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'We demand justice': The families at the heart of Gosport's hospital scandal

Nearly 100 deaths at a hospital in Gosport have provoked an outcry from many of the patients' families, who believe the cases are suspicious. Official investigations have established little. The Independent on Sunday was the first to make arguments for a public inquiry and continues to pressurise the authorities to find out what really happened. Beyond the headlines, the relatives are struggling to uncover the whole truth behind their parents' final days... Nina Lakhani hears their stories

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 **'We demand justice': The families at the heart of Gosport's hospital scandal**



In 1991, nurses working night shifts at Gosport War Memorial Hospital in Hampshire were troubled. Over the previous few months, the number of elderly patients dying under their care had been mounting. Two nurses at the community hospital (which treats elderly patients in need of rehabilitation or sometimes terminal care, in collaboration with GPs) raised the alarm to senior hospital staff and the Royal College of Nursing. They believed the deaths started after patients were given diamorphine (a powerful painkiller) via a syringe driver (which delivers drugs via a tube and needle, and is traditionally used for very sick patients who need constant medication but find it difficult to swallow tablets). Giving these drugs, while sometimes necessary for chronic pain, can cause serious side-effects, such as difficulty breathing. These are more likely to occur in those patients not in pain: breathing can stop altogether.

Letters were written, internal meetings were held, but eventually the matter was closed by the hospital trust. A GP attached to Gosport, Dr Jane Barton, was responsible for prescribing drugs to many of the elderly patients. She continued working in the rehabilitation and terminal care wards.

The death at the hospital of 91-year-old Gladys Richards in 1998 triggered the first NHS, and two police, investigations after her daughter, Gillian Mackenzie, refused to accept she had died from natural causes. The police investigations were later found to have been incompetent and led to a third – lasting four years – into at least 92 deaths at the hospital. Thirteen were categorised as the "most serious" by an eminent team of medical experts led by

Professor Robert 'Forrest, the forensic toxicologist who gave evidence at the Harold Shipman trial, but no charges were brought.

Eighteen years after the nurses' initial worries, on 17 March 2009, inquests into the deaths of 10 people who died at Gosport between 1996 and 1998 opened at Portsmouth Combined Court. The unprecedented concurrent inquests – to determine how, when and why the 10 patients aged between 68 and 99 had died – came after years of campaigning by relatives who believed their loved ones died in suspicious circumstances. The 10 were among almost 100 deaths at the hospital investigated by Hampshire police between 1998 and 2006, but why they were chosen for an inquest remains unclear. They were not the most straightforward cases, or the strongest, and family members point out that the mix diluted the strength of the evidence.

In April, an eight-strong jury decided diamorphine and other powerful drugs had "contributed more than minimally" to five of the deaths (including those of Robert Wilson and Arthur Cunningham). An inquest, however, has no authority to apportion blame to individuals. The verdict led to a moment of jubilation for a few, but calls for a public inquiry – a Shipman-type independent investigation into the deaths and handling of the complaints by authorities – resumed soon after.

The deaths at Gosport happened around the time of several scandals involving NHS doctors and nurses. In 1993, nurse Beverly Allitt was convicted of murdering four children at a Lincolnshire hospital. At least three babies died in the Bristol baby scandal between 1991 and 1995, and more than 2,000 organs were illegally harvested at Alder Hey Children's Hospital between 1988 and 1995. The GP Harold Shipman was convicted of 15 murders in 2000 but a public inquiry found evidence to say he killed at least 250 patients.

The consensus among the bereaved families who have spoken out is that there has been a cover-up about what happened at

Gosport. They are unhappy with the way their complaints have been dismissed, delayed or inadequately investigated. Relatives believe the deaths were downplayed because another NHS scandal would cause public outrage and may have had political consequences.

Families of the dead have made a number of complaints against Dr Barton to the General Medical Council (GMC), but the council allowed her to work unrestricted until last year. In July 2008, they issued an interim order banning her from prescribing diamorphine and restricting her ability to prescribe the sedative drug diazepam. She will face allegations of serious professional misconduct at the GMC next month – at least seven years after police first passed on their files.

