

JAN-21-2009 11:56 FROM:

Your reference:  
 Our reference: BSPK/4007152-  
 0002/BJZM  
 Document number: 75071566\_1.doc

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**REEVE**

Mr A Bradley  
 HM Coroner for Hampshire  
 Goldings  
 London Road  
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 RG21 4AN

20 January 2009

**By Fax: 01256 814 292**

Dear Mr Bradley

**Gosport Inquests**

I am writing further to the Pre-Inquest Hearing yesterday. I am obliged to you for your assistance and for the indications which you gave. As I am sure you will appreciate, these will assist my client (Portsmouth Hospitals NHS Trust) in considering the evidence and how to best assist you in your inquiry.

A number of points arose which I am hopeful that you will be able to assist on.

1. It is my understanding that the RCN are representing the nursing staff involved in this matter. I note they were not present at this hearing. I cannot say why that is. Although I do not represent the nursing staff, this firm does represent Portsmouth Hospitals NHS Trust and the medical staff involved. I am aware that some of the staff are concerned as to when they are going to be required to give evidence and as agreed at the hearing perhaps I could ask you please to contact the relevant witnesses as a matter of priority setting out when you would like them to attend. If there are any problems in attendance then I know that my client and I will do what we can to assist. It may be that matters with regard to the nursing staff get referred to the RCN. If I can assist you in identifying addresses and contact details then please let me know and I will get the information from the Trust.
2. Of course it is absolutely right that you should allow the families the opportunity to participate in an investigation which is "full, fair and fearless". To assist you I am considering with my client documentation which may help you in further questions which may be put by other interested parties. As I pointed out at the hearing, it would be my intention to propose additional documents to be included in a bundle. I will let you have details very shortly and, if necessary, I can arrange for a bundle to be made available to you suitably paginated for distribution.
3. I am grateful to you for your indication with regard to the application (or otherwise) of Rule 43. I understand your view that matters now are "too old" for you to make any meaningful comment under Rule 43 to the current management of the service. We are mindful of potential questions from other interested parties (given point 2 above)

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in this respect and information is available to demonstrate the current high quality of service provided to local residents.

4. I am grateful to you for hearing my representations with regard to the experts. You are aware of our concerns with regard to Dr Wilcock. I am grateful to you for indicating that the written reports will not go before the jury. Whilst I accept that it is, of course, for those representing interested parties to question the experts, I am mindful that it is your inquiry and I am keen to help you and the jury to have the proper evidence from the experts addressing the question in hand.
5. It is my understanding that you will contact the expert witnesses you have already listed and brief them on the relevant questions as to how and "by what means" each patient came to their death. It would not be our intention to embarrass or discredit Dr Wilcock but would respectfully request that you confirm with him, in advance, that he feels he is able and an appropriate person to deal with questions concerning the management of those on "end of life care". His CV suggests experience in acute medicine and rehabilitation and I am concerned that that is not the same thing. I would rather you are satisfied as to the veracity of the evidence and qualifications of those before the Court and would not wish to unnecessarily criticise the standing of those assisting in your inquiry.
6. I do have a note of the hearing yesterday which indicates that you said at one point that you would just rely on Professor Black. Would you be kind enough to confirm whether that is your position or whether you still intend to ask Dr Wilcock to give evidence.
7. I note that the Barrister for the MDU (on behalf of Dr Barton) was interested in a résumé being put before the jury for each patient. I was not quite sure whether you agreed with that suggestion and whether or not you would be producing such a résumé. Is it your intention?
8. I am liaising with the police in order to obtain a bundle of relevant prescription charts and as soon as these are to hand then I will contact you further.

In the meantime, if I can assist in any way then you must not hesitate to contact me and it is certainly my intention and the intention of Portsmouth Hospitals NHS Trust to assist you in ensuring that this unusual and potentially difficult inquiry proceeds as smoothly as possible and to a proper resolution.

Yours sincerely

Stu

Constrant  
for Mills & Reeve LLP

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