



D1/P.174/02

Headquarters

Date: 31 March 2004

To: Chief Superintendent Code A Jonathan JAMES - Project Oberon

A complaint by Mrs M Jackson Code A (et al.) has been made against you as follows:

that the investigation into the deaths at Gosport War Memorial Hospital reported to Hampshire Constabulary by the complainants, and for which you were the Senior Investigating Officer, were not conducted effectively and thoroughly and in accordance with guidance issued to SIO's in the MIRSAP Manual of Guidance.

It is also alleged that you failed to keep the families fully updated as to the progress of the investigation, key investigative milestones, or significant decisions affecting the process of the investigation.

Whilst not specifically alleged by the complainant, an independent review conducted by an officer from Avon and Somerset Constabulary, suggests that the investigation was lacking in the following areas:

- (1) you did not arrange for an independent review of the investigation, the absence of which is contrary to the guidance included in the MIRSAP Manual of Guidance to SIO's;
- (2) you did not establish clear terms of reference or an investigative strategy;
- (3) you did not deploy Family Liaison Officers, which led to a break down in the communication process between the SIO and the families;
- (4) your policy books did not comply with guidance contained in the MIRSAP Manual of Guidance;
- (5) there was lack of structure relating to the construction of strategy and policy on issues such as Forensic matters, Suspect Categories, witnesses, finance and set up;
- (6) the investigation was not carried out with sufficient depth or quality;
- (7) failing to engage the ten families who reported concerns;

You are not obliged to say anything concerning the matter but you may, if you wish, make a written or oral statement to the Investigating Officer – Assistant Chief Constable Simon Cole or to the Head of Department, Professional Standards. Any criminal allegation identified will be investigated within the provisions of the Police Act 1996. Any statement made may be used in any subsequent misconduct proceedings. The burden of proof in misconduct proceedings is on the balance of probabilities. (Regulation 23(3)(b) Police (Conduct) Regulations 1999.

You have the right to consult a 'friend' (any police officer within England and Wales), or seek the advice of your staff association at the earliest opportunity. You may be accompanied by a 'friend' who is not an interested party at any meeting, interview or hearing relating to this investigation. This form is served on you in accordance with Regulation 9 of The Police (Conduct) Regulations 1999. It does not necessarily imply that misconduct proceedings will be taken but it is served to safeguard your interest.

The conduct alleged, if substantiated, may constitute a breach of the Code of Conduct for Police Officers, specifically in the area of Performance of Duties; ; ;

The allegations are being investigated as a Misconduct only matter.

I served a true copy of the above Notice on JON JAMES

at ISSO on 5.4.04

Signed **Code A** Acc Chief/Superintendent/Inspector

Print Name: Station/Department... H.Q.