



Other Document Form

MC7

Number: TS28

Title EMAIL TO DSUPT WILLIAMS WITH COPY CC LETTER TO HR VIGGERS
 (Include source and any document number if relevant)

Receivers instructions urgent action Yes / No _____

	Receiver	
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Further action no(s)	Indexer	
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Code A

From: Williams, David
Sent: 07 June 2007 16:29
To: **Code A**
Subject: FW: Gosport War Memorial - OP Rochester (CC's reference 133.07)
Attachments: let Viggers 133.07 29 may 07.doc

From: Snuggs, Benjamin
Sent: 07 June 2007 09:22
To: Williams, David
Subject: Gosport War Memorial - OP Rochester (CC's reference 133.07)

David

Attached is the Chief's letter to the MP. To date, no reply received in response.

Regards, Ben



let Viggers 133.07
 29 may 07.d...

From: Williams, David
Sent: 07 June 2007 08:23
To: Snuggs, Benjamin
Cc: **Code A**
Subject: FW: Gosport War Memorial - OP Rochester (CC's reference 133.07)

Ben..

Did we get a response from Peter VIGGERS?

Regards..DW.

From: Williams, David
Sent: 16 May 2007 16:11
To: ACPO Mailbox
Cc: Watts, Steve
Subject: RE: Gosport War Memorial - OP Rochester (CC's reference 133.07)

Ben..

The letter refers to Arthur CUNNINGHAM..and his stepson Mr Stewart-Farthing (hyphenated surname)

I can confirm that the Operation ROCHESTER team conducted a full investigation into the circumstances surrounding the death of Arthur CUNNINGHAM at Gosport War Memorial Hospital on 26th September 1998.

Unfortunately Mr CUNNINGHAM is assessed to have been suffering progressive illness resulting in his terminal decline. The Police investigation took evidence from 35 Healthcare professionals in this particular case. The Crown Prosecution Service were sure that upon the basis of the evidence provided that the prosecution test had not been met. Indeed this was a case within which the healthcare expert witnesses agreed unanimously that the patient was in terminal end phase of life.

The police report to the CPS into the death of Arthur CUNNINGHAM has formed the basis of evidence to both the Coroner Mr David HORSLEY (Portsmouth) and the General Medical Council who will now assess whether there is a sufficiency of evidence to launch a Professional Conduct Committee hearing. Upon that basis the evidence is not available for release under the freedom of information act.

In response to the enquiry around the Professor BAKER report he was asked by the Chief Medical Officer to undertake a statistical analysis of mortality rates at Gosport War Memorial Hospital during the period under investigation (the 1990's)

His report has been embargoed by the Chief Medical Officer Sir Liam DONALDSON but the evidential content in terms of the police investigation was relevant to just one of the final ten cases (not CUNNINGHAM) and was fully reported to the CPS who took it into account.

The SIO Detective Supt WILLIAMS had a personal meeting with Mr Stewart- Farthing on Wednesday 16th May 2007 to discuss issues of concern.

The SIO would be very happy to meet with Mr VIGGERS to impart a fuller briefing if required..

Regards..DW.

From: ACPO Mailbox
Sent: 16 May 2007 10:37
To: Williams, David
Subject: Gosport War Memorial - OP Rochester (CC's reference 133.07)
Importance: High

David

Thank you for the information you provided re the above. I attach a copy of the Chief's letter to Mr Viggers for your information.

<< File: let Viggers 133.07 8 may 07.doc >>

<< File: 133.07.pdf >>

Please can you let me have some lines in response to the other matter Mr Viggers has raised in the attached letter, concerning Arthur Buckingham so the Chief can update him about this too.

Thanks, Ben

DCI Ben Snuggs
 Staff Officer to the Chief Constable
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 (m): Code A

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Paul R. Kernaghan
CBE QPM LL.B MA
Chief Constable

Your ref:

Our ref: CC/BDS/smg/133.07

29 May 2007

Mr Peter Viggers MP
House of Commons
London
SW1A 0AA

Dear Mr Viggers

I write further to my letter dated 8 May 2007 regarding the investigation at the Gosport War Memorial Hospital.

Arthur Cunningham died at Gosport War Memorial Hospital on 26 September 1998 and I can confirm that the Operation Rochester investigation team conducted a full investigation into the circumstances surrounding his death.

Unfortunately Mr Cunningham was assessed to have been suffering from a progressive illness which resulted in his terminal decline. The police investigation took evidence from 35 Healthcare professionals in this particular case and the decision of the Crown Prosecution Service (CPS), based on the evidence provided, was that the prosecution test had not been met. In fact the healthcare expert witnesses unanimously agreed that he was in the terminal end phase of life.

The police report to the CPS into the death of Arthur Cunningham has also formed the basis of evidence to both Mr David Horsley, Her Majesty's Coroner in Portsmouth, and the General Medical Council. The GMC will now assess whether or not there is sufficient evidence to launch a Professional Conduct Committee hearing. On this basis the evidence is not available for release under the Freedom of Information Act.

Professor Baker was asked by the Chief Medical Officer to undertake a statistical analysis of mortality rates at Gosport War Memorial Hospital during the period under investigation. The report which was produced as a result has been embargoed by the Chief Medical Officer. However, in terms of its evidential content relating to any matters which were under police investigation, it was only relevant to one of the final ten cases considered and not to Mr Cunningham's case. This was also made available to the CPS with the other available evidence.

On Wednesday 16 May 2007 the Senior Investigating Officer, Detective Superintendent David Williams, met personally with Mr Stewart-Farthing to discuss any outstanding areas of concern. Mr Williams will also make himself available to personally brief you in more detail if necessary.

Yours sincerely

Paul Kernaghan
Chief Constable