

GOSPORT WAR MEMORIAL HOSPITAL INQUESTS

Friday 17 April 2009

The Law Courts
Winston Churchill Avenue
Portsmouth,
PO1 2DQ

B E F O R E:

Mr Anthony Bradley
Coroner for North Hampshire
Assistant Deputy Coroner for South East Hampshire

In the matter of **Code A** & 9 Ors

(DAY TWENTY)

MR ALAN JENKINS QC, instructed by **, appeared on behalf of Dr Jane Barton.

MR JAMES TOWNSEND, Counsel, instructed by the Royal College of Nursing, appeared on behalf of a number of nurse witnesses.

MS BRIONY BALLARD, Counsel, instructed by **, appeared on behalf of the acute trust and the PCT.

MR TOM LEIPER, Counsel, instructed by Messrs Blake Laphorn, Solicitors, appeared on behalf of the families of Brian Cunningham, Michael Packman, Elsie Devine and Sheila Gregory.

MR PATRICK SADD, Counsel, (instructed from 23/03/09) appeared on behalf of the Wilson family.

(Transcript of the Official Recording by T A Reed & Co Ltd
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I N D E X

	<u>Page No</u>
Majority direction	1

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A (In the absence of the jury)

THE CORONER: (No recording before this point) ... at this stage that I give a majority direction. Can we have the jury in, please?

(In the presence of the jury)

B THE CORONER: Good morning, ladies and gentlemen. Let's just clarify one or two things. I think there was some doubt yesterday as to procedure. What happens is when you have decided the facts I will call you back into court and we will go through each inquisition and I will ask the Foreman of the Jury to give me the cause of death and the answers to the questions for each one. I will then sign the inquisition. I will then give it to you and you will each sign it for each one of the ten. So at the end of these proceedings I will have in my hand ten inquisitions, one for each of the deceased.

C At this stage I wanted you to be unanimous in the findings that you have. As at day 2 of your deliberations I will accept a majority and that majority has to comprise six of you. Two of you can dissent and any dissenters will sign the inquisition as dissenting. There is no problem with it, it is very straightforward, but when you sign your name you will put dissenting. It does not matter which bit of it you are dissenting to; it is the overall inquisition that we need to complete. It is that document that I need to have in my hand – a

D determination.

Does that help? [Yes]

Are you happy to go and deliberate? Good.

(The jury retired to consider their verdict)

E THE CORONER: For the families, you will probably want to know what is going to happen as and when this is complete. What happens is that I will file a certificate with the Registrar of Deaths in Gosport and she will note the register. You do not get a new death certificate but she will actually make a note on the death registration book of any change in the death registration particulars. If you contact her she will let you know where you go from there.

F I will rise until such time as.

(The court was adjourned)

(No recording before this point):

G THE CORONER: *Ruby Lake, was she administered 20mg of diamorphine on 19 August and 40g on the 20th and 60mg on the 21st because it is difficult to read the dose in the nursing chart and on the drug chart. It appears the dose on the drug chart for the 20th was destroyed. If so, what dose was administered?*

From my notes I think it was 20mg on the 19th, 20mg on the 20th but was then changed to 40mg but I will bow to somebody else's superior knowledge.

H

A MS BALLARD: My note, sir, has 20mg at 1600 hours on the 19th, 20mg at 0915 on the 20th changed at 1655 to 40mg and then was changed to 60mg at 0735 on 21st.

THE CORONER: Do you want me to wheel them in or can I merely confirm that it is the 20, 40, 60?

B MR JENKINS: I am entirely neutral.

MR LEIPER: I am entirely neutral as well.

THE CORONER: They are deliberating as we speak. If I can take it the 20, 40, 60 on the 19th, 20th and 21st confirmed, I will give that to the jury bailiff. (Handed) Let's see what happens next.

C (The court was adjourned)

THE CORONER: ... prospect of them coming to a conclusion this afternoon and I thought I would tell you that so that if you wanted to go home you can go home. At four o'clock I will bring the jury in and I will send them home with the appropriate warning and we will resume on Monday. Those that want to be here can be here; those that want to go away can go away. I will do nothing with them this afternoon other than dismiss them at four o'clock. Thank you very much indeed; have a good weekend.

D (The court was adjourned)

THE CORONER: The jury is on its way in.

E (In the presence of the jury)

THE CORONER: You are all beginning to look a bit tired! That is it for today. We will adjourn now until Monday morning at 10 o'clock. Can I repeat the warning that I gave you yesterday. Do not talk to people about this case. Perhaps more important than that, do not let them talk to you about it. The press coverage continues and therefore it is a topic of conversation. If by Monday there is anything in particular that is causing you difficulty that you want to talk to me about *to do with the case* (laughter) then I am more than happy to deal with that. In the meantime, have a good and restful weekend and come back refreshed on Monday.

F (The jury were released and the court was adjourned to Monday 20 April at 10 am)

G

H