

Gosport Independent Panel

Family Liaison Meeting Wednesday 21 February 2018

Note of meeting

Hornet Services Sailing Club, Haslar Road, Gosport, Hants

Present: Family members; members of the Gosport Independent Panel (Bishop James Jones, Deborah Sturdy, Christine Gifford, David Hencke, John Pounsford, Jim Smith, Bill Kirkup, Kate Blackwell, Duncan Jarrett) and Secretariat (Louise Dominian, Judy Joslin, Mel Pepper,

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Welcome and update from the Chair

1. The Bishop welcomed everyone to the regular Family Liaison Meeting and said that the Panel had been meeting with families in this way for over three years. On behalf of the Panel, the Bishop thanked families for attending in such large numbers and said that today's meeting was possibly the largest attendance yet. The Bishop said the meetings were an opportunity for families to share their concerns and support one another and that the Panel were encouraged in their work by people coming to the meetings.
2. The full Panel were in attendance and the Bishop asked members to briefly introduce themselves and indicate the expertise they bring to the Panel to deliver the Terms of Reference.
 - Kate Blackwell QC – Barrister and part-time Judge. Kate is responsible for the legal research and preparing that part of the Panel's Report.
 - Deborah Sturdy – extensive senior nursing skills and expertise and leads the nursing element of the review.
 - Bill Kirkup – expertise in the investigation of health services and served on the Hillsborough Independent Panel.
 - John Pounsford – retired geriatrician reviewing the medical aspects of care and treatment.
 - Jim Smith – semi-retired pharmacist reviewing the why/what/how medication was used and what this meant.
 - David Hencke – a freelance investigative journalist reviewing the media coverage of events.
 - Christine Gifford – led the work on accessing the information relevant to the Panel's Terms of Reference and is leading on disclosure and the website.
 - Duncan Jarrett – ex-Scotland Yard detective leading the investigative team working closely with Kate's team.
 - Louise Dominian – Secretary to the Panel supporting the Panel to ensure they have the resources to carry out their work effectively.
3. The Bishop reiterated that it was not possible to divulge any information about the information which the Panel had accessed so as not to set hares running or distort the overall narrative. He acknowledged how frustrating this must be for families.
4. The Bishop announced that the Panel has settled on a date to publish its Report – **Wednesday 20 June**. He explained that the Panel had decided not to publish in May around the time of the Royal Wedding because this would not be the right context. The

Bishop said that the Panel had chosen the later of the June dates being held recognising that this date would give the Panel a little more time to finalise the Report, and website, which would go live on the same day as the Report. This will enable families, members of the public and the media to access the documentation referred to in the Panel's Report.

5. The Department of Health and Social Care would publish a Written Ministerial Statement on Thursday 23 February informing Parliament of the date that the Gosport Independent Panel will publish its Report. For the benefit of those not at the Family Liaison Meeting, a letter from the Bishop would be sent out to all families straight after the meeting informing families of the date of disclosure.

6. The Bishop wanted families to be aware that the announcement of the date might stir some interest from the media. The Panel intended to issue a press release, which the Bishop read out:

"The Gosport Independent Panel will publish its Report about the historic concerns at Gosport War Memorial Hospital on 20 June. The Report will be shared first with the affected families in Portsmouth Cathedral.

The Report will deal with the families' historic questions about the care of their relatives in Gosport War Memorial Hospital and the subsequent investigations into their deaths.

The Panel's Report will provide an overview of the documents reviewed by the Panel and will illustrate how the information disclosed adds to public understanding of these events and their aftermath."

7. The Bishop informed families that a press officer, Ben Stokes, has now been appointed to the Panel's Secretariat in preparation for disclosure and to manage the press arrangements. The Bishop acknowledged that some families might be vulnerable to approaches from the media and he reminded families that there was no obligation to speak with the press if they did not wish to, but equally that families should use their own judgement and were free to say whatever they wanted to the press.
8. The Panel would continue to follow its 'no piecemeal disclosure' principle. Although the Panel had worked with the media in the past to raise awareness of the Panel's work, the Bishop stressed that anything that appears in the press relating to the Report in the run up to the day of disclosure in June will not have come from the Panel or Secretariat.
9. Although the date of disclosure was fixed, the Bishop reminded families that in the event of a General Election being called this would affect when the Panel could disclose its Report because it had to be published when Parliament was sitting. If a General Election was called the Bishop said the Panel would be in touch with families immediately to inform them and advise families of the steps that were being taken by the Panel.
10. Having chosen the date, the Bishop was keen to inform families as soon as possible, but he recognised that Wednesday 20 June would not be suitable for everyone. For any families unable to attend, arrangements would be made for a copy of the Report to be sent to them as soon as possible afterwards.

