



HAMPSHIRE CONSTABULARY

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23rd November 2004

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I write to inform you of the outcome of the police investigation into the deaths of Edith Aubrey and Henry Aubrey.

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

This case is one of a number of category 2 cases which have been identified as having instances where the treatment delivered to the patient was 'sub-optimal'. However, this case has been assessed as not being '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 this case.

The General Medical Council (GMC) and Nursing & Midwifery Council (NMC) have expressed a wish to review the material in respect of this case which will enable them to consider the issue of ongoing registration of relevant Healthcare Professionals. The Crown Prosecution Service views have been sought regarding disclosure of this information to the GMC & NMC. Subject to certain conditions, the CPS has agreed that disclosure of material relating to this case will not prejudice the ongoing police investigation or any subsequent criminal proceedings, should they arise.

The Hampshire Constabulary, GMC and the NMC consider that there is a clear public interest in allowing the disclosure process to now take place.

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We would ask you to treat this information as being confidential and bring to your attention the adverse impact media activity may have on the fairness of any future potential proceedings.

Please find attached a 'Consent to Supply Information' document. May I ask you to sign and return it to Hampshire police in the enclosed free post envelope as soon as possible, enabling the GMC & NMC to commence their review of the relevant material.

Thank you for your patience and support throughout our investigation.

Yours sincerely,

Nigel Niven
Detective Inspector
Operation Rochester