of Arthur Cunningham and acted as his domestic carer until he was placed in a rest home. She made a statement to the General Medical Council exhibiting her statement to the police, which was dated 12 May 2004.

STATEMENT OF SHIRLEY SELLWOOD, Read

C She says:

"I am retired and live at the address stated overleaf.

Approximately 20 years ago in the early 1980's I was introduced to Rhoda and Brian Cunningham. Rhoda was suffering from cancer and I became her domestic help. Rhoda died at home several years later. I continued as Brian's domestic helper until he was placed in a rest home. Brian was not an ignorant man, he was knowledgeable. Brian was very 'tactile' and I know that this had caused problems with some of those who knew him. It was also I believe a reason for him leaving one of his rest homes.

D His last residence was the..."

E And it reads the "Thalena", but I think it must be the "Thalassa" -

"... Thalassa Nursing Home. He only went into the homes in the last years of his life, I have been told that this was 1998.

I went to visit Brian at the Thalassa but was told he was a Gosport War Memorial Hospital, again I have been told that this was in September 1998. I know that he was only in the hospital for a short while before he dies, perhaps a week.

F I visited him twice, once after a few days of his admittance. On this occasion he seemed fine, he had bed sores, obviously he was frail, he had had Parkinson's for some years.

G He was quite normal and I did not imagine he was close to death. I was therefore greatly shocked when a few days later I received a phone call from somebody at the hospital telling me that Brian was close to dying. They had phoned me as I was marked down as the next of kin. I told them that I was not and suggested that they phone Rodney who is Brian's step son.

H I had visited Brian the day before this call, this time he asked me to leave as he was very drowsy and was being given Diamorphine. He was not his normal self at this time.

A When I took the phone call from the hospital it was about 10.00 pm. I believe it was Rodney who phoned me to tell me that Brian had died. I did not discuss his treatment or the hospital staff with Brian on either of my visits.

Brian did have a social worker dealing with the rest home side of matters and I believe his name was Sean."

B Sir, that deals with the evidence at this stage of the proceedings that we call in relation to Mr Brian Cunningham. We are now going to move on to deal with our next patient. We have got two live witnesses that we are going to call in relation to Mr Robert Wilson who is Patient H, and I am not sure if you have had the opportunity of reading Patient H's file?

C THE CHAIRMAN: No, we have not. Indeed we do not yet have it.

MR KARK: Could I ask for copies to be handed out to you? (Same handed)

THE CHAIRMAN: We receive this, Mr Kark, as Exhibit C9.

D MR KARK: Yes, exactly, thank you. Obviously this would be a convenient point at which to break. It is a reasonably substantial file. It is a lever arch file about half full, so I would think it is about 250 odd pages in total.

THE CHAIRMAN: Possibly an hour.

MR KARK: One hour to start with?

E THE CHAIRMAN: I think an hour to start with would be fine. It is 11.30 now and the Panel would in any event be taking a break first. I think if we were to say that we will take an early lunch until half past 1. Then we could have a clear run at the witnesses. Would that be acceptable?

MR KARK: Yes, of course.

THE CHAIRMAN: Very well.

F MR LANGDALE: (Agreed)

THE CHAIRMAN: Thank you, Mr Langdale. We will break now. The Panel will continue with some pre-reading and we will all resume at 1.30 pm, please.

MR KARK: Thank you very much.

G (The Panel adjourned for a short time)

H THE CHAIRMAN: Welcome back everyone. Mr Kark, the Panel have taken the opportunity to refresh their memory of your opening in respect of Patient H, Robert Wilson, and we have also spent time individually working our way through bundle H, so we are ready for you to proceed.