

Excess of painkillers hastened deaths of five elderly patients

Families call for new criminal investigation

David Rose

Five elderly patients who died at a hospital in Hampshire were overprescribed strong painkillers that hastened their deaths, a jury has said.

The ruling has prompted calls for a new criminal investigation.

Three of the patients whose deaths were investigated were given inappropriate drugs, the inquest at Portsmouth Coroner's Court said, raising fresh questions over the quality of their medical care.

The inquest jury of five women and three men looked at the deaths of ten patients at the Gosport War Memorial Hospital between 1996 and 1999. They were among 92 suspicious deaths at the hospital investigated by police, over which no charges were brought.

The jury concluded that in the cases of Robert Wilson, 75, Elsie Devine, 88, and Geoffrey Packman, 67, the medication was unsuitable, but they said it had been given for therapeutic reasons. They also ruled that drugs had contributed to the deaths of two other patients — Elsie Lavender, 83, and Arthur Cunningham, 79, (known as Brian) — although in their case the jury said that it was appropriate for their condition.

In all five cases, the administration of medication "contributed more than minimally" to their deaths.

In the cases of Leslie Pittock, Helena Service, Ruby Lake, Enid Spurgin and Sheila Gregory the jury decided that the prescription of painkillers had not contributed to their deaths.

The inquests, approved by Jack Straw, the Justice Secretary, followed a series of inquiries by the police and the NHS into almost a hundred deaths dating back to the late 1990s. Each of the ten patients was nearing the end of life and went to the community hospital for palliative care.

Diamorphine — a solution of morphine and saline — is used commonly

to relieve the pain of dying patients. It also helps to reduce distress.

Prescription of strong painkillers is subject to specific guidelines, but the families said that their relatives had been overprescribed painkillers.

In a statement after the verdicts they also called for a fresh police investigation so that criminal charges could be brought against those responsible. However, a spokesman for

shire, apologised on behalf of the health service. "It is a matter of regret to the NHS that three verdicts indicate that in the mid to late 1990s the medication administered to these patients has been found to have contributed to their deaths", he said.

"Since the late 1990s the systems and policies in place at Gosport War Memorial Hospital have undergone a complete overhaul."



Dr Jane Barton was investigated but not charged

Hampshire police indicated that they had no plans to carry out a new investigation. A police spokesman said: "Hampshire Constabulary has conducted three separate investigations, during which the Crown Prosecution Service has been fully consulted.

"It is our genuine hope that the extensive nature of the investigations conducted, the findings of the Crown Prosecution Service and now that of HM coroner provide those involved with some resolution, if not comfort, for the loss of loved ones."

Jane Barton, the primary doctor involved, gave evidence to the inquest, along with the patients' families, medical experts and staff at the hospital. She was the only individual to be investigated by police in connection with the deaths but was not charged with any offence. A GMC panel later ruled that she could work as a doctor only on condition that she stopped prescribing diamorphine and restricted her prescribing of Valium (diazepam). A spokeswoman for the medical regulator said that it was unlikely to reinvestigate Dr Barton unless the police took further action.

Richard Samuel, from NHS Hamp-



Arthur Cunningham with his wife, Rhoda. Drugs contributed to his death

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