

## OPERATION ROCHESTER



Book 2.

Major Crime Investigation

Senior Investigating Officers

## Policy File

3-7 Typed out  
to copy & paste.

Type 8-9

Offence :- **UNLAWFUL KILLING**  
Victim :- **GLADYS RICHARDS.**

S.I.O. :- **D. SUPT. JAMES.**  
Deputy S.I.O. :- **DCI CLARK**

Date Enquiry Commenced :- **18TH AUGUST 1999.**  
Date Enquiry Completed :-

# **OPERATION ROCHESTER**

## **POLICY FILE**

## **2**

1. 21 05 2001 DET. SUPT JAMES COMMENCES AS S I O OPERATION ROCHESTER
2. 21 05 2001 INITIATE PLANS TO EXTEND THE ENQUIRY
3. 21 05 2001 ARRANGE BRIEFING FOR HM CORONER
4. 21 05 2001 ARRANGE CONFERENCE WITH C P S AND TREASURY COUNSEL
5. 21 05 2001 EVALUATE THE PROFESSIONAL STATUS OF PROFESSOR LIVESLEY
6. 21 05 2001 ARRANGE MEETING WITH PROFESSOR LIVESLEY
7. 21 05 2001 DETAILS OF MANAGEMENT TEAM
8. 31 05 2001 EXPLORE THE SERVICES OF A STATISTICIAN FOR THE PURPOSE OF THIS ENQUIRY
9. 31 05 2001 REVIEW OF THE LAW INTO CRUCIAL ISSUES TO BE CONSIDERED
10. 04 06 2001 SEEK MEETING WITH MANAGEMENT TEAM FROM DR. SHIPMAN ENQUIRY
11. 05 06 2001 DRAFT OF PRELIMINARY PARAMETERS
12. 14 06 2001 IDENTIFY A PRACTISING GERIATRIC CONSULTANT
13. 14 06 2001 CONSULT OTHER S I O<sub>s</sub> WHO HAVE USED THE SERVICES OF PROFESSOR LIVESLEY
14. 18 06 2001 ARRANGE TO BRIEF DR. MUNDY
15. 19 06 2001 ARRANGE MEETING OF ENQUIRY MANAGEMENT TEAM
16. 25 06 2001 MAKE EARLY CONTACT WITH DR. MUNDY
17. 25 06 2001 MAKE EARLY CONTACT WITH PROFESSOR FORD
18. 25 06 2001 ASSESS THE CIRCUMSTANCES OF OTHER CASES AS THE RESULT OF PRESS RELEASE
19. 25 06 2001 MEDIA SERVICES TO PREPARE STRATEGY
20. 26 06 2001 SIO TO UPDATE DIRECTOR OF PUBLIC HEALTH FOR PORTSMOUTH
21. 03 07 2001 FURTHER SUBJECTS CASE NOTES TO BE ACQUIRED
22. 03 07 201 OFFICER TO VISIT FAMILIES OF DECEASED PERSONS AS PER 21 ABOVE
23. 03 07 2001 ENGAGE SERVICES OF DR. MUNDY AND PROFESSOR FORD
24. 03 07 2001 FEES OF EXPERTS TO BE AGREED
25. 03 07 2001 WRITTEN BRIEFS TO BE PREPARED AND SENT TO EXPERTS

# OPERATION ROCHESTER

## POLICY FILE

## 2

26. 05 07 2001 ACQUIRE NOTES FROM HEALTH AUTHORITY AS PER POLICY DOC. 21
27. 05 07 2001 MAKE CONTACT WITH DIRECTOR OF COMMISSION FOR HEALTH
28. 20 07 2001 MEETING WITH C H I ARRANGED
29. 09 08 2001 FURTHER NOTES AS PER DOC. 21 NOW AVAILABLE
30. 09 08 2001 ISSUES CONCERNING CONTACTS WITH OTHERS WHO HAVE RAISED CONCERNS
31. 09 08 2001 ISSUES UNDER INVESTIGATION AND FOCUS OF THE INVESTIGATION
32. 09 08 2001 S I O RECORDS NOT TO UNDERMINE PUBLIC CONFIDENCE IN G W M H
33. 04 10 2001 LIAISE FORCE SOLICITOR. C H I TO INVESTIGATE G W M H
34. 17 10 2001 RELEASE OF RELEVANT MATERIAL TO C H I
35. 23 10 2001 S I O TO BRIEF C H I INVESTIGATION TEAM
36. 23 10 2001 PERSONS WHO HAVE CONTACTED POLICE ADVISED REF. C H I INTEREST
37. 23 10 2001 MEDIA SERVICES TO LIAISE WITH C H I PRESS OFFICE
38. 26 11 2001 CONTACT WITH PROFESSOR FORD REF. AVAILABILITY OF HIS REPORT
39. 18 12 2001 ARRANGE MANAGEMENT MEETING TO CONSIDER INVESTIGATION ISSUES
40. 07 01 2002 BRIEF C H I INDEPENDENT PANEL
41. 15 01 2002 MANAGEMENT MEETING
42. 28 01 2002 S I O DECIDES WIDER POLICE INVESTIGATION NOT APPROPRIATE
43. 28 01 2002 BRIEF OTHER PARTIES REF. THE DECISION AT 42 ABOVE
44. 28 01 2002 ADVISE TO LOCAL HEALTH PARTIES OF THE DECISION AS ABOVE
45. 28 01 2002 PERSONS WHO CONTACTED POLICE TO BE ADVISED OF DECISION
46. 28 01 2002 ADVISE SOLICITORS AND DR. BARTON ETC OF POLICE DECISION AS PER 42 ABOVE
47. 25 02 2002 DET. CH. SUPT AND ACCSO BRIEFED IN ACCORDANCE WITH POLICY 43
48. 15 04 2002 CONTACT WITH M D U AND SOLICITORS ETC REF. OBJECTION TO DISCLOSURE
49. 01 10 2002 NEW POLICY BOOK (BOOK 3) COMMENCED AS OF 10 09 2002
50. BLANK

