

John, Lisa

From: Horsley, David
Sent: 18 March 2013 13:21
To: John, Lisa
Subject: FW: Portsmouth Hospitals NHS Trust - G R - Inquest
Attachments: letter to Blake Laphorn.PDF

From: Helen Antill [Code A] **On Behalf Of** Stuart Knowles
Sent: 18 March 2013 13:14
To: john.white [Code A]
Cc: Horsley, David; emma.davies [Code A]; Ian.Barker [Code A]
Subject: Portsmouth Hospitals NHS Trust - G R - Inquest

Dear Mr White

G R - Inquest
Our ref: BSPK/3000019-1307

Please see the attached letter, sent on behalf of Stuart Knowles.


Regards
Helen

Helen Antill
Legal Secretary
for Mills & Reeve LLP

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Your reference:
Our reference: BSPK/3000019-1307
Document number: 91840517_1.doc

Code A

18 March 2013

Mr J White
Blake Laphorn
New Kings Court
Tollgate, Chandler's Ford
Eastleigh
Southampton
SO53 3LG

Sent by email only: john.white Code A

Dear Mr White

G R - Inquest

The recent email correspondence between yourself and Ian Barker has, of course, been copied to me.

I note that my email to you of 26 February 2013 has gone without reply.

I have also seen the correspondence from the Coroner to your firm dated 13 March.

It does seem to me that there is considerable confusion and, may I say, disarray in respect of the documentation which, bearing in mind the proximity of the hearing date is, to say the least, a little disappointing.

I am not sure I entirely understand the suggestion that "*disclosure is a matter for the Coroner*" which you set out in your email of 13 March at 08.25 hours. Technically that might be correct, but it is not a helpful position to adopt. You will no doubt be aware of the email from the Coroner of 18 February 2013, asking you to assist by ensuring all relevant documents referred to in Mrs MacKenzie's statement are copied to other interested parties. That seems to me to be an eminently reasonable request on behalf of the Coroner and especially in view of the tight timescales.

It is my understanding that you have had these instructions from this client for many months, if not years, and it is a little surprising that there seems to be confusion in respect of your client's documents so late in the day. I do not understand how you cannot be in possession of all documents referred to in your client's witness statement. I do not understand the situation in respect of the various bundles which, you say, have different pagination.

It does seem to me, that if you are intending to rely upon documentary evidence and your client wants to refer to bundles of documents, the onus must be on your client to ensure that those she instructs make proper documentation available.

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Perhaps you would be kind enough to review the position and set out with clarity and particularity the documents upon which you intend to rely, and to let me have copies of those documents which the Coroner has requested you make available to the other interested parties.

On behalf of my client, I need to place on record concern that matters have not been prepared properly by your client in order to deal with the issues that, I understand Mrs McKenzie wishes to bring to the attention of the Coroner. After various pre-inquest hearings, and after such a period of time, I am disappointed that matters are not properly prepared to enable all the interested parties to participate properly in the hearing.

I share the concerns implicit in the letter of the Coroner dated 13 March 2013.

I look forward to hearing from you and with necessary reassurance and information.

As always, I am instructed by my client to assist the Coroner in the proper hearing of this inquest and, if I can assist you in any way to achieve that, then you must not hesitate to contact me.

Yours sincerely,

Code A

for Mills & Reeve LLP

cc: Mr David Horsley
Ian Barker, MDU
Emma Davies, Royal College of Nursing