11. The Bishop reiterated that it was the Panel's intention to make it as easy as possible for families to attend the day of disclosure in Portsmouth Cathedral and he thanked everyone who had completed and returned the questionnaire. Based on families' responses everyone who said they wanted to come to the Cathedral, including those who said they were unsure, would be able to attend and there was enough capacity in the Cathedral. The Cathedral would be closed to the public that day to ensure families' privacy.
12. The Bishop said that there was no need to confirm attendance at the moment and that a letter of invitation would be send out, probably in early May. Those families who confirm attendance will then be sent an invitation card and asked to bring this card on 20 June to gain entry to the Cathedral, so that the Secretariat can ensure adequate security arrangements on the day.
13. A high priority for the Secretariat is to ensure suitable transport and accommodation arrangements are put in place for families and based on families' responses work has already started on the options. There is still time to notify the Family Team of any special requirements and families were invited to either raise these at the meeting or contact Judy or Mel afterwards.
14. The Bishop said that families' privacy and dignity were of utmost importance on Wednesday 20 June and that the Panel believed the Cathedral as a venue would afford the appropriate mark of respect and dignity for the families' loved ones.
15. The Bishop reminded families that the media would not be allowed entry to the Cathedral and would be located in a separate building across the road. On the day, families could, if they wished, make themselves available to the media.
16. The Bishop explained that the shape of the day was still being planned. The first part in the morning would involve a presentation from the Panel to families covering the substance and main findings of the Panel's Report which adds to public understanding. Each family member present would then receive a copy of the Report and have an opportunity to look through it and time to read the summary.
17. After the Report has been shared with families first, it will be laid in Parliament late morning and the Bishop expects there to be a statement made in the House of Commons. The statement may trigger an immediate debate giving MPs an opportunity to speak. The Bishop said the Panel hoped to broadcast the coverage from the House of Commons to the Cathedral for families to watch. The Panel will hold a press conference in the separate building being used by the media. Afterwards the media may wish to speak with families and the Bishop indicated that Peta Bermingham, who was involved in setting up the Family Support Group, had offered to speak with families about this after today's meeting.
18. The Bishop said he expected families may have questions arising from today's meeting and said that an extra meeting will be held before disclosure on **Wednesday 16 May** at the Hornet Services Sailing Club. This would be a more informal meeting for families to attend if they wish and it will be used to answer any questions families have on the practical arrangements for the day of disclosure in the Cathedral. There will be no formal agenda or meeting note for this informal meeting.

19. After the 20 June there will be an opportunity for families - if they wish - to personally meet with Panel Members, particularly the clinicians on the Panel. In terms of the arrangements, it is anticipated that these meetings will start a couple of weeks after the 20 June and take place during July (with meetings in September for those unable to make July). Families will be able to book half an hour appointments from the day after disclosure. Most meetings would take place in the Hornet Services Sailing Club, and more details will be made available in due course.
20. The Bishop said these meetings will give families an opportunity to ask the Panel what happened to their relative during their last admission to Gosport War Memorial Hospital and how it fitted into the pattern of care described in the Panel's Report. The Bishop said that families should be aware even now that there is considerable variation in the documents that the Panel has been able to access for each patient. For some patients there is little or no information available. Even so, the Panel has accessed enough information to write a narrative covering what happened at Gosport War Memorial Hospital.
21. Families will also be able to request the following documents:
 - Copies of medical records that were collected from the Panel (unless the family themselves provided them).
 - A copy of the death certificate relating to the family's relative (unless the family themselves provided it).
 - A list of documents (including document title and description) that are on the Panel's website that contain reference(s) to a family's relative.
22. Where a family requests a meeting with the Panel, this documentation will be provided after the meeting should the family wish to receive it. If a family does not wish to have a meeting, but would like to request the documentation then the Secretariat will establish the best way of providing documentation securely. The Bishop said there was no obligation on families to either seek a meeting or request the documentation.
23. The Bishop reminded families that once the Panel has published its Report in June the Panel's work will be finished. The day of disclosure will officially mark the end of the Panel's work and the Panel's engagement with families. All that will remain for a short period of time after disclosure is for the Panel to meet with any families who request an individual meeting.
24. The Bishop said that the Department of Health and Social Care (DHSC), as the sponsoring Department, had a duty of care to assist families during whatever the next steps might be when the Panel no longer exists, including establishing a point of contact for families to ask questions. The Bishop said he had been given assurance by the DHSC that they accepted this duty of care responsibility and that there will be a team of people who will be able to discharge this responsibility.
25. The Bishop said that Jackie Doyle-Price MP was the new Parliamentary Under Secretary of State at the Department of Health and Social Care (DHSC) and her portfolio included the work of the Gosport Independent Panel. The Bishop said he was due to meet with the Minister in early March and he would reinforce her responsibility to oversee her Department's duty of care to the Gosport families. There needs to be clear

