

Other Document Form

Number 145

Title COPY E-MAIL FROM MR WATTS RE LETTER TO LIVESLEY.
(Include source and any document number if relevant)

Receivers instructions urgent action Yes / No

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Examined - further action to be taken

Further actions no(s)

Indexer	
Code A	
O/M	SIO
Indexer	

When satisfied all action raised Office Manager to endorse other Document Master Number Form.

Code A

From: Niven, Nigel
Sent: 16 January 2004 09:46
To: Code A
Subject: FW: letter re Rochester

-----Original Message-----

From: Watts, Steve
Sent: 15 January 2004 21:13
To: Bait Code A
Cc: Niven, Nigel
Subject: letter re Rochester

Letter please to Professor Livesley address as per letter in my tray.

When sent, copies please to Nigel Niven for info.

'Dear Professor Livesey

re Appraisal of medical report (ref Richards - BL/ med rep Jul 01)

I refer to you letter to the Chief Constable dated 18 December 2003, in which you request feedback in respect of the above report provided in respect of Operation Rochester, being conducted by the Hampshire Constabulary.

I am the current Senior Investigating Officer in the investigation Operation Rochester. I have had sight of your reports provided in this investigation, and have had the opportunity to speak with Officers who previously had responsibility for the investigation.

You specifically ask in your letter that we refer only to your report dated 10 July 2001 (ref Richards - BL med rep Jul 01). It is impossible to do so since that document was produced following a meeting with the Senior Investigating Officer and counsel that took place on 19 June 2001, when matters of evidential concern were raised. The key report in this investigation was the one that you prepared in respect of these matters on 9 November 2000.(ref Richards BL0911/ med rep 01/09/ Nov 00). The matter must be taken holistically.

It is not my understanding, as you state that the report of 9 November 2000 was a note for discussion. I believe that it was made clear to you that it was the basis upon which your witness statement would be produced and further, upon which enquiries and decisions as to prosecutions were to be formed.

Your 9 November 2000 report was comprehensive and detailed, however when you met with the Senior Investigating Officer and Treasury Counsel, on 19 June 2001, the detail of the report was tested and you were not able to evidentially substantiate many of the assertions that you made.

That report was therefore of no help to the investigation or to any prosecution that may arise at that time, indeed it hindered that process and it was necessary to engage further experts to review the same material.

The report of 10 July 2001 made following the meeting with counsel has little value either investigative or evidentially produced as it was following the identification of significant flaws in the earlier report.

Indeed one of the assertions in the report, that Mrs Richards died as a result of the administration of drugs, is a repeat of an assertion in your earlier report, which in the meeting of 19 June 2001, I understand you accepted had no evidential basis, no further evidence is provided in your second report to support that assertion.

It is not possible in criminal investigations for information or documents to sit in isolation your report of 9 November 2000 made clear assertions which were not capable of substantiation, that report cannot be put aside and the second report of 10 July 2001 substituted.

In the circumstances, I have to tell you that your reports were unhelpful to the enquiry, in that they gave conclusions not supported by evidence. Further, in my position as Head of CID I have decided that the Hampshire Constabulary will not engage your services in this regard in the future.

I trust that this clarifies the situation.