

OPERATION ROCHESTER

Other Document Form

Number

1796

Title BRIEFING SHEET REF DISCLOSURE OF CPS DECISION TO FAMILIES
(Include source and any document number if relevant)

Receivers instructions urgent action Yes / No

Document registered / indexed as indicated

No(s) of actions raised

Statement readers instructions

Indexed as indicated

No(s) of actions raised

Examined - further action to be taken

Further actions no(s)

Receiver	
Code A	
Indexer	

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

Operation Rochester

Briefing sheet

Outcome..

Mr Paul Close (CPS) and one of the most senior barristers in the country have read and reviewed all the evidence. They have considered all of the elements of gross negligence manslaughter.

CPS has concluded in all of the remaining 10 cases that there is insufficient evidence to support a prosecution in respect of any case, for any criminal offence.

Nobody is stating that there weren't areas of concern-negligence in respect of the care of the individual patient. The purpose of the police investigation was to seek to establish whether there was any negligence of a criminal standard.

The legal position from the lawyers is that there is not sufficient evidence to meet that criminal standard. That being the case they have reached the conclusion that no criminal offence has been committed.

Where this is likely to go..

Even though no **criminal** offence appears to have been committed, that does not mean that the regulatory bodies for doctors and nurses would not wish to review what the same material. It may be that professional conduct issues are raised. Both the Nursing Midwifery Council & General Medical Council have asked for access to the case papers. Both of these bodies have had to wait until the end of the police investigation before making this request.

Consent to release info letter..

There is a notice to consent form attached to this pack. The completion of this form authorises the police to pass this paperwork over to the case worker Paul Hylton (GMC). This organisation can then complete their review. They are looking at this from a different perspective.

Fact that meeting CPS Police new year..

Notwithstanding the trauma that this meeting brings, these letters are intended to advise you of the CPS decision as soon as was practicable. The CPS has written at the foot of their letter that they are more than happy to discuss the reasons behind their decisions with you. It is at that meeting that the full detail of how and why Mr Close came to his decision can be explained. The senior barrister who advised on the case will also be present. This meeting

The officers delivering the letters do not have access to the full files, or totality of the evidence that was reviewed in each case. It is for that reason that they cannot go into case specific detail.

Media release from ACC Watts

Hampshire Constabulary detectives have completed their criminal investigation into the deaths of 92 elderly patients at Gosport War Memorial Hospital between 1990 and 2002.

The investigation culminated with ten full files of evidence being considered by the Crown Prosecution Service between December 2004 and December 2006, following a four year police investigation.

The evidence of family members and hundreds of healthcare staff was taken during the extensive police investigation and considered by the CPS along with the opinion of independent medical experts.

The Crown Prosecution Service has announced, following careful consideration, that negligence could not be proven to a criminal standard and that there was no realistic prospect of conviction of healthcare staff.

Hampshire Constabulary has informed family group members of the outcome and that there will be no further criminal investigation in respect of the standard of care afforded to the named patients at Gosport War Memorial Hospital.

Liaison continues with healthcare stakeholders and H.M. Coroner to determine whether issues in respect of the deaths and standard of care require pursuing further.

The Senior Investigating Officer in the case Detective Superintendent David Williams said:

"This has been an incredibly challenging investigation for all involved given that many of the patients who died in hospital were manifestly unwell and suffering some of the most complex problems in geriatric medicine.

"The Primary Care Trust and healthcare staff providing witness evidence co-operated fully with the police investigation and I would like to publicly thank them for their assistance."

Assistant Chief Constable, Specialist Operations, Steve Watts said :

"This investigation was long and complex, the Hampshire Constabulary put considerable resources into ensuring that a complete and impartial enquiry was conducted in accordance with national best practice in these cases.

"I immediately recognise and acknowledge the distress that this investigation must have caused family group members and healthcare staff alike.

"It is my genuine hope that the extensive nature of the investigation and the findings of the CPS can bring some closure to the sad losses of loved ones experienced by all at Gosport War memorial Hospital over the period under investigation."

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