



faxed to AB
5/5/09

MDU Services Limited
230 Blackfriars Road
London SE1 8PJ
www.the-mdu.com

Legal Department
DX No. 149141
Blackfriars 5

Mr Andrew Bradley
H.M. Assistant Deputy Coroner
Portsmouth and South East Hampshire
Coroner's Office
Room T20
The Guildhall
Guildhall Square
Portsmouth PO1 2AJ

Telephone: 020 7202 1500
Fax: 020 7202 1663

Email: legaldepartment@the-mdu.com
The MDU solicitors do not accept
service of documents by e-mail

Please quote our reference in your reply

Our ref: ISPB.jh.0005940/Legal

Your ref:

Date: 30th April 2009



Dear Sir

INQUESTS CONCERNING GOSPORT WAR MEMORIAL HOSPITAL

You will recall that I act for Dr Jane Barton, and following the conclusion of the Inquests I am concerned to write to you with reference to observations you made in the course of the hearing concerning witness statements made by Gillian Hamblin.

As you will recall, when it became apparent that Gillian Hamblin would be unable to appear as a witness, Alan Jenkins on behalf of Dr Barton provided you with two statements of Gillian Hamblin which I had taken from her. We invited you to consider reading these as part of her evidence. Initially it seemed that you found the first statement of assistance and indicated that you would read that as her evidence or at least part of it. Subsequently you changed your mind and declined to read it. That of course was a matter for your judgement and discretion. I am, however, profoundly concerned about the comment you made when stating your decision. Specifically, you said the statement had been taken in a less even handed way (than the other statements which had been taken by the Police).

I think, on reflection, you will agree that any such comment can only be interpreted as a criticism of the Solicitor taking the statement. I can tell you at once that at no time as a solicitor extending now over 20 years has it been my practise to take a statement from a witness in anything other than an entirely even handed manner. It is a comment which is all the more difficult to understand given that Gill Hamblin's own representative – Mr James Townsend instructed by the Royal College of Nursing - indicated to you that Gill Hamblin was happy that the statement I had produced was accurate, but had concerns about passages in her statements prepared by the Police.

I do of course recognise that immediately following your comment you made the observation that you intended no disrespect, and I appreciate that your comment was not meant as an insult. Nevertheless, I am sure that you will appreciate any such comment has the potential to reflect on my integrity as a

solicitor. On the next day of hearing Alan Jenkins raised the matter with you, and you were able to clarify your position, explaining that you meant it had been taken for a different purpose, by which I anticipate you meant the GMC proceedings which might involve Dr Barton. We are grateful for that in relation to the integrity of the statement itself. Nevertheless, the comment that it was taken in a less even handed way was not actually withdrawn.

I am conscious that all of us in difficult circumstances, and the Inquests were certainly that for many, may make comments which are on reflection not quite as we would have wished. In the circumstances, can I invite you to reflect on the position and for the avoidance of doubt, withdraw the comment.

I look forward to hearing from you.

Yours faithfully,

Code A

Jan S.P. Barker
Solicitor