No one – apart from the Government and the GMC – has set eyes on a crucial study by Professor Richard Baker into whether the death rate at Gosport was abnormally high. Other highly critical medical opinions were withheld from the jury by the coroner at the inquests. And the Government rejected pleas from the coroner to hold a public inquiry into all of the deaths rather than inquests into just a few. The children of Arthur Cunningham, Stanley Carby, Robert Wilson and Norma Windsor, who died between 1998 and 2000, have all been advised by the authorities to "move on" and accept that their parents were old and sick – but none is prepared to. They feel let down: by the NHS, police, Crown Prosecution Service, GMC, coroner and the Government. They believe the public deserves the truth and that justice must be done, for their parents, but also for everyone else who has, or will have, an elderly relative in hospital. Because if things go wrong, horribly wrong, the truth should not be hidden – no matter how much it hurts.

Arthur Cunningham

Arthur "Brian" Cunningham could be a difficult man. In the 1940s, he had worked on the tea plantations in Sri Lanka, and his colonial attitudes rubbed many people up the wrong way. In the

mid-1980s he developed Parkinson's disease, and a combination of symptoms, medication side-effects and his cantankerous personality meant that nursing-home staff could find him difficult.

However, he and his stepson, Charles Farthing (left), had always been on good terms. On the morning of 21 September 1998, Cunningham was admitted to Gosport War Memorial Hospital suffering from bed sores. "I rushed down to the War Memorial and someone on reception told me he was on Dryad Ward," says Farthing. "At that point a man, maybe a porter or cleaner, said to me, 'That's the death ward,' which seemed stupid because Brian was nowhere near death, but I didn't think too much of it."

Cunningham was sitting up in bed when his stepson arrived, alert and animated despite a "sore butt". Before Farthing left for work in London, he spoke to the nurse in charge, Sister Gill Hamblin. "She said Brian's bed sores were the worst she'd ever seen and he might not survive them, which completely astounded me. I asked to see a doctor, but no one was available."

By the time Farthing returned with his wife two days later, Cunningham was attached to a syringe driver for regular morphine and midazolam – a strong sedative – and was unconscious. He repeats now what he told the inquest, that his stepfather was "out of this world and I thought straight away they must be killing him, because my mum had been given a syringe driver just before she died of cancer in 1989."

He continues: "I demanded that it be removed so that I could talk to Brian and find out if this is what he wanted."

But Dr Barton, who had prescribed the drugs, said that he was dying from the "poisonous" sores. The driver remained in place. From that point, Farthing and his wife sat with Cunningham until he died on Saturday 26 September 1998, aged 79.

Over the years, Farthing has obtained dozens of documents and independent medical reports which he believes proves his

stepfather's death was suspicious, but many were excluded from the inquest. "I believe they didn't like him because of his manner.

"Ever since Mr Blair stood up in the Commons and said there would never be another Shipman, we have been up against a brick wall. I've always been a law-abiding citizen, I believe in right and wrong, and that's what keeps me going: I still want justice."

Robert Wilson

"Help me son, they're killing me." These were the last words Robert Wilson (above), 74, said to his son the day before he died on Dryad Ward. His son, Iain Wilson, tried to reassure him. "No they're not, Dad, they're doing what they can to try to help you." He now believes his father was right.

Glasgow-born Robert Wilson fought in the Second World War and left the navy in 1965, already a drinker. He fractured his shoulder after falling at home in September 1998 and was admitted to Queen Alexander Hospital for almost three weeks. The doctors found alcohol-related problems with his kidneys and liver but none were considered life-threatening, so he was transferred to Gosport to recover, as his wife couldn't cope with his broken shoulder at home. He was wearing a sling, but didn't even want paracetamol for pain.

"My younger brother and I visited Dad the night before he was transferred and he was in good spirits, joking around, eating and drinking, though he wasn't looking forward to the journey as he hated being driven anywhere," says Iain Wilson. "When I visited him in Gosport two days later, he was almost comatose, on a syringe driver, and Sister Hamblin told me he would be dead within four days. At that point I nearly got thrown out for kicking up a fuss, but how I wish now I'd trusted my instincts and got him out of there."

Robert Wilson died on 18 October 1998, four days after he was admitted for rehabilitation.

The experience of looking after his dying wife six years beforehand convinced Iain Wilson that his father was treated as if he were a dying man as soon as he arrived at Gosport. But his fight for justice has led to arguments with his seven siblings over the years.

