

- ① I have had a preliminary look at these papers and feel that the matter should probably be subject to a Public Enquiry. Each time I look at it I become more convinced that the individual deaths are not the issue but the institutional failing of the hospital in the form of Gosport Primary Health Care Trust and subsequently Portsmouth Health Care (NHS) Trust.
- ② Clearly Dr Barton's conduct is in issue but so too is the management who had been put on notice of concerns about standards generally. That goes beyond the remit of an inquest - or ten inquests - which would deal with the answers to the relevant questions without addressing the wider issues which must be of public concern.
- ③ Anyone dealing with this will need the assistance of an Assessor and probably Treasury Counsel as amicus because of the wider public issues. There is a great deal of technical evidence and the number of experts can only increase as the proceedings get under way.
- ⑧ There is no doubt that this is a matter where Article 2 is engaged
- ④ To conduct inquests the three remaining bodies may well need to be exhumed.
- ⑤ The other seven will need permission under Section 15 from the S of S
- ⑥ Such procedure does not address the concerns of the other 82 cases and to assess the 10 as 'more serious' is something the families may find quite difficult to accept
- ⑦ As much as a Coroner is concerned to 'Do Justice' his remit is bound to fall short of public expectation in the light of previous experience not least of all Shipman
- ⑨ The nature and volume of evidence is likely to pass beyond the capabilities of a jury and the number of Interested Persons is likely to render any Inquests unmanageable - *length of inqs - Resource implies - Venue / Witnesses Costs / levels of "ordinary" Coroner service whilst they're going on*
- ⑩ A Public Enquiry can address the public concerns of management, accountability, policy not just actual but the principle of it and the medical ethics via the GMC and I do not see how a Coroner could conduct any enquiry that would satisfy those wider issues
- ~~How far did you get with the Lord Chancellor?~~
- ii I would not be happy to conduct these inquests for these reasons. I am happy to talk it through and will do what is necessary but for the above reasons do not feel it is the way to go.