

Code A

11 April 2002

Chief Constable Paul R Kernaghan
Police Headquarters
West Hill
Romsey Road
WINCHESTER
Hampshire
SO22 5DB

FORMAL COMPLAINT

Dear Chief Constable Kernaghan

I am writing to make a full formal complaint against Detective Superintendent **Code A** and the so called investigation which has 'taken' place regarding the Gosport War Memorial Hospital.

I contacted the Police in April 2001 regarding my mother Mrs Alice Wilkie and my concerns regarding her care and the administration of drugs during her stay in August 1998. I was advised by Detective Sergeant Dave Sackman that this would be investigated and he would advise further. I heard nothing from the Police until I telephoned a number of months later for an update. At this time I was advised that Detective Sackman was attempting to obtain my mothers medical files but that the Gosport War Memorial Hospital appeared to be reluctant to release them. The next thing we were told was that he had subsequently managed to obtain the files and he would continue with his investigations and inform us of the outcome.

At the beginning of 2002 we were contacted by Detective Superintendent James who advised that the enquires were complete and no further action would be taken. We have since had a meeting with Detective Superintendent James who explained his reasoning behind his failure to progress this case with the Crown Prosecution Service. His reasoning was, I feel, inadequate to say the least.

I am completely dissatisfied with the lack of investigation that has actually taken place and Detective Superintendent James' failure to do his job properly. The first point I would like to make is that at no time has Detective Superintendent James approached either myself or my two daughters to take statements from us or to even ascertain what our complaint entailed. How can you conduct a full investigation without even knowing the full details of our case?

I am also most dissatisfied by the fact that we were advised many months later that the Police had been 'investigating' my mothers case and commissioning expert reports without our knowledge. I dispute that this constitutes a full investigation and

feel that we should have at least been kept informed of the progress of the case. I do not accept Detective Superintendent James' excuse that he did not wish to cause us unnecessary anxiety. I can tell you that we were feeling anxious and frustrated by the lack of communication from yourselves.

I am also unhappy with the way in which Detective Superintendent James has handled this case. In addition to his failure to investigate this properly in the first place, I cannot accept his reasoning for not pursuing the case any further when the evidence is so obvious. Detective Superintendent James sat in my home and told me and my daughters that the two expert opinions who had looked at my mother's case agreed that there were discrepancies in the standard of care she received and in the administering of Diamorphine drugs via a syringe driver. He told us that the standard of care my mother received was sub-standard and that the administering of the diamorphine raised serious questions. James' reasoning behind not pursuing this case any further despite this evidence boiled down to a 'lack of police resources' and wishing to avoid unnecessary anxiety to other families which would need to be investigated. This is completely unacceptable and I suggest to you that this has more to do with a cover up and unwillingness to pursue these blatant cases of unlawful killings at the Gosport War Memorial Hospital. Again, I return to my point that despite what James' claim that the full investigation did not return sufficient evidence for a criminal conviction is unsubstantiated as we have never even provided statements of the events which took place.

Detective Superintendent James also advised us that he would arrange for us to obtain copies of the expert reports so that we could take whatever action we saw fit. Imagine my distress when just two days later I received a letter from James stating that we were not in fact entitled to these records without first obtaining a court order. I ask you what is there in these files that you feel the need to hide from us? My other point is did James check his facts with the force solicitor before advising us that we were entitled to these files? This was complete incompetence.

I am not prepared to accept Detective Superintendent James' feeble excuses regarding this case and I am not prepared to accept that this case will not be pursued any further. There is, I believe, a clear cut case to answer and I feel that in light of Detective Superintendent James' rank, his handling of this case is inadequate and constitutes a gross negligence of his duties.

I cannot express my dissatisfaction enough. I expect appropriate action to be taken in this case including opening it to further investigation. I would also like for you to explain to me why Detective Superintendent James has failed to complete this investigation correctly.

Yours sincerely

Code A

CC: Police Complaints Authority
David Blunkett MP
Iain Duncan Smith MP
Peter Viggers MP
General Medical Council