At first he felt "ecstatic" when the jury decided his dad had died because of inappropriate medication, but within days the elation was gone. "I actually feel gutted now because it feels we're back at the beginning. But I have to keep going.

"Every time I'm told 'no' by the coroner or the police or the GMC, it just makes me more determined to keep searching for the truth. I have to get justice for him."

Norma Windsor

Norma Windsor died on her 69th birthday after 10 days of "rest and recuperation" at Gosport. Windsor had a heart condition and was awaiting bypass surgery, which had been delayed by the onset of a blood disorder. She was poorly, she was tired, but there was nothing in her notes to suggest that she was dying.

At the end of April 2000, her GP, Dr Knapman (who also attended patients at Gosport), suggested a short hospital admission to give her husband time to pack for their imminent move to Sussex. Windsor balked: "You go there to die," she told her youngest daughter Sheena, but she persuaded her mother to go in for a rest, so Windsor reluctantly walked into Sultan Ward.

She went downhill rapidly. Her daughter Maggie Ward (left) says: "Within days she went from being chatty, mobile, just normal really, to being spaced out, hardly able to talk or keep her eyes open. Her skin went from being plump to totally dry." As the family complained, Windsor got sicker. "Mum kept saying to us 'You don't know what they're doing to me,' but we felt helpless."

On 4 May 2000, Dr Knapman agreed to a second opinion and

Windsor was transferred to St Mary's Hospital in Portsmouth. "When we got there, one of the doctors said they'd never received a patient from another hospital in such bad condition," says Ward. Windsor died from multiple organ failure on 7 May 2000.

A hospital doctor asked them to consider an autopsy, but the family, traumatised, refused, which they regret. The medical notes they've seen are incomplete and they have no idea what medication she was given. The police dismissed their initial complaint in 2002; said Windsor's death was one of the most serious cases being investigated in 2003; and dismissed it again in 2006. Requests for an inquest have been denied.

"We feel like Mum has been forgotten," says a tearful Ward. "Things are probably OK at Gosport now but what we feel was criminal neglect robbed us of time with Mum and for that, there should be justice. We don't understand why the deaths at Gosport aren't as important as the Shipman murders."

Stan Carby

Everybody knew Stan Carby. He was a larger-than-life former naval officer, whose subsequent career as an ice-cream vendor had made him a local legend. At 65, he suffered a series of mini-strokes that landed him in the army hospital, Royal Haslar, where his bad jokes and relentless flirting earned him the nickname "Stan the man". The mini-strokes had caused some weakness and drooping of his left side, so he needed a period of rehabilitation. His weight ruled out home rehab and despite being technically too young for Gosport War Memorial Hospital, he was eventually admitted to Daedalus ward at lunchtime on 26 April 1999.

"He picked out a horse for a bet at around 3.30pm, had a cup of tea and was generally fine," says his daughter Debbie Mackay, the second eldest of five. "He was not in any pain and had been discharged from Haslar on nothing stronger than aspirin. But he was a bit agitated about staying in and his medical notes had still

not arrived, so I made sure the nurses knew they should call me if he became upset or things got worse, whatever the time." The last relative left at 9pm and they all went to bed under the impression things were settled. But Mackay received a phone call the next morning telling her Stan had taken a "turn for the worse".

"Dad's eyes were shut, he was clammy, unresponsive and his breathing was heavy," says his daughter Cindy Grant (above with her brother). "We were devastated at the change; it was completely unexpected. We lifted him up to try to help him breathe, which is when I saw a tube in his back – what I now know was a syringe driver."

Around midday, the doctor came in and told the family she suspected a major stroke; she would make sure he wasn't in any pain but they would now "let nature take its course". Stan Carby took his last breath at 1pm, barely 24 hours after being admitted for rehabilitation.

The family have shown me his admission notes, written by Dr Barton, which state: "happy for nursing staff to confirm death". They also know he was given large doses of midazolam and morphine through the syringe driver, despite never complaining about pain. His medical notes from Haslar had not arrived.

Carby's death wasn't chosen for an inquest and his relatives' complaints to the GMC have led to nothing. "I want to knock on Barton's door and find out the truth," says Grant, close to tears. "Dad was taken from us and mum died in 2007 without knowing what happened. We have to see it through for her."

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