

Code A

08 August 2002

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

Dear Mr Kernaghan

I am writing in response to some of the points raised in your letter dated 06 August 2002. I would like to start off by saying that I do appreciate the difficulty of your position as Chief Constable, as you will be involved in any disciplinary action which may be taken. However, I felt, and still feel, it important that as Chief Constable you should be aware of the problems we are currently facing. Ultimately you are responsible for the conduct of your staff and unfortunately the Professional Standards Department has, I feel, let us down somewhat over the past weeks.

I fear that you misunderstood my intentions in the letter sent to you last week. I would like to point out that of course I appreciate that these matters take time; after all we have been waiting for an investigation for many many months already. However, my complaint was referring in the main to the appalling breakdown in communications and not the amount of time it is taking to complete an investigation into our formal complaint against Superintendent John James. Whilst a "comprehensive" investigation into our complaint will take time, it is surely not too much to ask to be kept informed of the current state of play and to have somebody with whom we can communicate. My concern is that we have been told numerous 'snippets' of information, invariably followed by a comment along the lines of "I can't say anymore than that" or "I'm not at liberty to discuss...". It is disappointing that some of the members of the PSD have appeared unwilling to talk with us. The confusion has arisen because we have been told small amounts of conflicting information. I am not an unreasonable person Mr Kernaghan, nor a hysterical one, but I feel as if my requests have been viewed as such. I don't believe asking for some real communication to be an unreasonable or demanding request.

Unfortunately I cannot agree with your comment that the death of my Grandmother was "investigated by police". Perhaps you can define for me what constitutes a police investigation in relation to an unlawful killing. If I could take this opportunity to point out once again my understanding of the police investigation regarding the death of my Grandmother, Mrs Alice Wilkie. Despite being reassured that our allegations would be investigated, no eyewitness statements were taken from my Mother, my Sister or myself. Neither of us was given the opportunity to discuss in detail our fears and the

information we had relating to our allegations. To my knowledge neither the Doctor nor the nurse involved (in fact any of the staff at the Gosport War Memorial) have been interviewed directly regarding my Grandmothers death. I believe they were interviewed regarding the death of Mrs Gladys Richards, but this is a separate case and I understand that in my Grandmothers case the staff involved have yet to be interviewed. In fact, as far as I am aware, the only investigation carried out by the police in our case was the commissioning of an expert report, which alas to this day we are still prevented from seeing. No papers or evidence were submitted to the Crown Prosecution Service relating to my Grandmothers case, so once again I can only say that I disagree when we are told that her death has been investigated.

With regards to your comments about the CPS, I am well aware of the role they play in deciding whether a case should be prosecuted. However, this does not answer the questions raised in response to comments made by Ms [Code A]. If, as you said yourself, the CPS decide whether a case is to be prosecuted, and the PSD are telling me that the cases are being "reviewed" by the CPS, does this mean you are seeking advice for a possible prosecution? I don't see how this can be! Especially as I can't see how when your investigation is ongoing you could possibly have provided the CPS with all the relevant evidence and information. Also, a number of people (my own family included) are still awaiting the police taking eye witness statements regarding their allegations into unlawful killings. If you are not seeking to go ahead for a prosecution then why are the CPS reviewing the cases? This is also a good opportunity to point out that in a letter sent to Mrs Gillian McKenzie from [Code A] [Code A] (CPS, London) dated 31st July 2002, the CPS have said that they are unaware of any new or additional evidence from Hampshire Constabulary. Mrs McKenzie has given me her permission to quote to you from that letter, "...no papers have been received in respect of an ancillary or connected enquiry". Perhaps you or your Deputy Chief Constable could provide me with some clarification on this matter. Again, proper communication in the first instance would have prevented the need for these questions to be asked.

I am glad that Hampshire Constabulary wants me to be satisfied that a comprehensive investigation has been carried out. At this stage, I am not yet convinced of this as it seems a great deal of further investigation is required before the CPS can be provided with all of the relevant facts. I remain hopeful that once the DCC returns from his holiday the required investigations will begin to take place. I have only ever wanted a comprehensive investigation to take place and stand by this now. I believe that a thorough and full enquiry will reveal all of the facts in this case.

Once again, I appreciate the difficulty of your position, but felt that some of the points raised in your letter demanded a response.

Yours sincerely

Miss Emily Yeats