



HAMPSHIRE CONSTABULARY

Paul R. Kernaghan QPM LL.B MA DPM MCIPD
Chief Constable

Fareham Police Station
Quay Street
Fareham
Hampshire
P016 ONA

Our Ref. Op Rochester

Tel. 0845 0454545
Fax. 023 92891663

Your Ref.

18th January 2005

Mr Code A

Code A

Dear Mr Code A

Re - The death of your mother Code A

Thank you for your letters of the 18th November and 26th November 2004, raising your concerns in respect of the care afforded to your mother prior to her death and the final category 2 assessment by the multi-disciplinary panel of experts examining your mothers case.

You have received general feedback from the legal/medico lawyer commissioned to independently quality assure the findings of the panel of experts.

I can add that the experts took the view in your mother's case that she suffered dementia and fractured neck of femur, she was in pain and distressed hence the use of opiates. It was difficult to assess whether the dose of diamorphine via syringe driver needed increasing in the last 24 hours but overall the use of opiates appeared appropriate. Code A would have died without opiates being used.

I take on board your concerns and confirm that I have received your enclosures highlighting issues around:-

1. The apparent readiness for the war memorial hospital to prescribe opiate analgesia to your mother shortly after her admission, and the appropriateness of imposing this drug regime, particularly at the levels administered.
2. The issues around pain levels being experienced by your mother.
3. The issue that your mother was not treated for dehydration on 17th November 1998.

- 4. That generally your mother did not receive reasonable medical and nursing care after her transfer to Gosport War Memorial Hospital on 11th November 1998.**

I will ensure that copies of these papers are forwarded to the General Medical Council and Nursing and Midwifery Council who are conducting their own investigations into the care afforded to category 2 patients at Gosport War Memorial Hospital and the conduct of healthcare professionals.

Finally whilst I appreciate that you do not accept the views of the multidisciplinary panel in terms of their assessment, the police have used this process to determine whether or not there is a sufficiency of evidence to justify ongoing criminal investigation.

To prove criminal allegations in respect of the death of your mother requires proof of gross negligence and a standard of care more than minimally contributing towards your mother death, there is not a sufficiency of suspicion or evidence to meet this standard.

Upon the basis that your mother has been assessed of dying through natural causes there is no realistic prospect of a criminal conviction in this case.

Yours sincerely,

**David Williams
Senior Investigating Officer
Operation Rochester**