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Code A

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BY LETTER AND FAX

FAX NUMBER: Code A

Our Ref: 558203/000001/JCW/RICHARD/HP

Your Ref:

DRAFT

3 September 2010

Dear Sirs

Re: Gladys Richards (deceased) – Inquest

We note that you are still awaiting a copy of the decision letter of the CPS. They provided us with a consolidated response for several families. We would therefore feel uncomfortable providing a copy of the letter in its entirety but are happy to provide the extracted parts relating only to Gladys Richards (deceased) if you would find that of assistance.

We would like to respond to the numbered points with our further view as follows:-

- (i) Mrs Mackenzie's sister is able to provide factual evidence as to Mrs Richards' general state of health leading up to her death. It had been suggested to the family that death was inevitable because the late Mrs Richards was suffering from dementia. Mrs Mackenzie's sister is able to provide useful information which would rebut that point. An additional factor is that Mrs Mackenzie is very critical of her sister for accepting what was written on the Death Certificate at the time. She believes it is necessary for her sister to explain why she did not raise her concerns as to the cause of death at that time.

We are grateful that you will include Mr Beade as a witness. Mrs Mackenzie has requested us also to ask if you will call the experts Professor Food, Professor Livesey and Dr Munday who previously provided expert reports in the case. We note that you are considering whether to call your own expert medical evidence on the role of any medication in relation to Mrs Richards' death. Of considerable importance is that there will be a factual allegation by Mrs Mackenzie that Mr Beade administered an injection of morphine which is not recorded in the medical records. We would therefore welcome the opportunity to clarify as far as possible the written factual evidence before the experts are asked for further review.

- (ii) We look forward to hearing from you when you have had the opportunity to consider disclosure. We specifically request copies of the reports of Professor Food, Professor Livesey and Dr Munday.
- (iii) Thank you for your indication.
- (iv) Thank you for your confirmation.
- (v) It is still our position that there was criminal conduct in relation to the late Mrs Richards' death. It is our intention to make allegations of criminal conduct against Dr Barton and against Mr Beade. In the circumstances we would very respectfully ask you to consider favourably the proposal for exceptional funding for representation in respect of this Inquest. Given the very

serious nature of these allegations and the complexity of the medical evidence we do suggest that the implications are serious if Mrs Mackenzie were to have to undertake all the pre-inquest work herself and also attend unrepresented. She is a retired pensioner on a fixed income. Realistically we believe that structured representation is only going to be possible with public funding.

We would be very grateful for your further comments in respect of the above points. Whilst obviously a matter within your discretion we do suggest that it will be important to hold a pre-inquest hearing in this enquiry.

We look forward to hearing from you as soon as possible.

Yours faithfully

Blake Laphorn