## **GUIDANCE TO SENIOR INVESTIGATING OFFICERS**

A Policy File will be maintained by the Senior Investigating Officer in the case of all major crime investigation, e.g. Murders, Stranger Rapes. In cases of doubt the advice of a Detective Superintendent should be sought.

It is difficult to lay down hard and fast rules regarding decisions to be included. However, to assist users of this book A.C.P.O. Crime Committee guidelines are set out in the front of this book. These guidelines will form the basis of entries relating to policy.

Each decision will be entered on a separate page and all sections completed.

It is essential that all staff employed on the enquiry are aware of decisions made.

When being used in conjunction with a H.O.L.M.E.S. incident room the second page (copy) will be detached and passed to the Office Manager for indexing. In all other cases both copies will be retained in this book.

This file will be available for referral by officers engaged upon the enquiry. It is the duty of all Senior Investigating Officers to ensure policy decisions are brought to the attention of and understood by all officers engaged upon the enquiry.

### **INVESTIGATION SET-UP**

1. Appointment of Officer in Overall Command or Senior Investigating Officer.
2. Responsible Chief Constable(s).
3. Terms of Reference.
4. Determination of Incident.
5. Use of manual or HOLMES system.
6. Location of Incident Room(s) and/or satellites.
7. Need for Central Research Unit.
8. Definition of scene.
9. Area to be secured/searched/fingerprinted/photographed.
10. Initial decisions at scene.
11. Delegation of authority.
12. Command Structure.

### **STAFFING AND APPOINTMENTS**

1. Appointment of Deputy to O.I.O.C. or S.I.O.
2. Identification of personnel allocated to key positions in incident room/action teams/house-to-house teams.
3. Staffing levels of incident room/action teams/house-to-house teams/central research unit
4. Increase or reduction in staff.
5. Appointment of management and/or advisory team.
6. Appointment of Byford Scientist.
7. Mutual aid/liaison officers from other Forces.
8. Data Protection Officer.

## **FINANCE AND ADMINISTRATION**

1. Budget for enquiry.
2. Payment of overtime.
3. Mileage allowance – use of police vehicles.
4. Hours of duty/rest days/shift patterns.
5. Briefings, where and when/by whom.
6. Management meetings, where and when.
7. Press Conferences, frequency/by whom/delegated authority/objectives of.
8. Additional equipment. Office/enquiry teams.
9. Use of crime intelligence analysis.
10. Victim support.
11. Confidential counselling for officers.
12. Liaison with other agencies (and assistance from).
13. Use of mobile control points.
14. Audit of completed/outstanding work (parameters).

## **ENQUIRY PARAMETERS**

1. Statements – when required/verification.
2. Personal description forms – age range/sex/i.c. codes.
3. House-to-house – area/street names/numbers. Additional questions.
4. Questionnaires – parameters.
5. Eliminating factors.
6. Alibis – verification.
7. Criteria for suspect circulation.
8. What sequence of events indexes are to be maintained.
9. Typing services – documents to be typed.
10. Linked incidents to be included.
11. Prioritisation of enquiries.
12. Criteria for N.I.B. searches/M.O. suspects.
13. Indexes – how many to be maintained/documents – extent of indexing.
14. Liaison with C.P.S./Procurator Fiscal, appointment of legal advisor.

15. Information which can be released or withheld from Press.
16. Identifying relevant time.
17. Unidentified persons – when are records created.
18. Officers' Reports – parameters.
19. Parameters re. T.I.E./SUSPECTS/S.I.O. Files.
20. Limits of categories.
21. Exception Levels.
22. Priority queues.
23. Proof reading.
24. Times of audit of data base under supervision of Office Manager re:–  
(i) Unidents; (ii) Arrested persons; (iii) Outstanding actions; (iv) Persons linked to five or more references.
25. Unused material – parameters.

