

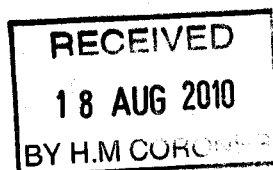


Hampshire Constabulary
Chief Constable Alex Marshall

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David Horsley
 Her Majesty's Coroner
 Coroners office
 The Guildhall
 Guildhall Square
 Portsmouth
 PO1 2 AJ

Serious Crime Review Team
 c/o Park Gate Police Station
 Bridge Road
 Park Gate
 Southampton
 SO31 7HN



Telephone: 0845 045 45 45

Fax No: 023 9289 2161

Deaf/speech impaired minicom: 01962 875000

August 16, 2010

Dear Mr Horsley,

Operation Rochester - Investigation into deaths at Gosport War Memorial Hospital

I would like to take this opportunity to update you on the outcome of the investigation into the deaths at Gosport War Memorial Hospital.

Operation Rochester relates to three separate police investigations by Hampshire Constabulary between 1998 and 2006 of patients who died at Gosport War Memorial Hospital. These examined the care and treatment of a total of 92 separate patients, the central theme being the care provided by Dr Jane Barton.

The final investigation culminated with ten full files of evidence being considered by the Crown Prosecution Service between December 2004 and December 2006, following a four year police enquiry.

The evidence of family members and hundreds of healthcare staff was taken during the extensive police investigation and considered by the CPS along with the opinion of independent medical experts.

The Crown Prosecution Service announced in 2006 that following careful consideration, that negligence could not be proven to a criminal standard and that there was no realistic prospect of conviction of healthcare staff.

During March and April 2009 H.M Coroner (Andrew Bradley) elected to hold ten inquests simultaneously in the presence of a jury. The verdicts identified that each person died of natural causes, but in some cases the administration of opiate medication may have had more than a negligible or minimal contribution to the death.

Subsequent to these verdicts the General Medical Council convened a Fitness to Practice Panel to determine charges of professional misconduct against Dr Jane Barton in her care of a number of patients connected to this investigation. On 29 January 2010, the Panel determined that Dr Barton had been guilty of multiple instances of serious professional misconduct.

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During the course of both the inquests and Regulatory hearings various witnesses including experts and Dr Barton gave evidence under oath for the first time.

In light of this, at the conclusion of both sets of hearings Hampshire Constabulary undertook to consider the transcripts of the hearings to identify whether there was any new material which could have a bearing on possible judicial proceedings.

In September 2009 Chief Constable Alex Marshall wrote to a number of families connected with the above case, informing them of his decision to refer the transcripts of both H.M Coroners inquests and the General Medical Council Fitness to Practice Hearings to the Crown Prosecution Service. The purpose of this course of action was to invite the Crown Prosecution Service to consider any new information that may have arisen from either the inquests or the regulatory hearings that could have a bearing on potential criminal proceedings.

The Crown Prosecution Service considered all of the matters which arose from the evidence presented during both the inquest and GMC proceedings and have reached the following conclusions.

In the case of each deceased patient, the essential balance of the expert evidence remains the same. Where the opinions of the experts have been revised or amplified, the effect has been to underline the difficulty in this case of proving negligence, causation and gross negligence to the criminal standard.

This being the case, there remains in relation to Dr Barton no realistic prospect of conviction for the offence of gross negligence manslaughter.

This decision by the Crown Prosecution Service brings to an end the eleven year investigation by Hampshire Constabulary into allegations of criminal intent connected to the deaths of patients at Gosport War Memorial Hospital.

Families connected to the review by the Crown Prosecution Service have this week been informed of the decision by both Hampshire Constabulary and the CPS.

This case having been formally concluded I can confirm that there are no further enquiries to be conducted in relation to the case of Gladys Richards and nothing from a police perspective that would prevent your proposed inquest.

Yours sincerely

Code A

Dave Grocott
T/DCI Operation Rochester