

MARK HOBAN M.P. PO



HOUSE OF COMMONS
LONDON SW1A 0AA

**DEPT OF HEALTH
RECEIVED**

06 FEB 2009

**CORRESPONDENCE
PRIVATE OFFICE CC***

Ann Keen MP
Parliamentary Under Secretary of State
Department for Health
Richmond House
79 Whitehall
London
SW1A 2NS

3 February 2009

Mr An

I enclose a copy of your letter to me of 20 January 2009 concerning Code A
Code A together with a copy of Mr Code A
original letter and his email to you of 30 January.

Mr Code A concerns relate to the deaths of ninety two patients at the Gosport War Memorial Hospital, including his father-in-law. In your letter, you advised that you would be awaiting the outcome of the Inquests and Mr Code A has asked you to clarify the reasons why a Public Inquiry was turned down and why the Coroner was denied access to leading Counsel's advice.

I would be grateful for your further comments.

Yours sincerely

Code A

Enclosure

From Ann Keen MP
Parliamentary Under Secretary of State



Richmond House
79 Whitehall
London
SW1A 2NS
Tel: 020 7210 3000

PO00000375969

Mark Hoban MP
House of Commons
Westminster
London SW1A 0AA

20 JAN 2009

Dear Mark

Thank you for your letter of 3 December to Jack Straw enclosing correspondence from your constituent Mr [redacted] Code A [redacted] Code A about an inquiry into the death of his stepfather. Your letter has been passed to the Department of Health and I am replying as the Minister responsible for this policy area.

In August 2007, following the coroner's report to the Secretary of State for Justice under section 15 of the Coroners Act 1988, a meeting was held between the coroner and representatives of Hampshire County Council, Hampshire Constabulary, the Ministry of Justice and the Department of Health to discuss a number of issues surrounding the deaths of patients at Gosport War Memorial Hospital. It is our view, as expressed at that meeting, that, given the number and variety of investigations and inquiries that have already taken place, combined with the powers that the Coroner has to fully investigate all the issues surrounding the deaths, a further investigation now is likely simply to duplicate the work in hand and that already undertaken by, among others the police, the Health authorities, the Nursing and Midwifery Council, the General Medical Council and the Healthcare Commission.

We intend to await the outcome of the Inquests and then assess if there remain matters outstanding which require further resolution.

I fully appreciate that this is not a reply that your constituent will agree with, but I hope you will appreciate why we believe a full public inquiry now is not an appropriate way to proceed.

I hope this reply is helpful.

Ann Keen
Code A

ANN KEEN

Code A

Code A

27 November 2008

Mark Hoban, MP
 14 East Street
 Fareham
 PO16 0BN

Dear Mr Hoban,

GORPORT WAR MEMORIAL HOSPITAL (GWMH)

Firstly, I am sorry I was not available when you telephoned on Monday and subsequently, after speaking to Susan Bayford, agreed to set out my concerns in this letter.

Since we met in January, when I raised issues about difficulties I was having in obtaining sight of expert medical reports relating to the demise of my step-father at the GWMH, you may be aware that the Coroner has announced that he would be conducting inquests into several of the victims deaths, including my step-father. These are scheduled for March 2009.

As a consequence, I recently received a bundle of papers from the Coroner that included police statements relating to my step-father's death, and these (indeed) include two of the expert reports I was seeking when I met with you in January. Others remain outstanding, and are being sought through the Coroner's office.

In recent correspondence between myself and the Coroner, it has become apparent that, in August, Karen Murray of Hampshire County Council, the Assistant Chief Constable of Hampshire, and the Coroner himself went in person to the Ministry of Justice in London and tried to persuade the government to hold a Public Enquiry into all 92 suspicious deaths at the GWMH at a face-to face meeting. This was turned down flat, and the Coroner has said there was nothing more he could do, resorting then to announcing the inquests. The Coroner also states that the CPS made the decision not to prosecute on the advice of leading Counsel, and has been refused sight of Counsel's advice on a number of occasions.

Clearly, there are very disturbing undertones in this case which, it would seem, might only be prised open by intervention at the political level, hence this letter to you in the hope you might be able to uncover the full reasons for the Department of Justice's non-cooperation.

I do hope you will be able to assist in this, and look forward with optimism that justice will eventually be done for the many families involved.

With kind regards,

Code A

Code A

Copy to: Mr D Horsley, H M Coroner (Portsmouth)
 Mr A Bradley, H M Coroner (Basingstoke)

BAYFORD, Susan

From: Code A
Sent: 30 January 2009 02:52
To: KEEN, Ann; Code A
Cc: mail@markhoban.com
Subject: Gosport War Memorial Hospital

Re: PO00000375969

Dear Minister,

Thank you for your reply to my letter of 27 Nov 08 through Mr Hoban to which I would be grateful for further clarification, and am writing direct as advised by his office.

Your reply does not answer my concerns about why a Public Enquiry was turned down, and also why the Coroner has been denied access to leading Counsel's advice. Would you please look again at this, as I understand that the Coroner's powers are limited to merely identifying the identity of the deceased person, the time and circumstances of death, the cause of death and how the deceased died. It is not to establish civil or criminal liability although there are strong reasons for believing that criminality was involved and that the police investigation was inadequate.

Your letter refers to work done by the Nursing and Midwifery Council and the General Medical Council. Would you please enquire as to why these reports have not been made available for scrutiny or, like the Baker Report, is it that they too are being suppressed by the Chief Medical Officer?

Your letter states that a full Public Enquiry now is not an appropriate way forward. Does this imply that one might be appropriate in the future?

I am currently overseas and would prefer your response to be emailed to Code A

With kind regards,

Code A

Copy to: Mark Hoban, MP

-----Original Message-----

From: Code A
To: Code A
CC: mail@markhoban.com
Sent: Fri, 30 Jan 2009 3:06
Subject: Gosport War Memorial Hospital

Re. PO00000375969

Dear Minister,

Thank you for your reply to my letter of 27 Nov 08 through Mr Hoban to which I would be grateful for further clarification, and am writing direct as advised by his office.

Your reply does not answer my concerns about why a Public Enquiry was turned down, and also why the Coroner has been denied access to leading= 20Counsel's advice. Would you please look again at this, as I understand that the Coroner's powers are limited to merely identifying the identity of the deceased person, the time and circumstances of death, the cause of death and how the deceased died. It is not to establish civil or criminal liability although there are strong reasons for believing that criminality was involved and that the police investigation was inadequate.

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