#### **LINES OF ENQUIRY**

1. Lines of enquiry first 24 hours.
2. Main lines of enquiry indicating those which have a high priority. Any variation to lines of enquiry.
3. Purpose of pursuing lines of enquiry which involve heavy expenses in terms of manpower and time.
4. Lines of enquiry which are discontinued – with reason.
5. Profile of victim/suspects.
6. M.O. suspects.
7. Reconstructions – road checks.
8. Artist's impressions/photofits.
9. Action codes.
10. Media appeals/press releases.
11. National circulations.
12. Elimination – blood/fingerprints/D.N.A.
13. Priority of suspects.
14. Rewards/Informants.
15. Arrest teams.
16. Feasibility studies.
17. Action following review.

Policy File - Decision No.: .....

Time and date of decision:- ..... 1900 hrs 21/5/01.

Officer making decision:- ..... D/Supt JAMES.

Decision :- .....

D/Supt JAMES will commence SIO responsibility for operation ROCKETER with effect from the date/time of this decision.

Reason : Appropriate to hand over conduct of the investigation from DC BURR given his commitment to other functions. Current status of enquiry demands that full time attention of MCT management team is appropriate.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....



Policy File - Decision No.: ..... 2

Time and date of decision:- ..... 1900 hrs 21/5/01.

Officer making decision:- ..... D/Supt JAMES.

Decision :- .....

Instate process for planning / issuing an extension of the enquiry from the original parameters agreed on the 12th April 2000 by Det - Lt. Supt. Atkinson to commence immediately.

Reason : Following briefing to ACSS by D/Supt James, Det Burt and Det Clark it was agreed that the further 'complaints' made about patient care at Gosport was memorial Hospital and the statement obtained from Pauline SPICKA substantially alters the position from the 12th April 2000. It is critical that the position in relation to other deaths at the Hospital is subject to a measured, rational decision making process in order to determine whether and how many other deaths should be reviewed.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: ..... 3

Time and date of decision:- ..... 1900 hrs 21/05/07.

Officer making decision:- ..... D/Supr JAMES.

Decision :- .....

Arrange briefing to Mr Coroner,  
Mr. KENROD, regarding the current  
position with Gladys RICHARDS hearing  
and the fact that North Police  
are exploring the need to widen  
hearing.

Reason :

Coroner has responsibility for all Deaths  
and a briefing is appropriate to ensure  
that he is kept up to date on any  
significant developments in order to enable  
him to discharge his lawful functions.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: .....

Time and date of decision:- ..... 1900 hrs 21/05/01 .....

Officer making decision:- ..... D/Supt JAMES .....

Decision :- .....

Arrange conference with CPS and  
Treasury Counsel at earliest opportunity.

Reason : To discuss general legal principles as they  
apply to RICHARDS case in relation to:  
i) Grounds for concluding death = unlawful killing  
ii) Grounds for concluding criminal liability of  
persons interested.

To further discuss whether the general principles as  
they relate to RICHARDS can be applied to other  
similar deaths.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: .....

Time and date of decision:- ..... 1915 hrs 21/09/01.

Officer making decision:- ..... D/Supt JAMES.

Decision :- .....

I note enquires to evaluate objectively the professional status of Professor Brian LIVESLEY in both a national and international context given the conclusions articulated in his draft report.

Reason : The report of Prof LIVESLEY makes a series of unambiguous conclusions concerning the death of RICHARDS being unlawful and the criminal liability of a number of individuals. The principles may apply to other cases and it is critical that Prof LIVESLEY's status and bona-fides as an expert are properly evaluated to assist our own decision making processes.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Time and date of decision:- ..... 1915 hrs 21/05/01.

Officer making decision:- ..... D/Super James.

Decision :- .....

Seek early meeting with Prof LIVESLEY to discuss:

- i) Applicability of principles - RICHARDS case to other deaths.
- ii) To explore parameters for determining extent of further enquiries.
- iii) To explore process for screening other cases for participation should enquiry be widened.

Reason :

Prof LIVESLEY has assisted as an expert witness and at this stage given the extent of his knowledge it is important these processes are pursued expeditiously.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 19/5/21 2105/20.

Officer making decision:- ..... D/Supv JAMES

Decision :- .....

Management team for Emergency now configured as:

SIO : D/Supv JAMES.

DSIO : DU CLARK.

General Engrs: DI ASHWORTH.

Receiver/S/R : **Code A**

Reason : Provides clarity of management process and continuity of staffing in relation to DE Ashworth, **Code A** which is important in relation to operational effectiveness and integrity.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1200 L 31<sup>st</sup>/01

Officer making decision:- ..... D/Supt [Signature]

Decision :- .....

