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Doctor faces action over morphine deaths of elderly patients - Telegraph

## Doctor faces action over morphine deaths of elderly patients

Dr Jane Barton, who is at the centre of a police investigation into the deaths of nearly 100 elderly patients, faces being struck off the medical register for prescribing excessive doses of painkillers.



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Dr Jane Barton faces being struck off the medical register for prescribing excessive doses of painkillers Photo: PA

By Robert Mendick

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Dr Barton worked in a hospital ward that became known as the 'end of the line' by the relatives of patients who died while being cared for there.

A panel of the General Medical Council has already concluded that Dr Barton's conduct at Gosport War Memorial Hospital (GWMH) in Hampshire was "inappropriate" and "potentially hazardous".

This week it will decide if the evidence against her is tantamount to serious professional misconduct which would see her struck off.

For the relatives of those who died, the hearing is the latest stage in their dogged pursuit of Dr Barton.

As early as 1991, staff working at a hospital annexe in Gosport under Dr Barton's control had complained that "not all patients given diamorphine have pain" and "that patients' deaths are sometimes hastened unnecessarily".

Police have investigated the Oxford-educated GP on three separate occasions, the publicity after the first two inquiries leading to relatives of 92 elderly patients contacting detectives with their suspicions. Hampshire police referred a file containing 10 cases to the Crown Prosecution Service but no charges have been brought.

Should Dr Barton now be struck off, campaigning families will use it as leverage to press for a public inquiry into the goings on at the hospital during the 1990s. A report into mortality rates at GWMH, commissioned by chief medical officer Sir Liam Donaldson, has never been made public.

Evidence of Dr Barton's actions was presented to the GMC last summer during a hearing which lasted 11 weeks. The council was told of the case of Elsie Devine who died at GWMH in November 1999.

Mrs Devine was taken to the hospital to recuperate from treatment for a urinary tract infection at another hospital. Three days before she died she was given a 25microgramme patch of the painkiller Fentanyl which was followed a day later by 40 milligrammes of diamorphine – four times the recommended dose – and 40mg of the sedative Midazolam.

Both were administered through a syringe driver, a device which automatically pumps the drug into the body over a 24-hour period and is typically used for patients suffering from terminal cancer.

The Fentanyl patch was not removed for a further three-and-a-quarter hours, meaning Mrs Devine was receiving a 'substantial overdose' during that period, according to an inquest into her death which was held last spring. Mrs Devine was also given 50mg of the antipsychotic drug chlorpromazine – between two and four times the maximum recommended dose.

Within three hours of being hooked up to the syringe driver, Mrs Devine had lapsed into a coma. She died 58 hours later.

The GMC concluded that the combination of drugs prescribed in high doses to Mrs Devine, 88, by Dr Barton "put the patient at severe risk of respiratory depression, coma and premature death".

Mrs Devine's daughter, Anne Reeves, 59, told The Sunday Telegraph: "I still cannot understand how anybody could treat a wonderful mother like ours in that manner. She was taken away from us without justification. For this doctor to have been allowed to practise for more than a decade is

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disgusting.

"My mother was fine when she went into that hospital. She came out dead."

Mrs Reeves, who now lives in Malaysia but has returned to the UK especially for the hearing, has battled for justice for 10 years and remains suspicious of the authorities. In 2002 the GMC dismissed Mrs Reeves' original complaint, writing to her to announce that "the GMC need take no further action".

Relatives of Dr Barton's alleged victims suggest she was being protected by the medical establishment. Mrs Reeves' lawyer John White, a partner at Blake Laphorn solicitors, said this week's hearing will be critical if Dr Barton is ever to face criminal charges.

Mr White said: "There is a real fear that if the GMC doesn't come out with clear sanctions, the CPS and the police will use that as a pretext to stop looking.

"Dr Barton would give morphine not just for the pain. She also thought it would improve their wellbeing even if it hastened their deaths."

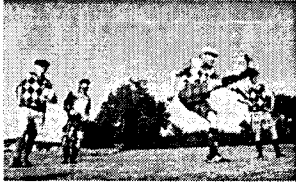
For now Dr Barton is still practising as a GP at the Forton Medical Centre in Gosport. She is subject to a temporary ban imposed by the GMC on prescribing the painkiller diamorphine.

The Medical Defence Union, which is representing Dr Barton, said the GP did not wish to comment on the ongoing case. A spokeswoman pointed out that none of the nurses who gave evidence at the GMC inquiry was critical of the doctor's care of patients while consultants had "never expressed concern about her treatment and working practices".

Following last April's inquest into 10 deaths at Gosport – which found that in five cases patients had died after being given excessive doses of morphine – Dr Barton said: "I am unable to make any substantial comment about matters given my duty of confidence. I can say though that I have always acted with care, concern and compassion towards my patients."

Hampshire police said: "Hampshire constabulary does not feel that it would be appropriate to comment while the GMC hearing is ongoing."

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