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**Norman Lamb**

**Member of Parliament for North Norfolk**  
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**PLEASE NOTE OUR NEW CONSTITUENCY OFFICE ADDRESS**

Chief Constable Alex Marshall  
 Hampshire Constabulary  
 Romsey Road  
 Winchester  
 Hampshire SO22 5DB

17 November 2009

**Please quote our reference and  
 constituent's name in all correspondence**

**Our Ref: 2009/1535/nlbam**

Hampshire Constabulary

Dear Mr Marshall

23 NOV 2009  
 1007/09  
 Chief Constable's Office

**Investigation****in respect of deaths at Gosport War Memorial Hospital during 1990s**

I write following a meeting I have had with relatives of a number of individuals who died at the Gosport War Memorial Hospital during the 1990s, whose cases have been subject to an investigation and hearing by the General Medical Council (in respect of the actions of Dr Jane Barton), and also a number of inquests (I understand that one specific inquest is still outstanding).

You will be aware that in August the GMC made Findings of Fact in respect of 12 deaths that they had investigated. The allegations against Dr Jane Barton were upheld in virtually every respect (the only exception being where Dr Barton had failed to keep accurate medical notes and so a Finding of Fact on those matters was not achievable). I understand that a full transcript was delivered to Hampshire Police in September detailing the GMC's findings.

The GMC has adjourned the hearing of this case to the final two weeks of January to determine what action should be taken in respect of Dr Jane Barton.

Clearly, the issues here are of the most fundamental importance – given the number of lives that have been lost. You will be aware from your files that Hampshire Police have previously looked at 92 deaths, but so far no criminal proceedings have been brought in respect of any of these deaths.

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Please quote the above reference in all correspondence with this office.



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Hampshire Police committed to re-examining these cases and I am sure you will agree that it is essential that such re-examination is thorough, exacting and robust.

There is a widespread view amongst relatives that the investigations so far into those 92 deaths have not been sufficiently robust and that relatives have not been interviewed as part of the investigation. I am aware from speaking to relatives at our meeting at Westminster that many of them have relevant information which should presumably be central to a police investigation.

You will also be aware from your files that the Police Complaints Authority upheld complaints in respect of one of the investigations into the death of Mrs Gladys Richards. In that case the police had stated that they had an expert medical report which satisfied them that no offence had been committed. It transpired that that report was from Dr Barton's own consultant, Dr Anthea Lord.

I am sure you will understand that there is a very substantial loss of trust on the part of relatives of those who have lost their lives at Gosport War Memorial Hospital in respect of the police, the GMC, the Crown Prosecution Service and the Nursing and Midwifery Council. Indeed, these deaths occurred in some cases well over ten years ago and it is shocking that the GMC has only now reached conclusions.

In conducting your re-examination of these matters, can you please confirm to me that you have in your possession the following medical reports which I understand are likely to be central to the cause of death in these cases?

Report of Professor David Black  
Report of Dr Andrew Wilcocks  
Report of Professor Robert Forrest  
Report of Professor Brian Livesley  
Report of Professor Gary Ford.  
Report of Professor Richard Baker  
(Epidemiological Report commissioned by the Department of Health in 2002 and completed in 2003).

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Please quote the above reference in all correspondence with this office.



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It seems to me essential that all of these reports are also referred to the Crown Prosecution Service in order to enable them to make a right judgment on whether any prosecution should be brought.

I do hope that you will be able to reassure me that all of the facts, including the findings of the coroner's inquests, the findings of the GMC, and all of the medical reports are looked at afresh in order to determine whether there is a case for bringing criminal proceedings. It seems to me that this process should stand on its own merits and should be irrespective of what steps the GMC takes in January.

Finally, you will also be aware from the facts that the investigation must include other medical staff who were involved in the treatment of these patients – particularly nurses. The fact that the Nursing and Midwifery Council has not yet initiated any investigation should not prevent the police from carrying out a robust investigation into the activities of all those involved.

I look forward to hearing from you as soon as possible.

**Code B**

**Norman Lamb MP**      **Code A**

Liberal Democrat Shadow Secretary of State for Health