Explore obtaining the services of statistician to assist in providing comparative analysis of mortality rates at Spport war memorial Hospital against demographically similar medical establishments

Reason : may provide independent evidence of the veracity of Prof LIVESLEY'S conclusions and provide indicator in broad sense of corroboration if mortality rates are significantly higher. Conversely may provide indicator of contra information for review purposes -

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: .....

Time and date of decision:- ..... 1200 hrs 31/05/01.

Officer making decision:- ..... D/Sydney James

Decision :- .....

- A thorough review of the law regarding:
- i) the duty of care of medical staff towards patients
  - ii) Corporate / managerial liability
  - iii) individual liability where any duty of care is apparent.

Should be undertaken at the earliest opportunity.

Reason :

To ensure that decision making process is informed by a comprehensive briefing on all relevant legal issues in a case which may be relatively unique.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....



Policy File - Decision No.: **10**...

Time and date of decision:- ..... **1200 L 4<sup>6</sup>/01** .....

Officer making decision:- ..... **D/Supt James** .....

Decision :- .....

*Seek early meeting with officers engaged on the management team of SHIPMAN entry.*

Reason : *Research with Faculty indicates this is the only case where there are significant cognitive factors and planning process will be assisted significantly by early consultation.*

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- 1400L 5/1/01

Officer making decision:- DJ Swr James.

Decision :- .....

Attached draft of preliminary parameters of :

- i) Scope of meter carrying
- ii) Screening process

faxed to Brian LIVELY for comment and consultation.

Reason : Follows outcome of 31st may and demonstrates that planning process proceeding expeditiously -

Code A

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- 1400 hrs 14/6/01.

Officer making decision:- Det. Supt. JAMES

Decision :-

make arrangements to identify and consult with a practising Geriatric Consultant at a hospital outside Portsmouth Health Authority area to determine:

- i) Whether or not Professor LIVESLEY'S observations concerning pre-prescription to patients on admission are reflected in practise.
- ii) Whether or not Professor LIVESLEY'S observations concerning continuous administration via syringe driver (as mentioned) without review are reflected in practise.

Reason : Issues raised are central to LIVESLEY'S Conclusion. Senior Counsel requests that practising Consultants interim view is sought to assist decision making process.

**Code A**

Signature of Officer making decision:-

Signature of Officer making entry:-

Noted by Office Manager:-

Time and date of decision:- ..... 1400 hours 14/6/02

Officer making decision:- ..... Det Supt James

Decision :- .....

To engage in early consultation with other SIOs managing investigations where POF used as an expert witness to determine:

- i) What type of case he has provided expert opinion
- ii) What, if any, evaluation has taken place & his expert status

Reason : In furtherance of the evaluation of POF LIVESLEY and in response to request from Senior Treasury Council in respect of his ongoing deliberations.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1400 hrs 18/01.

Officer making decision:- ..... D/Sgt [Signature]

Decision :- .....

Arrange to brief by telephone Dr. Brian Munday, Consultant Geriatrician at Farnley Park Hospital on the general principles identified by Professor Livesey in the Richards case: i.e.

- i) Pre Prescription
- ii) Delivery via Syringe Driver
- iii) Absence of review of drug treatment.

Seek general view on process.

Reason :

In furtherance of PD No 12 in this book. Dr. Munday identified as Consultant Geriatrician at Farnley Park Hospital and likely to be able to offer professional view on circumstances.

# Code A

Signature of Officer making decision:-.....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1200 hrs 1990.

Officer making decision:- ..... D) Supr James.

Decision :- .....

At earliest opportunity convened meeting of Enemy management Team to consider issues arising from conference of the 19/6 with Senior Treasury Group, CPS Senior Counsel and Professor Livesley.

Reason : Outcome of conference two key issues:  
i) Prof Livesley's report appear to be flawed w respect of its analysis of the law and individual liability  
ii) Elements of Prof. Livesley's report appear misleading w their conclusions i.e. cause of death, possibility of alternative scenarios.  
Urgent need to evaluate impact of the investigation.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Code A

Policy File - Decision No.: .....

Time and date of decision:- ..... 1400 hrs 25/01.

Officer making decision:- ..... D) Supr James.

Decision :- .....

Make contact at earliest opportunity with Dr Mundy at Finley Park Hospital and arrange personal briefing re Richards case and correct position in enquiry.

Reason : In light of the difficulties arising from the sentence of the 1916 with regard to the Lindsey report there is a urgent need to acquire some further professional opinion in order to gather information which will aid further decision making processes.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1400 hr 25/01

Officer making decision:- ..... DI Surr James

Decision :- .....

make contact at certain opportunity with Professor Folds at Newcastle University and arrange personal briefing re Richards Case and current position - earnings.

