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Surname: MACKENZIE

Forenames: GILLIAN M

Age: 0.21

Date of Birth:

Address:

Postcode:

Occupation:

Telephone No.:

Statement Date: 27/04/1999

Appearance Code: 1

Height: 1.68

Build:

Hair Details: PositionStyleColour

Eyes: /

Complexion: /

Glasses:

Use:

Accent Details: GeneralSpecificQualifier

Number of Pages:

On the 26th September 1998 (26/09/1998) I received a copy of a letter dated 22nd September from the Portsmouth Healthcare Trust. I telephoned my sister Mrs L F LACK of Code A for her reaction. She did not agree with various paragraphs of the letter in particular that paragraph 7 and paragraph 8E and para 4 were not true. These paragraphs refer to Dr BARTON at the Gosport War Memorial Hospital. During that sam_ conversation she also mentioned the irregularities concerning my mothers death certificate, this was not only the certificate itself which gave the cause of death as pneumonia but also ? behaviour of the registrar when she registered th_ death. My sister had not had sight of the certificate prior to it being shown her at the registrars. She queried the cause immediatel_ as being the sole cause of death, particular_ as there had been no indication whatsoever of pneumonia. My sister has 40 years nursing experience with geriatric and terminally ill patients.

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I told my sister I would not let this matter rest and on Sunday 27th September I telephoned Gosp_ Police Station .

Prior to phoning the police my sister had also told me that upon querying the cause of death with the registrar she said words to the effect of "I did not hear that, if I did hear that I would have to order a post mortem". My sister being in an emotional state burst into tears and said "I do not want anything else to happen to mother".

Referring back to my telephone call to Gosport Police Station, I spoke to DC [Code A] I requested an appointment with an appropriate officer to make a report of unlawful killing in relation to my mother. I gave a good deal of detail to DC [Code A] His attitude gave me the impression that he thought I was emotional and he was clearly dismissive to my request. The officer did say that he would discuss the matter and he would ring me back.

Before the officer rang me back I rang him the following morning. I put it to him that I did not think he was not taking the matter seriously and I would be quite happy to write up the case myself and send it to Sir John HODDINOTT . His response was, you can do what you like and it was more or less said in those word_. I should clarify that I am not absolutely certa_ this was DC [Code A] but it is my belief it was. I told the officer that if that was his attitude that is exactly what I would do.

The next contact I had was from my sister w_ told me that DC [Code A] had been in contac_ with her and said he would like to statement from her. He mentioned it was his inten_ to have the interview filmed, as a film crew were in the process of following officers at wo_, she had apparently agreed, though she thought it rather strange. She did explain there was more to it than just a fall, which was what the officer seemed to be believing my complaint was all about. Again this was an indication he had not taken the matter seriously. I advis_ my sister to cancel the interview which was ??? DC [Code A] seemed put out according to my sister, because he had already made the arrangements for the film crew. It is my bel_ that he told them what the interview was to be about as he had discussed it with them.

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I wish to complain that firstly if I have identified the correct officer then he is responsible for breaching a confidence as he had no authority to discuss the details of my complaint to him wit_ a film crew.

Following this business with the film crew later that same day I telephoned Gosport Police Station and asked to speak to a senior officer. Not long after Inspector PEARSON telephoned me.

Inspector PEARSON dealt with the matter quite properly and advised me that he would arrange for an officer who could deal with the matter to contact. The following day I was contacted by DC Code A who made an appointment for my sister and I to see him on the 2nd October at Gosport Police station.

The interview took place and we gave DC Code A only an outline of the case before he responded by saying he did not think the case was a matter for the Police. He qualified that by saying we should contact the General Medical Council .

I then gave him more specific detail to show my belief was this was indeed a police case and his views were not pertinent. I supplied him with all the relevant papers we had at that time and he photocopied them. This included copies of legislation, case law and extracts from Archbolds.

My sister also repeated her fears regarding the inaccuracy of the death certificate and the earlier comments of the registrar. She also expressed her concern that she was in jeopardy by agreeing to what the registrar had said because she had seen a sign there about making false statements. She told DC Code A however that she wanted to now give that evidence about what the registrar had said. She had been concerned that she could be fined £2000 as the sign warned. The meeting with DC Code A ended with him telling us he would further interview my sister when he would take a full statement from her regarding the death certificate and her reaction to the report from the health authorities, with particular reference to the statements made by Dr BARTON which were untrue. These are the two items already referred to in this statement.

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DC [Code A] also told me I too would be interviewed to make a statement. To date these interviews have not taken place and neither of us has made a statement. This means that our evidence has never been submitted to the CPS within the file sent to them for advice.

DC [Code A] comments were that he would approach his supervisors with a view to obtaining permission to see the medical papers and he hoped that the Doctor had not written up notes since our complaint was made to the Portsmouth Health Authority.

