



Operation ROCHESTER. Policy Decision 17.08.2005.

The Death of Gladys RICHARDS ( Category 2)  
Decision to release from further police investigaton.

Following the death of 91yr old Gladys RICHARDS at Gosport War memorial Hospital on 21<sup>st</sup> August 1998 her daughter made an allegation of unlawful killing (grossly negligent care)

A police investigation led to a file of evidence being submitted to the Crown Prosecution Service in the autumn of 1998. In March 1999 the CPS advised that there was insufficient evidence to commence criminal proceedings.

The investigation continued during 1999 and 2000 police commissioning further expert opinion.

A file of evidence was submitted to the CPS in January 2001. Again, after due consideration, the CPS advised the police in August 2001 that there was insufficient evidence to prosecute any individual or body.

In the light of additional allegations in respect of deaths of other patients further expert opinion was commissioned and files of evidence submitted to the CPS in September 2002.

In November 2002 the CPS again advised that was insufficient evidence upon which to base a prosecution.

Operation ROCHESTER a wider investigation into 'unlawful killing claims' commenced in September 2002, ultimately 90 deaths of Gosport War Memorial Hospital patients were and continue to be investigated by police.

All of these cases were reviewed by a multi-disciplinary team of experts in toxicology, palliative, geriatric, general medicine and nursing. Their task was to provide an analysis of the medical records of each of the patients and to categorise each case into 3 separate groups.

The category 1 group contained cases where the treatment provided was considered to be optimal. All have been released from police investigation.

The category 2 group contained cases where the treatment was considered to be sub optimal but not extending to gross negligence to a criminal standard.

The case of Gladys RICHARDS was assessed as a category 2 and at the lower end of that scale ie closer to a one than a three.

All but the category 2 cases of RICHARDS and PACKMAN have been released from police investigation and forwarded to the General Medical Council and Nursing and Midwifery Council for their consideration.

The category 3 group contained cases assessed as 'negligent' in terms of the care provided. It is these cases that continue to be forwarded to the CPS for their ongoing consideration.

The categorisation by the multi-disciplinary team was quality assured by a legal/medico lawyer who also took into account particular concerns raised by deceased family members.

The independent medico legal advisor suggested that in the light of ongoing concerns raised by the daughter of Gladys RICHARDS, Mrs Gillian MackENZIE that a final expert witness view should be sought in respect of the categorisation.

Medical expert Dr David BLACK reported concerns in respect of the standard of medical and nursing notes, and anticipatory prescription and dosage of opioid analgesia, however it was reported that the expert did not believe that this contributed in any significant way to Mrs RICHARDS death. Dr BLACK added that the patient presented as one with major progressive and end stage pathology (a dementing illness) developing a second pathology (fractured neck of the femur) gradually deteriorating and dying. Whilst the dose of diamorphine prescribed on 17th August 1998 was sub optimally high it did not contribute in any significant way to Mrs RICHARDS death and her death was through natural causes, in his view fractured neck of the femur and severe dementia.

Upon the basis that this case does not fall into the category 3 status there is no justification for further police investigation, accordingly no further police action other than to forward papers to the GMC and NMC will be taken.

This decision will be delivered personally to the daughters of the deceased by the SIO Det Supt WILLIAMS and Dep SIO DI NIVEN. This is the culmination of a seven year police investigation during which Gillian MACKENZIE in particular has been passionate in the raising of a multiplicity of concerns surrounding the investigation. The SIO considers a personal visit and explanation of the decision entirely appropriate under these circumstances.

D.M.WILLIAMS Det Supt