Reason : As per PD 16 in the book in general terms. Additionally Professor Folds identified as relevant the expert by HCF and consultations with other SO's indicate that he can be regarded as credible independent expert. His alternative view critical to cover decision making process.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Code A



Policy File - Decision No.: .....

Time and date of decision:- ..... 1400 hrs 25/10.

Officer making decision:- ..... D/Supt James.

Decision :- .....

Assess the circumstances of other cases reported to Enquiry Team by members of the public following press coverage of the enquiry in March 2000.

Reason : Up to 10 persons contacted police post press coverage raising concerns about deaths of relatives at SWMSL. Early decision not to seek further details. Urgent need to assess circumstances to determine if any are similar to RICHARDS case and should be referred to other experts/professionals for consideration. This will aid decision making process and information gathering which have been undermined by the difficulties exposed in Hurley report. The time that has lapsed since Hurley report received, not 2000. Signature of Officer making decision:- makes this issue urgent.

Signature of Officer making entry:- .....

Code A

Noted by Office Manager:- .....

Time and date of decision:- ..... 1420 h 25/01

Officer making decision:- ..... D) Supt James

Decision :- .....

Media Services to prepare strategy to deal with press issues likely to arise post receipt of CPS Advice on LUXARD case.

Reason :

Following conference of 19/6 it is reasonable to conclude that advice will indicate insufficient evidence to prosecute at this time. The fact that press with CPS has been an appropriate holding strategy re further investigations. Receipt of anticipated advice will need to be communicated to press. The difficulties with Lwley report means that we cannot yet determine the extent of any further investigation. We may find that we are being asked questions re further investigation and not yet have sufficient information to properly advise media. This may mean inappropriate reporting of potential further enquiry. Imperative that we reassure the public and we not double strategy to deal with this issue.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Code A

Time and date of decision:- 1400 h 26/01

Officer making decision:- DJ Sney James

Decision :-

SIO to arrange to update Director of Public Health for Portsmouth, SE Health - Dr. Peter RD, on any significant developments in enquiry.

Reason : Dr. RD has responsibility for Dr. Batters performance as a General Practitioner and has responsibility to raise issues concerning conduct/management of GWMH with Commission for Health Improvement - Sub Agency. It is SIO's view that he can be briefed on any emerging issues in investigation to enable him to discharge his responsibilities and to ensure that police have discharged a responsibility to protect (ensure public and ensure that any general issues for further action by other agencies is documented.

Signature of Officer making decision:-

Signature of Officer making entry:-

Noted by Office Manager:-

Code A

Time and date of decision:- ..... 1600 hr. 37/01.

Officer making decision:- ..... D/Supr James

Decision :- .....

Following assessment made by DS  
Sackman of cases reported as per  
PD no 18 that the following  
cases are to be assigned by every team:

- Era PAGE Died 33/98.
- Brian CROSWHAM Died 26/98
- Robert WILSON Died 18<sup>10</sup>/98
- Alice WICKIE Died 21<sup>9</sup>/98.

Reason :

**Code A**

assessment of information immediately  
available indicates these cases bear similarities  
to Richards case i.e. non life threatening condition on  
admission, syringe drug used to administer drugs, death with  
short period of admission respectively. Further analysis is  
for more detailed data a note required to identify  
clear similarities with RICHARDS case. The process  
concluded to take down making following working steps  
of every.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: .....

Time and date of decision:- ..... 1600 L 37a

Officer making decision:- ..... D/Supt [Signature] AMB.

Decision :- .....

Falsely assessment articulated in PD 21 PS Sachman to arrange to visit families of deceased persons identified and acquire any further information.

Reason : To ensure that my expert or other professional views is provided with all relevant information to inform my written report / advice.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- ..... 1600 hrs 3/7/01.

Officer making decision:- ..... D/Supt James.

Decision :- .....

Engage services of DI. MUNDY and Professor Jones to review RICHARDS case and 4 other cases identified - PD no 21 and provide written report on findings.

These reports to be available by end July where possible.

Reason : To engage Fitch expert / potential view on Richards and other cases to determine appropriateness of current criminal investigation and also extent of any widening of investigation. The interests of police in these matters needs early resolution. Timescales since commencement will prove problematic in the future re abuse of process against. Fitch is police threshold for Fitch investigation nor meet the extent of the investigation by any other agency needs urgent consideration.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: .....

Time and date of decision:- ..... 1600 hrs 3/7/01

Officer making decision:- ..... D/Supt James

Decision :- .....

Agreement re Fees for Dr Bundy  
and Professor Ford to be reached  
before work commences on course in  
PD 23.

Reason :

To note that costs are properly identified  
and approved before work commences.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1600 hrs 37/01.

Officer making decision:- ..... DI Sney < JAMES.

Decision :- .....

