

Code A

From: Williams, David (DCI)
Sent: 17 August 2004 17:00
To: **Code A**
Cc:
Subject: RE: Operation Rochester

Code A

Stanley CARBY has been confirmed a category 2.

This is one of 19 cases that we intend to refer to the GMC subject to representations by stakeholders. I would ask that this information is not passed at the moment. We are looking to co-ordinate a release to family members and other stakeholders week commencing 24th August.

Thanks.
 Dave WILLIAMS.

The following is an extract from an E mail that I have just sent to Louise POVEY of the GMC.

'I have received the advice from RDS of the CPS who agrees that subject to the conditions that he suggests we can reveal the information relating to 19 of the category 2 cases without compromising the ongoing police investigation.

We would therefore seek agreement from the GMC in respect of the following conditions.

1. That the information is supplied towards a private IOC hearing.
2. That there is no adverse publicity prior to or during any criminal proceedings.
3. Statements taken by GMC from witnesses who are subsequently witnesses in criminal proceedings will be disclosable.
4. GMC should liaise with the police informing them of identity of proposed witnesses before taking statements.
5. Permission will be sought from Category 2 case witnesses to reveal their statement etc to the GMC.
6. GMC should not institute further disciplinary proceedings until any criminal investigation and criminal trial have been concluded.

In addition Steve WATTS has indicated that the following will apply:-

1. 'I take the view that it is in the public interest to disclose to the GMC those documents which fall within category 2, which having been reviewed by Matthew Lohn we are satisfied have no potential to be the subject of a prosecution'.
2. Prior to that disclosure, we must contact the families concerned and explain the situation, seeking their approval for that disclosure.
3. This decision should also be subject of a family group bulletin.
4. This decision to be communicated to Ann Alexander.
5. This decision to be communicated to the SHA & PCT.
6. CMO to be informed.
7. Ian Barker, representing DR Barton to be informed.
8. In view of the fact that the DCC has taken an interest in this matter, please inform ACC SO of our decision and DCC prior to actioning. This will allow them to raise objections if they wish to do so.

Louise, apologies if this seems a laborious process but it is necessarily so. Wider consultation is necessary to manage the impact of the decision and consider representations from key stakeholders.

Deputy Chief Constable has specifically requested to have the opportunity to make representations regarding the issue of release to the GMC. he returns from leave on the 24th August 2004.

I anticipate that the material will be delivered to your offices during the week commencing Monday 30th August 2004.

-----Original Message-----

From: [redacted] Code A
 Sent: 17 August 2004 11:58
 To: Williams, David (DCI)
 Subject: RE: Operation Rochester

David,

I have received a call from Cindy Carby (daughter of Rita Carby) this morning, before I call her back can you give me an update on the current situation.

Kind Regards,

Code A

-----Original Message-----

From: [redacted] Code A
 [mailto:[redacted]]
 Sent: [redacted]
 To: Lisa Elkin
 Cc: [redacted]@hantspol.gov.uk
 Subject: RE: Operation Rochester

Lisa..

Mathew LOHN has completed the bulk of the work in respect of his examination and production of reports regarding the category 2 cases. Unfortunately he did not meet his 16th July target.

He is currently on leave in Scotland returning next Monday the 9th of August 2004.

I am looking to meet with him early next week to discuss issues arising in respect of 7 of the category 2 cases before releasing information to the family members.

We have agreed to fast track four category 3 cases to the CPS by the end of September so that they may review the strength of evidence and engage counsel, with a view to determining the prospect of any criminal prosecution by the end of October.

Two further experts have been commissioned and have been supplied information in respect of the category 3 cases with a view to producing evidential statements for consideration by the CPS.

We are currently taking statements from relevant healthcare professionals with a view to conducting interview/s under caution towards the end of September. Ian BARKER Dr BARTON'S lawyer has been updated and is available for interviews during this period.

We continue to liaise with the GMC who are looking to progress their own investigation.

To this end we are hoping to supply all information in respect of the category 2 cases to the GMC including access to the key clinical team so that they may progress their investigation. CPS are currently reviewing that proposal to consider any legal implications of disclosure.

Detective Inspector BISSELL has been appointed as family Liaison Co-ordinator and is working on a strategy for continued family liaison.

My direct dial number is 02392-892647 should you require it.

Regards.

Dave WILLIAMS.
Detective Supt.

-----Original Message-----

From: [redacted] **Code A**
Sent: 03 August 2004 09:41
To: Williams, David (DCI)
Cc: Lisa Elkin
Subject: Operation Rochester

Dear Mr Williams,

Ann has asked me to clarify when we should expect to hear anything further regarding your current deadlines on investigations. Your last e-mail dated 9th July stated that reports would be finished by 16th July, as far as we are aware our clients have not received any further information from you.

Kind Regards,

[redacted] **Code A**
Trainee Solicitor
Alexander Harris Solicitors

Tel: [redacted] **Code A**
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