

Williams, David (DCI)

From: swatts1@[redacted] Code A
Sent: 02 June 2004 16:18
To: MSL [redacted] Code A
Cc: Williams, David (DCI)
Subject: Re: FW: Rochester - disclosure to the GMC

Matthew,
 Thank you for this message following our brief telephone conversation.

I am sorry that I had to pull out of our meeting on Thursday 27 May at short notice, my wife had gone into labour the previous evening and we were blessed with a son at 1222 on 27/5.

I am not sure that during our conversation, I agreed to your representing the GMC in this matter, my recollection was that you had been asked to attend a meeting with counsel representing the GMC to discuss issues of disclosure in Police Investigations. My understanding of your request was to ascertain my views in respect of your discussing the issues connected with Rochester at that meeting.

I took the view that anything that could help the GMC in fully considering the issue as to whether to suspend medical staff subject of Rochester, and would clarify the situation as regards disclosure would be helpful. I therefor agreed to your discussing Rochester in the context of that meeting. I am concerned that you may be representing the GMC and ourselves in a situation where there is some conflict.

You will recall that at our last meeting, and in the meeting we had with GMC representatives, my view is that I would want to give the GMC as much information as possible to ensure that patient and public safety are maximised. Indeed I stated to the GMC that I or DCI Niven would be willing to give evidence to a committee giving a general indication of the nature of the investigation. You will recall that I gave a detailed briefing at that meeting to the GMC members present on a confidential basis.

Based upon my understanding of the advice that I now have, I am not in a position to give written information to the GMC of the detail of the investigation, since it may detrimentally affect the investigation and be unfair to the complainants, and any persons who may be subject of suspicion.

I understand that on 9/6/04, a meeting has been arranged between yourself and DCI David Williams to discuss this matter, unfortunately, I will not be able to make that meeting, but will clearly be in contact with David, and you may, of course call me directly.

For my part, I would be happy to give all the information they require to the GMC so that they can make robust decisions. I cannot, however see a way forward that allows me to secure the integrity of the investigation.

Regards
 Steve Watts

On 26/5/2004, "jamila.bailey@[redacted] Code A"
 <jamila.bailey@[redacted] Code A> wrote:

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 >
 >-----Original Message-----
 >From: Lohn, Matthew [redacted] Code A
 >Sent: 25 May 2004 21:52
 >To: Watts, Steve
 >Subject: Rochester - disclosure to the GMC
 >

>Steve

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>I write further to my phone call yesterday where I agreed to write and
>confirm the substance of our discussion. I confirmed that the GMC wants
>to seek advice from Counsel on the issue of disclosure by the police to
>the GMC when there is an ongoing police investigation. There are
>several cases at present where the issue arises including Operation
>Rochester. You agreed that it would be helpful for an independent view
>to be sought and that you were happy for me to act for the GMC to seek
>advice on the issue. I confirmed that we would wish to seek advice on
>Operation Rochester.

>

>I hope the initiative will provide a positive way forward to all
>parties. I look forward to updating you in due course.

>

>Regards

>

>Matthew

>

>MATTHEW LOHN

>Partner

>Public and Regulatory Law

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Code A

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>www.ffw.com

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