

Mr S Lloyd MP  
Eastbourne and Willingdon Constituency  
House of Commons  
London  
SW1A 0AA

22 September 2010

Dear Mr Lloyd

**Gladys Richards – Inquest:**

Thank you for your letter dated 17 September 2010.

It is also my understanding that Mrs MacKenzie does not accept the view of the police and the CPS that there is no evidence to support a contention that her mother was unlawfully killed. From the evidence that I now have before me, I am afraid I suspect that the police and CPS are correct in their belief.

Mrs Richards' death has been repeatedly investigated by the police over a number of years and, at my request, they have reviewed the case in the light of anything new having arisen from the multiple Inquests held last year in relation to deaths at Gosport War Memorial Hospital and from the GMC proceedings in respect of Dr Jane Barton. I have also urged Mrs MacKenzie's solicitors that if they had any new evidence to support their client's contention they should make it known to the police. Despite all of this, nothing has come to light which supports her view.

I appreciate that Mrs MacKenzie's view is a strongly held one which may never change, notwithstanding whatever sort of inquiry is held into her mother's death. However, whilst I must as a Coroner conduct a full, fair and unfettered Inquest, I can only have regard to what the actual evidence tells me and I cannot be swayed by supposition. Despite my predecessor not opening an Inquest into Mrs Richards' death because he was not informed about its circumstances at the time, these principles were in my mind when I opened an Inquest into the death last year. Whether Mrs MacKenzie considers that an Inquest has wide enough scope to address her particular concerns about her mother's death or not, all I can do is conduct an Inquest within the parameters set for it by the law.

Prior to the police conducting its review, I was prepared to lend support to Mrs MacKenzie's application for legal aid because there was the possibility that her mother's death might have involved a criminal act. As the review has revealed nothing new to support that possibility, the exceptional nature of this matter has disappeared. Further, from my reading of the evidence before me, consideration of Mrs Richards' death does not seem to involve any particularly complex medical issues. In this regard, it is worth bearing in mind that I intend to call an independent medical expert instructed by myself to examine and give me their opinion on Mrs Richards' care and treatment during her final period of hospitalisation. For these reasons, I do not feel able to continue to actively support Mrs MacKenzie's legal aid application. This does not mean that I oppose it, simply that my view is neutral on the subject.

By way of further explanation of my standpoint, I enclose a copy of my most recent letter to Mrs MacKenzie's solicitors.

I hope this assists you.

Yours sincerely

David C Horsley

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