arrangements in place to ensure that there is a continuing means of communication with families.

26. Caroline Dinenage, MP for Gosport has also recently taken up a Ministerial post at the DHSC. The Bishop read out a statement from her office in the DHSC:

“Caroline Dinenage, in her role as Minister of State at the Department of Health and Social Care has advised the Permanent Secretary of the Department that she is excluding herself from involvement in Ministerial decisions or discussions relating to the Gosport Independent Panel. This is in line with the Ministerial Code and will enable the Minister to represent the interests of her constituents in this matter as fully as possible in her role as a Member of Parliament”.

Update on Information Management

27. Christine said it was a critical and crucial time preparing the many thousands of documents to be published on the disclosure website that will support the Panel’s Report and meet its Terms of Reference. The Report will be underpinned by the documentation on the website. The Panel has accessed approximately 1.2 million pages of documentation, although this includes some duplicates and documents that are out of scope of the Panel’s work.
28. As well as its responsibility in its Terms of Reference to oversee the maximum possible public disclosure of information, Christine said the Panel also has a duty of care to families to ensure that disclosed material is not irrelevant or detrimental to families. This is of particular importance in the context of new data protection regulations which will come into force in May.
29. Christine explained that the issue of consent was very important. Where families had not given consent in response to the recent letter from Christine, the Panel’s Report would remain silent as to their relative’s presence at Gosport War Memorial Hospital. However, if information is already in the public domain this could not be ‘undone’.
30. Where families have previously sought legal advice, this information may be subject to ‘legal and professional privilege’. Christine explained that where the Panel is aware that families have waived ‘legal and professional privilege’ then this information can be referred to and published by the Panel, if appropriate. Christine’s team is also ensuring that no personal, sensitive information (e.g. personal financial information) is included on the website.

Questions and answers

31. The Bishop invited a family member who had asked to speak to address the Panel and families present. At the end the Bishop thanked the family member for their powerful presentation and for sharing their account and asked the family member to share a copy with the Panel afterwards. The Bishop also expressed his willingness to meet with the family member after the Panel had reported.
32. A family member pointed out that Caroline Dinenage was not the MP for a number of families. The family member encouraged families to contact their own MP. The Bishop echoed this sentiment and said it was of the utmost importance that families let their own MP know that they have a personal interest in the Panel’s Report. The Bishop said

that the Speaker of the House of Commons could call those MPs who have an interest to speak first once the statement is made.

