

41021102

2307

Code A

From: Code A
Sent: 12 May 2011 09:48
To: Code A
Subject: RE: Freedom of Information Act 2000 - Prof Baker Report

Follow Up Flag: Follow up
Flag Status: Flagged

Many thanks, I'll update our records

Code A

Investigations and Inquiries
 Department of Health
 Area 421, Wellington House
 133-155 Waterloo Road
 LONDON SE1 8UG

Tel: Code A

GTN: Code A

Code A

To Code A

cc

Subject RE: Freedom of Information Act 2000 - Prof Baker Report

12/05/2011 09:36

Code A

Many thanks for coming back to me so promptly in connection with this matter. Your views on the disclosure of Professor Baker's report will be taken into account and the GMC will not disclose the report as a result of this FOI request.

With regards to your request concerning Dr Jane Barton I confirm that an application was received from Dr Barton for voluntary erasure from the Medical Register. Her application was subsequently granted and Dr Barton ceased to be registered with the GMC with effect from 9 March 2011.

Kind regards

Code A

General Medical Council
 3 Hardman Street
 Manchester
 M3 3AW

From: Code A

Sent: 11 May 2011 11:57

To: [Code A]

Subject: Re: Freedom of Information Act 2000 - Prof Baker Report

[Code A]

Thanks. I recognise [Code A] name, but we've had so many FOI requests in connection with Gosport and the Baker report that I can't remember who's asked what. We recently had a request asking who had seen the Baker report - again, I can't remember from whom. We replied in general terms, eg we just said Hampshire police, the CPS, and (I think) the GMC. If we did indeed say that the GMC was one of the organisations which had seen it, that could have prompted this request: as you know, there are a good many people asking about Gosport and I imagine that a lot of them keep each other informed about what they've been told.

The DH line, which Ministers have made clear on many occasions, is that we won't release the report while there are still legal proceedings pending, and, again as you probably know, there's still one outstanding inquest. The last time we checked via the Ministry of justice, there was still no date for the inquest. Our line about non release is based on clear legal advice.

When we spoke yesterday, I said that there had been a couple of recent (about six months ago now) Parliamentary Questions about Gosport. this is the most recent Ministerial public involvement, although we've had more recent Ministerial correspondence. The link below should take you to the relevant page of Hansard.

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110210/text/110210w0002.htm#11021081000075>

I hope this helps. Let me know if there's anything more I can help with.

I remember seeing a press story not so long ago saying that Dr Barton had applied. or was applying, to have her name removed from the medical register. Do you know if this was correct and if anything happened about it?

[Code A]

[Code A]

Investigations and Inquiries
Department of Health
Area 421, Wellington House
133-155 Waterloo Road
LONDON SE1 8UG

Tel: [Code A]

GTN: [Code A]

[Code A]

10/05/2011 17:14

To: [Code A]

cc

Subject Freedom of Information Act 2000 - Prof Baker Report

Our ref: F11/3778/JM

Dear Code A

Freedom of Information Act 2000 – Information Request

As advised during our telephone conversation this afternoon the GMC has received a Freedom of Information Act 2000 (FOIA) request from Code A via the website [whatdotheyknow.com](http://www.whatdotheyknow.com) for a copy of Professor Richard Baker's report titled "A review of deaths of patients at Gosport War Memorial Hospital". A copy of the request is available at: [http://www.whatdotheyknow.com/request/access to professor richard bake 2#incoming-171703](http://www.whatdotheyknow.com/request/access%20to%20professor%20richard%20bake%20#incoming-171703). The report was provided to the GMC's solicitors as part of our investigation in connection with Dr Jane Barton.

I am therefore writing to seek your views on the disclosure of Professor Baker's report in connection with this request. Please could you let me know whether you have any objections to the disclosure and to explain their nature if you do, so that we can take your views into account when considering whether to disclose.

Thanking you in advance for your assistance in this matter.

Yours sincerely

Code A

Information Access Officer

Code A

Code A

General Medical Council

3 Hardman Street

Manchester

M3 3AW

Unless otherwise expressly agreed by the sender of this email, this communication may contain privileged or confidential information which is exempt from disclosure under UK law. This email and its attachments may not be used or disclosed except for the purpose for which it has been.

sent
If you are not the addressee or have received this email in error, please do not read, print, re-transmit, store or act in reliance on it or any attachments. Instead, please email the sender and then immediately delete it.

General Medical Council

3 Hardman Street, Manchester, M3 3AW

Regents Place, 350 Euston Road, London, NW1 3JN

The Tun, 4 Jacksons Entry, Holyrood Road, Edinburgh, EH8 8AE

Regus House, Falcon Drive, Cardiff Bay, CF10 4RU

9th Floor, Bedford House, 16-22 Bedford Street, Belfast, BT2 7FD

The GMC is a charity registered in England and Wales (1089278) and Scotland (SC037750)

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless in partnership with MessageLabs. (CCTM Certificate Number 2006/04/0007.)

DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) On leaving the GSi this email was certified virus free. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Unless otherwise expressly agreed by the sender of this email, this communication may contain privileged or confidential information which is exempt from disclosure under UK law. This email and its attachments may not be used or disclosed except for the purpose for which it has been sent.

If you are not the addressee or have received this email in error, please do not read, print, re-transmit, store or act in reliance on it or any attachments. Instead, please email the sender and then immediately delete it.

General Medical Council

3 Hardman Street, Manchester, M3 3AW

Regents Place, 350 Euston Road, London, NW1 3JN

The Tun, 4 Jacksons Entry, Holyrood Road, Edinburgh, EH8 8AE

Regus House, Falcon Drive, Cardiff Bay, CF10 4RU

9th Floor, Bedford House, 16-22 Bedford Street, Belfast, BT2 7FD

The GMC is a charity registered in England and Wales (1089278) and Scotland (SC037750)

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless in partnership with MessageLabs. (CCTM Certificate Number 2006/04/0007.)

DH users see Computer virus guidance on Delphi under Security in DH, for further details. In case of problems, please call the IT support helpdesk.

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Cable&Wireless Worldwide in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) On leaving the GSi this email was certified virus free.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Gosport War Memorial Hospital

Stephen Lloyd: To ask the Secretary of State for Health (1) what steps his Department is taking to ensure accountability in the case of the deaths of patients at the Gosport War Memorial hospital in the late 1990s; [39325]

(2) if he will initiate a public inquiry into the deaths of patients at Gosport War Memorial hospital in the late 1990s. [39326]

Mr Simon Burns: The police investigated the circumstances surrounding the deaths of several elderly patients at Gosport War Memorial hospital in the late 1990s; the Crown Prosecution Service subsequently decided that there was insufficient evidence to justify any prosecutions. The doctor whose actions had come under suspicion was also subject to a General Medical Council Fitness to Practise hearing which concluded that her continued registration should be made subject to several conditions. We understand that the doctor has now retired.

The Portsmouth coroner will be holding an inquest into the death of another elderly patient who died at Gosport War Memorial hospital at the time concerned. We will wait until the conclusion of that inquest before deciding whether any further action is appropriate; however, we cannot at present see what more a public inquiry could discover.