



HAMPSHIRE CONSTABULARY

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Your Ref.

~~21st October 2004~~

21/11/04

Dr S Tanner
Director of Public Health
Hampshire & I.O.W Strategic Health Authority
Oakley Road
Southampton
SO16 4GX

Dear Dr Tanner,

I write to update you with the current situation in respect of the police investigation into the deaths of 'Category 2' cases which number to date.

These cases in terms of potential negligence have been assessed by a panel of medical experts in Toxicology, Palliative Care, Geriatrics, General Medicine and Nursing. Their findings in respect of the quality of care delivered to patients prior to death have been further independently reviewed and agreed by a medical/legal lawyer. The concerns raised by family group members have been considered during this process.

Category 2 cases have been identified as instances where the treatment delivered to the patient was 'sub-optimal', however these cases have not been assessed as having the potential to be 'grossly negligent to a criminal standard' thereby justifying further criminal investigation.

It follows that there is no basis upon which to continue a criminal investigation into these cases, and the relevant family group members will be informed accordingly.

As previously indicated it has been agreed that Category 2 cases will be referred to the General Medical Council, and the Nursing and Midwifery Council with a view to those bodies reviewing the conduct of healthcare professionals.

I note your request for further information within your letter dated 4th November 2004, in particular the identity of those patients that have been reviewed, the outcome of those reviews in terms of closure or onward referral and the issue of

agreement in respect of a multi-agency media release following release of the 'category 2' information to family group members.

The senior investigating officer in this case Detective Chief Superintendent Steve WATTS is certainly minded to pass this information on once the issue has been discussed with the CPS and Counsel for the Hampshire Constabulary. We need to be sure that any criminal prosecution is not compromised by such release and to assess the potential for civil litigation against the Healthcare Trust and Strategic Health Authority, before finally agreeing to such disclosure.

Yours Sincerely

David WILLIAMS

Detective Superintendent 7227

Deputy Senior Investigating Officer.

Dave Williams
Detective Superintendent