Written briefs to be prepared for  
DI Murray and Professor Jones and  
sent to each before next meetings.

Reason :  
Written briefs critical to ensure that reports  
are focused clearly on our investigative  
needs and address issues they can  
concentrate upon and issues they should not  
concentrate upon. Ensures that their knowledge/  
expertise is properly utilised and that they  
do not concentrate on issues of their knowledge/expertise.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**



Policy File - Decision No.: .....26

Time and date of decision:- Open Sat July 01

Officer making decision:- D/Supt James

Decision :- .....

Write to Parliament Health Trust to  
require info on cases identified in  
RD no 21.

Reason :

They hold case files and require written  
request to disclose. There are issues concerning  
robustness of work of person identified that  
need to be looked. Potentially some concerns as  
to who is part of reference and issues of previous.  
They will advise - due care once work collected.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Time and date of decision:- 0900 hrs Sat July 01

Officer making decision:- D/Supt James

Decision :-

make contact with Dr. Linda Patterson,  
Director of Commission for Health  
Improvement and seek early appointment  
concerning G.W.M.R.

Reason :

CHP are independent agency with remit to  
conduct investigations concerning process management  
issues in any NHS environment. It may be the  
case that preliminary investigations into other deaths  
do not reveal information justifying widespread police  
investigation. Expectation that other agencies with  
investigative capability are briefed and invited to  
conduct local investigations. CHP may be body in  
conjunction with local NHS authorities best placed to

Signature of Officer making decision:- signed to concerned parties needs

Signature of Officer making entry:-

Noted by Office Manager:-

**Code A**

Policy File - Decision No.: .....

Time and date of decision:- ..... 0900 hours 27/01

Officer making decision:- ..... D/Supt James

Decision :- .....

meeting arranged with CHB Assistant  
 Director operations and hospital manager  
 for today's date. Brief on all relevant  
 issues concerning GWHM including concerns  
 Prof Wesley and others and potential  
 scale of deaths where there may be  
 concerns re. the region of 600.

Reason : Important to share all relevant information to  
 ensure CHB can make informed decisions  
 about covering investigation in accordance  
 with the terms of reference. Important they  
 are engaged to become involved given current  
 critical nature of this police investigation.

Signature of Officer making decision:- .....

Code A

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- ..... 1600 hours 9<sup>th</sup>/01

Officer making decision:- ..... D/Supt JAMES

Decision :- .....

Following receipt of correspondence from the Health Trust confirming records now available for case as outlined in PD no 21 these can now be provided with written info & refer to Professor FORD and Dr. MURPHY to provide assessment as previously discussed.

Reason :

Delay from original decision to provide attributable to the delays in making info available. Now notes ready for selection and matter can now be expedited - anticipated date of completion 6-8 weeks approximately. Delay needs to be noted.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- ..... 1300 hrs 9<sup>th</sup> 01.

Officer making decision:- ..... D/Supt JAMES.

Decision :- .....

S/O has considered issues concerning contact to persons who raise concerns and contacted police following press publicity in March 2001.

I am concerned that contact to supplement medical files raises significant expectations about outcomes of police involvement which in medium long term is not certain. Experience in RECENT case highlights that this expectation is difficult to manage. Enquiries made with SHIPMAN case Officer indicates that it will or be possible to limit numbers of deaths investigated once wider police involvement commenced. Review previously conducted highlights scale of the potential issues involved once numbers involved in wider police involvement (both) becomes known. Police will have to respond to cases as they become known once engaged in regular communication. Press interest is high and need press keen to discharge as water SHIPMAN. Mr. McKeage has indicated his intention to support this. At this stage only respond to queries from relatives and not make contact for reasons shown. Need also to consider issues of public reassurance and diversity potential impact on GWMH of reporting of wider police involvement.

Reason :

Signature of Officer making decision:- .....

**Code A**

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1300 hours 9/8/02

Officer making decision:- ..... D/Supt JAMES

Decision :- .....

S10 has considered issues arising in investigation and in particular has reflected on issues relating to focus of investigation and the persons considered criminally liable to date. These concerns should be recorded.

S10 considers that clear statement needs to be recorded concerning potential for "scapegoating" Dr. Barton. She is only Doctor who has been considered to be culpable. In respect of current preliminary investigation concerning other deaths active consideration needs to be given to position of Dr. Lind and any other senior medical practitioners supervising Dr. Barton. Should M&A investigations and other expert reports identify management failures elsewhere in organisation it not be considered that these persons may be responsible. Extent of criminal liability remains unclear whilst these investigations are taking place.

Reason :

Integrity of investigation demands that concerns S10 has should be recorded. These articulated concerns do not compromise notion of any individual who may be considered to be primarily liable for failures in respect of patient care.

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Time and date of decision:- ..... 1315 hrs 9/9/01.