33. In response to a question, the Bishop recapped how he had become the Chair of the Gosport Independent Panel. Norman Lamb had initially asked the Bishop whether he thought a Hillsborough-type Panel might be appropriate for Gosport. The Bishop had offered to meet families and explain the Panel approach and leave it to families to decide. The Bishop did not offer himself as Chair, but was later approached to be the Chair by Norman Lamb.
34. A family member asked whether the Panel's Report would make recommendations and the Bishop said he was unable to answer the question because it would amount to piecemeal disclosure.
35. The Bishop gave reassurances that the meeting in the Cathedral would be for families only; there would be no representatives from legal firms present. The Bishop said the Secretariat would give further thought to whether families could be protected from unsolicited approaches by legal firms interested in pursuing compensation claims.
36. The Bishop said that the new press officer for the Panel, Ben Stokes, had been appointed from the Civil Service and had no affiliation to any particular media outlet.
37. The Bishop reiterated that he could not comment on what would happen after the Panel had published its Report but that a question could be raised on 20 June. The Bishop said that Gosport will continue to be an important part of his life from that day onwards.
38. A family member asked whether some person or persons would be held responsible for what happened at Gosport War Memorial Hospital. The Bishop said that he could not disclose what the Report will say but acknowledged families' frustrations and having to endure an unbearable period of time without resolution.
39. A family member said that a Sunday Times journalist covering the Panel's work had been approached by a Panel Member. The same family member also commented that they had received a call before today's Family Liaison Meeting from a journalist who already knew the date of disclosure before families had been informed.
40. The Bishop said that both points raised by the family member greatly concerned him and would be investigated and families informed of the outcome (see Annex). The family member indicated that the journalist had been approached by the Panel to request historic media interview recordings the journalist had previously made whilst covering events at Gosport War Memorial Hospital.
41. The Bishop said families were able to approach the Family Team if they saw anything in the media that concerned them and reiterated the Panel's intention not to say anything to the media before Wednesday 20 June.
42. A family member asked how any corrections needed to the website will be made after the Panel's work has ended. Christine explained that, as the Bishop had already referred to, there would also be transition arrangements put in place for the website with the Department of Health and Social Care, including contact details for future queries.

43. A family member thanked the Panel for their work, professionalism and compassion. The Bishop thanked family members for their contributions, and cited Margaret Aspinall's (Hillsborough Family Support Group) reference to justice, compassion and accountability, three things the Panel was minded of.

Any other business

44. The Bishop reminded families that Peta was meeting with those interested in the support group in the room afterwards. Panel Members would not be present.

Informal meeting - Wednesday 16 May 2018 (Hornet Services Sailing Club, Gosport)
(to answer questions on the practical arrangements for disclosure day)

Day of disclosure - Wednesday 20 June 2018 (Portsmouth Cathedral)

See Annex below – follow-up to points raised at the meeting.

ANNEX

Follow-up to paragraph 32 above – information on contacting your MP

- Details of your local MP can be located by entering your postcode at: <https://www.parliament.uk/mps-lords-and-offices/mps/> or if you need any assistance please contact Judy or Mel in the Family Team.
- Following the February Family Liaison meeting, the Bishop has decided to write to those MPs who may have an interest to make sure they are aware of the Gosport Independent Panel, and the date of disclosure.
- The following information is from the Parliament website:

How do I contact my MP?

Writing is probably the best method, as it provides a written record that can be referred to later. You can:

- Write a letter to your MP at: House of Commons, London SW1A 0AA
- Email them using the contact details in our [Directory of MPs](#)

Remember: always include your own address when you write to your MP so that they will know you live in their constituency.

(source: <http://www.parliament.uk/get-involved/contact-your-mp/>)

Follow-up to paragraphs 39 and 40 above – outcome of investigations into issues raised by a Family member at the meeting

Outcome of the investigation into the release of the date of disclosure to a family member by someone other than the Panel:

The Panel is very disappointed that a family member was contacted with the date of the disclosure by a media source shortly before the Panel announced this to families on 21st February. Panel members have confirmed that they did not release the date of the meeting to the media ahead of telling the families and, unfortunately so far, we have not been able to uncover the source of the information (nor do we expect the media to reveal their source). There was no public reporting in the media of the date ahead of the announcement in Parliament the following morning (Thursday 22nd February). However, the Panel takes this release very seriously and has redoubled its efforts on the security of the report and website and the information within them. The Panel will check and test all the stages. We would be very grateful if families would let the Family Team know if they are approached by the media about information relating to the report or become aware of information in the press that is said to come from the Panel.

Outcome of investigation into Panel contact with journalist:

The Panel has reviewed contacts between the Panel and Lois Rogers, a journalist. Contact between Lois Rogers and David Hencke, a Panel member, was for the purposes of accessing documentation in accordance with the Panel's Terms of Reference. It is understood that separately, and entirely without the knowledge of the Panel, contact was made between Hampshire Police and Lois Rogers for a similar reason.