

Code A

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**From:** Julian Graves [Code A]  
**Sent:** 27 July 2009 12:00  
**To:** 'dave.grocott' [Code A]  
**Cc:** [Code A]  
**Subject:** FW: Gosport War Memorial Hospital Freedom Of Information requests.

Dear DI Grocott

I'm so sorry that it has taken me so long to come back on this.

With regard to your email below, we are unable to apply S22 of the FOIA to exempt this information. This is because we do not have any process in place for publishing this information subsequent to any hearing. The only information which will be disclosed subsequent to the hearing is the formal decision of the Fitness to Practise Panel regarding Dr Barton.

I do however fully accept that you would not wish us to 'fall out of line' with the approach taken by other agencies.

We currently have an outstanding request for some of the data that you have provided to us during the course of our investigation. It occurs to me that we may be able to apply the S41 'information provided in confidence' exemption to these data at this point in time. However before doing so I wished to seek your force's view on the application of this exemption. I can certainly provide further detail to you on this if it would be useful to do so.

I look forward to hearing your views on this matter and apologies again for my delay in responding.

Yours sincerely

Julian Graves  
Information Access Manager  
General Medical Council  
5th Floor  
St James's Buildings  
79 Oxford Street  
Manchester  
M1 6FQ

Code A

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**From:** Ellson, Sarah [Code A]  
**Sent:** 19 May 2009 14:09  
**To:** dave.grocott [Code A]  
**Cc:** Cooper, Rachel; roy.stephenson [Code A]; Watson, Adele; Julian Graves [Code A]  
**Subject:** FW: Gosport War Memorial Hospital Freedom Of Information requests.

Dear Dave

Thank you for communicating with us/GMC about your approach to FOI requests.

I have passed your email to Julian Graves at the GMC who leads on FOI/DPA requests. I think it may be

helpful if you and he liaise directly and I have copied this to him so that he can discuss matters with you. I believe Julian has also been in touch with his counterpart at the NMC.

I should also mention that Adele Watson will regrettably be leaving Field Fisher Waterhouse at the end of this week so could you please ensure that future emails are sent to me and I will deal with them along with my colleague Rachel Cooper.

Many thanks

**Sarah Ellson | Partner**  
for Field Fisher Waterhouse LLP  
Code A

**Consider the environment, think before you print!**

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**From:** dave.grocott Code A  
**Sent:** Thursday, May 07, 2009 3:12 PM  
**To:** Watson, Adele  
**Cc:** roy.stephenson Code A  
**Subject:** Gosport War Memorial Hospital Freedom Of Information requests.

Adele,

**Operation Rochester: Gosport War Memorial Hospital**

You will be aware that HM Coroner Andrew Bradley has recently concluded 10 inquests relating to patients from GWMH. The verdicts in those inquests were death due to natural causes, all be it that in some cases the administration of opiate medications was considered to have contributed more than minimally or negligibly to the death.

I have just received the first of what I imagine to be a number of formal requests for information under the terms of the Freedom of Information act. I wanted to communicate with you and the GMC my position as the SIO regarding information requests.

The police investigation has concluded and in due course we will have to consider what we are prepared to publish. At present I am aware that there are further hearings to take place, Fitness to Practice hearings, possible further inquests etc. To that end my decision which has been ratified by the Chief Constable is as follows.

*I intend to publish such material as is requested and appropriate in line with the Freedom of Information Act once all hearings connected with the investigation have been concluded. To inform this process I will create a publishing strategy which should address the immediate needs and concerns of family members connected with the investigation. I reasonably expect the publication of material to occur no sooner than January 2010 once all hearings have concluded.*

This being our position, any requests for information will be passed to our FOI office at police headquarters. An exemption to release material will be sought and probably applied under Section 22 of the FOI act.

As the GMC holds similar if not identical information to the police I would be obliged if you could pass my email to the relevant department. I would like to think that there might be a similar response from yourselves?

Once everything has finished we can and will respond to requests but in the meantime I don't want anything to adversely affect any other agency hearings. I shall be passing similar information to the NMC.

Please feel free to contact me if you wish to discuss or clarify anything further.

Regards

Dave  
D/Insp Dave Grocott  
Serious Crime Review Team  
Hampshire Constabulary

**Code A**

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