Officer making decision:- ..... D/Supt James.

Decision :- .....

S/O wishes to record objection on part of police not to undermine public confidence in Smeeth. Hospital is subject of preliminary investigation into 4 deaths to scope potential to potentially investigate up to 600 other deaths. Should this information come into public domain position of hospital and management authorities will be extremely difficult and hospital's reputation potentially fatally compromised. Current stat = all dealings with other agencies and - particularly media so information is shared that will lead to inappropriate commentary. This will lead to police being seen to be leading issues which may not be appropriate and beyond our remit / ability to effectively respond.

Reason :

None needed to assist in any cases - articulates S/O's position and reflects current position of organisation that issue identified and will inform process = investigation

Signature of Officer making decision:- .....

**Code A**

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- 1000 hours 4/10/01

Officer making decision:- DI Supt James

Decision :-

Please force Supton - CHD to launch investigation into SWMHL - requesting disclosure of:

- i) Lintley's report.
- ii) Other papers for police investigation.

Reason : To determine correct process for disclosure - protect organisation from inappropriate disclosure whilst ensuring CHD have all relevant information to discharge their responsibilities.

Code A

Signature of Officer making decision:-

Signature of Officer making entry:-

Noted by Office Manager:-



Policy File - Decision No.: 34

Time and date of decision:- 0900 hours 17/10/01

Officer making decision:- D/Supt James

Decision :-

Release any relevant material to  
CSTI that will assist investigation.

Reason : Force Solicitor has confirmed that it is appropriate and lawful to disclose - CSTI is body with regulatory/investigatory responsibility and precedent for disclosure in law.

**Code A**

Signature of Officer making decision:-

Signature of Officer making entry:-

Noted by Office Manager:-

Policy File - Decision No.: .....

Time and date of decision:- ..... 1700 hours 23/10/01 .....

Officer making decision:- ..... D. Supt James .....

Decision :- .....

Brief personally CMI investigations team that will conduct enquiry into GWMH at CMI office.

Reason :

To provide background to enquiry and provide point of reference for identifying material that may/will be disclosed following decision outlined in PD no 34.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- 1700 h 23/10/01.

Officer making decision:- D/Supt James.

Decision :-

All persons who contacted police - march 2002 to be advised of concernat of CrSI investigation and invited to contact investigation team direct.

Reason : Persons concerned have raised issues about care at GWMH and provide base information for CrSI investigation. Important these persons particularly inform CrSI's work. Police writing will afford opportunity to update on preliminary investigation given that Fald/murder cases not yet reviewed.

Signature of Officer making decision:-

Code A

Signature of Officer making entry:-

Noted by Office Manager:-

Policy File - Decision No.: .....

Time and date of decision:- ..... 1700 hours 23/10/01 .....

Officer making decision:- ..... D/Supt James .....

Decision :- .....

make arrangements with media services to  
coordinate with CMI press officers on  
launch of investigation

Reason : To ensure that we respond appropriately and  
in accordance with issues previously identified  
in discussions with media services. Affords  
opportunity to ensure that S/O's concerns as expressed  
in PD no 32 are reflected in means of  
CMI and press.

Signature of Officer making decision:-.....

**Code A**

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: 38

Time and date of decision:- 1000 hours 26<sup>th</sup> 01.

Officer making decision:- DI Supt James.

Decision :-

make contact with Professor Folds  
and seek assurance report can be  
completed by 15<sup>th</sup> December 2001.

Reason : Dr Hurdays report of 22nd Nov received.  
Professor Folds has promised delivery on number  
of occasions - not received. To enable patient  
move forward for completion.

**Code A**

Signature of Officer making decision:-

Signature of Officer making entry:-

Noted by Office Manager:-

Time and date of decision:- ..... 1000 hours 18/3/02.

Officer making decision:- ..... DI Supt James.

Decision :- .....

Arrange management meeting to consider issues for investigation that arise from final reports of Dr. Munday and Professor FOLEY.

Reason : Issues to be considered are complex and have far reaching consequences. Imperative that all members of management team are involved in decision making process.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: ..... 40

Time and date of decision:- ..... 1800 hours 7/02

Officer making decision:- ..... DI Supt James.

Decision :- .....

Brief AIT independent panel  
attached to investigation on arrest  
position - particularly findings in FOTD  
and MURDAY reports.

Reason : To ensure that AIT's work and report  
reflect all available information. Disburse  
in accordance with previously agreed policy

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: ..... **41**

Time and date of decision:- ..... 1400 hrs 15/02 .....

Officer making decision:- ..... D/Super James .....

Decision :- .....

Following management team meeting of  
15th January S/O to conclude on  
future conduct & mitigation by 28/01/02.

Reason :

Affords opportunity for reflection and proper  
consideration of all relevant issues. For  
integrity purposes S/O to make decision and  
then brief DCS / ACCSO accordingly.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....



