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10/9/02

IR/DCC/hjs

Chief Superintendent J. James  
Police Headquarters

Dear John,

Thank you for your letter dated 1<sup>st</sup> September, 2002 concerning Operation Rochester and the complaints which have been made against you by bereaved members of some individuals who died at Gosport War Memorial Hospital.

In your correspondence you referred to the misunderstanding that existed between yourself, Detective Chief Superintendent Watts, and ACC 'SO', Mr. Smith, regarding the CPS referral. That has been the focus of my attention, however, I have already reached the conclusion that you did not deliberately or inadvertently seek to mislead them. Your correspondence with the families specifically states that the decision you reached concerning the four additional cases which you reviewed was yours alone. Therefore, the bereaved at no time have been advised that these matters had been to the Crown Prosecution Service.

I can assure you that neither I nor any of my colleagues have any doubt about your integrity and indeed I fully supported your promotion to Chief Superintendent, irrespective of the complaint currently being investigated. I do hope that assists you. I am aware that these matters take time to resolve and still need to be subject of more work before I can come to a final adjudication on the complaint.

Yours sincerely,

**Code A**

I.R. Readhead  
Deputy Chief Constable



# H A M P S H I R E      C o n s t a b u l a r y

Chief Constable Paul R. Kernaghan QPM LL.B MA DPM MCIPD

Our Ref. :  
Your Ref. :

Police Headquarters  
West Hill  
Winchester  
Hampshire  
SO22 5DB

Deputy Chief Constable I.R. READHEAD, LLB.,  
Police Headquarters,  
West Hill,  
Winchester,  
Hampshire.  
SO22 5DB

Tel: 0845 045 45 45

Direct Dial:

Fax: 023 9289 1579

E-mail:

1<sup>st</sup> September 2002



Dear Sir,

I am writing, after much careful reflection, in relation to your letter of the 23<sup>rd</sup> July to Roger DAW concerning Operation Rochester, which was copied to me.

I understand that the principle purpose of your letter was to deal with the further referral of the preliminary investigation into four other deaths conducted during 2001 to the Crown Prosecution Service for further review. Page 2 of your letter accurately reflects the decision making in Operation Rochester not to refer these four further cases examined for review by the Crown Prosecution Service. The next paragraph on page 2 of your letter states that you are reviewing how senior officers and regulatory bodies were given the impression that this referral had taken place.

I am concerned that you believe such a misleading impression was allowed to develop. I have reviewed all the papers in my possession and cannot find any correspondence to any other body that could in any way convey the impression that a referral to the CPS had taken place following the receipt of expert reports on the four further deaths. I personally corresponded with, or personally briefed representatives of the GMC, UKCC, CHI, The Health Authority and Health Trust and made it clear that it was a Police decision not to proceed further.

There is nothing in the correspondence I have reviewed that implies any further referral to the CPS or that the decision I was communicating had their express or implied support.

In respect of CHI's report specifically the reference on Page 4, para 2.2 to the receipt of advice from the CPS by us in August 2001 this relates only to the Richards case. Paragraphs 2.3 and 2.4 refer to the expert reports commissioned on the four further deaths and makes no reference to CPS involvement.

In respect of the families I met with in February 2002, whilst I have no detailed notes of those meetings, I do specifically recall that one or more of those who attended asked whether or not the further cases had been referred to the CPS. I recall specifically stating that they had not. The detailed explanation given to the relatives as to the reasons the Police investigation was not being extended would have supported that position.



# HAMPSHIRE Constabulary

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I am aware that you discussed with Detective Chief Superintendent WATTS and Mr. SMITH their understanding of a further CPS referral. I understand that they accept that they misunderstood the position and further accept that I at no time misled them, deliberately or inadvertently, about such a referral.

My purpose in drawing these matters to your attention is twofold. Firstly to seek to clarify the position in relation to information provided to other agencies or bodies. Secondly I am personally concerned that senior managers within the force, your ACPO colleagues and Roger DAW may have concluded from your letter that there was some concern about my behaviour and integrity in relation to the involvement or non-involvement of the CPS in the later decision making in Operation Rochester. I am sure you will understand my anxiety to address such issues with you given the importance of my professional reputation, with senior colleagues in force and in partner organisations, to operating effectively in my current or future role in the Force.

I trust that you will appreciate, given that context of my remarks in the preceding paragraph, that I felt it was important to draw the matters I have outlined to your attention.

Yours faithfully.

**Code A**

**J JAMIES**  
**Chief Superintendent**