On 30th October I received a telephone call from [Code A] which has been recorded on my ansap_, I still have that tape. He told me that he had completed his investigation and submitted the pap_ to the CPS. He told me his opinion was still this was not a police matter and we should ??? it to the GMC. I later asked him if he had interview anybody prior to the submission of the papers. He told me he could not do that but had a conversation with the managing nurse wh_ he said was called Philip. By managing nurse he is referring to the person who had been prese_ during a lot of the time when my mother was being treated. DC [Code A] said Philip had made reference to whether the subject of medical intervention had been discussed as an option to my sister and I and he said it had. He said it had been said to us that medical intervention a_ per paragraph 8E of the report had been explain_ to us and we had agreed. I again emphatically denied ???

My first complaint against DC [Code A] is tha_ he ignored the fact that my sister and I have evide_ that the version given by Dr BARTON as per paragraph 8E was untrue. He failed to take that evidence from us and quite simply seems to have taken the word of Philip who was not ever there during the one and only conversation with Dr BARTON.

On 30th October 1998 (30/10/1998) DC [Code A] advised me he had submitted an advice file to the CPS. I asked him what his file comprised of and who he ??? interviewed. He said he had not interviewed anybody but he had had a conversation with the nurse Philip. I again emphatically denied the conversation referred to had taken place.

The above matter was the basis of my original complaint in a letter to the Hampshire Chief Constable on 20th November 1998 (20/11/1998). I wrote amongst other things that 'The case should be dealt

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with b_ officers with a degree of professionalism exceeding that of DI MORGAN and DC

Code A

It is also my understanding that DC Code A did not obtain the medical notes as promised and they too did not form part of the file sent to CP_.

At the same time these things were happening on the first submission I also gathered papers concerning my mothers will I had written up a case concerning my sister and my mothers will, this outlined the fact that I alleged my sister had destroyed part of the will. In due course this file was sent to DI MORGAN to deal with.

I knew DI MORGAN had my case papers so I telephoned Gosport Police Station to speak to her. She was on leave at that time so I spoke to her later upon her return from leave. I told her that I was prepared to cooperate fully with the investigation and I made it clear that I intended to pursue the matter through the criminal courts even though the accused was my sister.

DI MORGAN's reaction was not what I expected. She said she was appalled at this and did I realise this would split the family. She also told me she already sent the file to the CPS and I am clear about this. I asked her why it had been sent as she surely could not have even read it as it was her first morning back. She told me she had joined it with the other case of unlawful killing as it was "part and parcel of the same case".

I made it very clear to her that this was not the case. The two matters were entirely separate and I questioned her as to how she could have even read it. She also told me she thought t_ matter was probate, but my contention is that what my sister had done was against the criminal law and I told her so. I also told her there wa_ good evidence on the file, including some from a retired police officer who knew something ab_ the case and the destroyed part of the will. To this DI MORGAN told me she had "More important things to de_ with" and she had cases of rape to deal with. She said she was not interested in cases of probate. She also said my allegation did not "put me in a very good light".

She further accused me of delaying things in so far as my mothers death was concerned. I think she said something like I had not been "very diligent". I pointed out to her that she was quite wrong and

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we had in fact started proceedings by complaining to the Portsmouth Health Authority before my mother had in fact even died and upon receipt of their report I immediately informed the police.

DI MORGAN also accused me of not being interested about what happened to my mother at the nursing home, which was quite improper of her because she knew nothing of the background to justify that comment.

I have to admit that I was annoyed with DI MORGAN's attitude and I recall pointing out to her that h_ duty was to uphold the law and my right as a citizen to go the police and be dealt with properly.

In the case of DI MORGAN I should like to formally complain about the way she spoke and dealt with me during this telephone call. I make this complaint in particular because I now know she is the head of CID at Gosport.

In conclusion I should like to clarify my complaints. For the reasons I had outlined in this statement together with the written evidence I have already submitted, I believe the law has been broken by the hospital staff. I reported this to the Police and it is my view that the investigation has been flawed. DC MADDISON has not been thorough and has not taken the trouble to obtain all of the available evidence before submitting the case papers. Within this I include DI MORGAN, in addition to the earlier matter against her. It is my view she has failed to supervise this investigation in a manner which ensured it was dealt with thoroughly.

I should also like to make reference to the separate issue of the will. I am aware that the officers submitted the case papers to the Force Solicitor and it has been his decision that this is a civil and not a criminal matter. I disagree with that decision and maintain this is a criminal matter. I should like to be assured that all of the evidence I supplied Gosport Police was submitted to the lawyer to enable a decision. If that is the case then I realise I can take it no further, however I wish to give notice that it will form part of an overall report I intend to pursue with the Home Secretary.

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Signed: Gillian M MacKENZIE

Signature witnessed by: P FUGE

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