

Other Document Form

Number

95

Title Form 110400 LIVES-210 On BFTA Re: Costings
(Include source and any document number if relevant) and important issues

Receivers instructions urgent action Yes / No _____

Document registered / indexed as indicated

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Statement readers instructions

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Examined - further action to be taken

Further actions no(s)

When satisfied all action raised Office Manager to endorse other Document Master Number Form.

Code A

Indexer

Code A

FAX MESSAGE

From

Professor Brian Livesley MD FRCP MAE

Code A



Code A

Tuesday, 11 April 2000

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FOR THE ATTENTION OF: DCI Ray Burt, Hampshire Constabulary

Pages: THREE including this page

MESSAGE:

Dear DCI Burt

Thank you for your telephone call last Saturday evening.

I hope the attached notes you have requested are helpful. If you require further information or wish to speak to me later today please aircall me on Code A

Yours sincerely

Code A

Code A

Professor Brian Livesley MD FRCP MAE

Code A

11th April 2000

FOR THE ATTENTION OF: DCI Ray Burt, Hampshire Constabulary

Notes by facsimile as requested

You will know that throughout I have been conscious of the potential costs of this case. My original cost estimate was made on the basis of your letter dated 22nd November 1999 and without a number of the then masked complexities of the case being apparent to either of us.

Expenses to date

1. My time sheet shows that more than 38 hours have been required for me to read, analyse, review, and consider the issues involved in this case and prepare written comments on the matters raised in all documents and additional information provided to date. I will not list these documents here which are already a matter of our record.

At a rate below my standard rate my expenses to date = £ 6624.47

Forward expenses

2. It is difficult to estimate what additional costs would be on this single case. At the same rate below my standard rate, I would guess-estimate that together with the analysis of the extra information I have asked you to obtain my additional costs would be somewhere between £2000 and £4000. This would provide you with my report, which would be appropriate for disclosure and for cross-examination in Court. This is to reduce costs at this stage and maintain proportionality. Additional time, however, would be required for my report to contain all details including footnotes identifying the exact page references from which my information will have been drawn. This may be cheaper than asking a barrister to do it.
3. Additional cases should not add disproportionately or substantially to the costs if the principles involved are very much the same as in the current case. In these circumstances it should simply be a matter of quickly identifying the patients and others involved and opining on the treatment given, including the drugs and administration patterns used, and the significance or otherwise of the outcomes.

The potential importance of this case

From my clinical and academic experience while treating patients during the last almost 40 years and particularly treating vulnerable elderly patients during the last 27 years, and also in teaching under- and postgraduate doctors about their duty of care; I consider this to be one of the most important cases that may come before a criminal court.

What are the very important issues here?

The important issues are as follows:-

- a) Every healthcare professional has a duty of care for each patient to whom they are administering treatment.
- b) All patients have the right to be treated appropriately and not dismissively by all healthcare professionals.

If you require further information do not hesitate to let me know.

Code A