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Your Ref.

1st October 2004

Alan Pickering
Deputy Chief Executive
Fareham and Gosport Primary Care Trust
Unit 180 Fareham Reach
166 Fareham Road
Gosport, PO13 OFH

Dear Mr Pickering,

Re: Gosport War Memorial Hospital Investigation.

Thank you for your letter of the 9th September 2004.

Apologies for the delay in responding, I have been away on leave and working out of the County.

I can answer the queries raised within your letter as follows.

We acknowledge the interest of the Nursing and Midwifery Council and have previously made contact with that body with a view to disclosing those investigations not being pursued criminally, but having been assessed as 'provision of sub-optimal care'. Such disclosure would of course be subject to similar proviso as agreed by the GMC.

You may be aware that following provision of material in respect of the 'sub optimal care' cases the GMC have listed an Interim Order Committee hearing for the 7th October 2004, to consider the alleged conduct of Dr Jane Barton and the issue of her ongoing registration.

I confirm your assumption that at this time the Constabulary will not be providing information in respect of expert reports, medical records etc to interested relatives or families. Whilst it is clear that some of the family members would like access to the information to pursue civil claims, such disclosure of information prior to any criminal prosecution decision being taken would not serve wider interests of justice.

You ask for further information regarding the number of and progress in respect of Category 3 cases.

These numbers have not been released into the public domain although they remain small in comparison with the total number of 88 cases examined in total.

Through our joint approach and proper pre interview consultation with healthcare witnesses we have secured first class cooperation with your employees. Investigation into cases selected for fast tracking continues but this is a necessarily detailed and lengthy process (one consultants statement in respect of a single case ran to 70 pages alone).

To date the police have secured 330 witness statements principally from healthcare staff and family members.

Our tier of evidential experts continue to examine the prioritised cases, I would expect that we may be in a position to forward papers to the CPS by December 2004, but whatever the outcome there will be further investigation into the remaining category 3 cases. I doubt that this phase of investigation will be completed before March 2005.

I understand the feelings of concern that your staff may have regarding the ongoing investigation and potential outcome. However, I am encouraged by recent communication with RCN representative Betty Woodland who confirmed that she had received neither complaint nor concern from any of her members regarding their involvement with investigators to date. Moreover, the nursing staff have communicated a positive attitude towards the police investigation.

Of course we cannot predict the outcome at this stage; ultimately it will be a matter for the Crown Prosecution Service to consider whether or not there is a sufficiency of evidence to launch criminal proceedings. I suspect that this decision realistically is many months away. The sheer volume of material amassed by this investigation combined with the complexity of legal issues will, I believe, required lengthy deliberation.

Yours Sincerely

David Williams
Detective Superintendent
Operation Rochester