42

Policy File - Decision No.: .....

Time and date of decision:- ..... 1800 hours 28/02

Officer making decision:- ..... DI Supt James.

Decision :- .....

S/O's Decision re under police investigation into deaths at Sospark War Memorial Hospital is that further investigation would not be appropriate. Reasons for reaching this conclusion are:

i) Lapse of time since initial report - October 1998 - 3 1/2 years - S/O's judges further widened investigation may take 1-2 years - present serious difficulties - particularly in terms of advice & process concerning those persons already in jeopardy - i.e. Dr Butler.

ii) Threshold of medical evidence concerning liability of those concerned and death contributors. i.e. Forel refers to the likelihood of patient negligent contribution to death. This falls short of any tortious issues.

iii) Some conflict between predictions and medical evidence - i.e. see case Wilson - Forel minority fundamentally disagree - their language is silent in terms of unknown subjects & adequacy of care.

iv) To proceed on basis of current information would reconstitute investigation into two deaths. Considerable resources rising morale police concerns with no certainty of outcome - respect of annual investigations.

Reason :

v) No certainty of outcome raises or potentially raises expectations for police investigations that it may not be possible to meet and - respect of which support systems are not adequate.

vi) Legal issues present difficulties - particularly in respect of Causation and negligence. Negligence specifically given the high threshold required by law.

vii) Other agencies have a role - G.M.C, W.K.C.C and J.M.S.

Comprehensive analysis of all issues to be included Final report

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**

Policy File - Decision No.: **43**

Time and date of decision:- 1830 hrs 28/02.

Officer making decision:- D/Super James.

Decision :- .....

Brief ACCSO and DCS re outcome  
of decision making process outlined in  
FD. No 42.

Reason :

Decision is clearly of high workplace grievance  
nature & preliminary investigation conducted and  
recommendations of arbitrator. Appropriate to share  
with named parties and write covering letters

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Time and date of decision:- ..... 1830 hrs 28/02.

Officer making decision:- ..... D. Swar James

Decision :- .....

Advise Health Insr, Health Authority,  
Director of Public Health, VCC and  
Sme of outcome of police decisions.  
Forward copies of reports from experts.

Reason :

To provide the other agencies with relevant  
information in order that they can discharge  
their obligations in respect of public protection  
investigations where appropriate.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....45

Time and date of decision:- ..... 1830 hrs 28/12

Officer making decision:- ..... D/Supt James.

Decision :- .....

Write to all parties who contacted police  
month 2001 and advise outcome of  
decision making process. Invite to personal  
meetings to discuss outcome / decision / next steps.

Reason : To provide opportunity for those persons to seek  
further information, question process and provide  
input & reference for any next steps / advice.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 1830 hrs 28/02 .....

Officer making decision:- ..... D/Supt James .....

Decision :- .....

Advise Shelton regarding Nurse informed re Quinlan & and Dr BACON - subject of previous correspondence - that police not investigating further - no PD to 42. Include para to indicate ^ unless substantial other evidence becomes available.

Reason : Careful as stipulated allows for review once CMI work completed and report available for consideration.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

47

Policy File - Decision No.: .....

Time and date of decision:- ..... 1800 hours 25<sup>th</sup> Oct.

Officer making decision:- ..... D/Supt James.

Decision :- .....

DCS and ACCSO now both briefed  
in accordance with PD no. 43.

Reason : Complete process now completed - no residual  
issues for SIO at this time.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

Policy File - Decision No.: .....

Time and date of decision:- ..... 0900 hr 15/02

Officer making decision:- ..... D/Super JAMB.

Decision :- .....

make contact with MDU and Solicitor  
for notes, Summits, clarify position re  
objections on disclosure & expert reports  
obtained during course of investigations.

Reason : Relative of person subject of ~~FOIA~~ IMMUNITY LAWS  
reports regarding disclosure. Previous correspondence  
indicates fee will seek to facilitate. Current  
objections - particularly for non preclude disclosure.  
SIO considers reasonable - interests of fairness and  
equity that fee seeks to clarify not belief  
of interested parties.

**Code A**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

DUPLICATE COPY

Policy File - Decision No.: **49**

Time and date of decision:- ..... **1000 1/10/02** .....

Officer making decision:- ..... **Det DUNCAN.** .....

Decision :- .....

NEXT POLICY DECISION  
SEE BOOK (3) COMMENTED  
BY DET CH/SPT WAGTS  
ON 16/9/02.

Reason :  
**To ensure integrity of forensics logs.**

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....

**Code A**



INLET REPORT

Policy File - Decision No.: ..... 50

Time and date of decision:- .....

Officer making decision:- .....

Decision :- .....

Reason :

Signature of Officer making decision:- .....

Signature of Officer making entry:- .....

Noted by Office Manager:- .....