



## HAMPSHIRE CONSTABULARY

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6<sup>th</sup> September 2004

Mr R Samuel  
 Chief Executive  
 Hampshire & I.O.W Strategic Health Authority  
 Oakley Road  
 Southampton  
 S016 4GX

Dear Mr Samuel,

I write to update you with the current situation in respect of the police investigation into the deaths of 19 of the 'Category 2' cases.

These cases in terms of potential negligence have been fully assessed by a panel of medical experts in Toxicology, Palliative Care, Geriatrics, General Medicine and Nursing and 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.

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 'gross negligence to criminal standard' thereby justifying further criminal investigation. It follows that there is no basis upon which to continue a criminal investigation into these cases.

The General Medical Council have expressed a wish to review the material in respect of these cases enabling 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, and subject to certain conditions the CPS have agreed that disclosure of material relating to the Category 2 cases will not prejudice the ongoing police investigation or subsequent criminal proceedings should they arise as a consequence of the investigation.

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

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Review of the remaining category 2 cases continues and they are expected to be completed during September 2004, save for a few cases requiring further assessment.

Yours sincerely

**Dave Williams**  
**Detective Superintendent**