

Code A

From: Code A
Sent: 16 March 2009 10:59
To: Code A
Cc: Albon, Sarah; Code A (Coroners); Code A
Subject: RE: Gosport War Memorial Hospital inquests

Code A

Suggested amendments. I don't think the background section should be included in the additional information for the media – it was for your benefit.

Code A

From: Code A
Sent: 16 March 2009 10:50
To: Code A
Cc: Albon, Sarah; Code A (Coroners); Code A
Subject: RE: Gosport War Memorial Hospital inquests

I suggest that we use the statement we used last year as our line to take and use the rest of the information as additional material as below. Does anyone have a different view?

Lines to take

A Ministry of Justice spokesman said:

"We can confirm that the Portsmouth and South East Coroner has reported to the Secretary of State the facts about seven deaths which occurred at Gosport War memorial hospital over a number of years, where the bodies had been cremated.

In the light of the facts, the Secretary of State decided that it was desirable that inquests should be held into these seven deaths and directed the coroner to hold them.

We cannot comment on the details of the individual cases.

Decisions as to how the inquests should be conducted are matters for the coroner concerned."

Additional information

- Section 8 of the Coroners Act 1988 requires a coroner to hold an inquest when he is informed that the body of a person is lying within his district and there is reasonable cause to suspect that the deceased has died a violent or an unnatural death, or has died a sudden death of which the cause is unknown.
- Section 15 of the Act enables a coroner to report to the Secretary of State if he has reason to believe a death has occurred in or near his jurisdiction, in circumstances in which an inquest ought to be held, and owing to the destruction of the body by fire (which is interpreted to include cremation), or it lying in a place from which it cannot be recovered, no inquest can be held.
- The coroner for Portsmouth and South East Hampshire first reported to the Justice Secretary in June 2007 on 7 of the 10 cases in which inquests are now being held.
- In November 2007 the coroner provided additional information about the cases and a direction to hold inquests was made in February 2008.
- A further case was reported by the coroner in November 2008 and a direction was made in January.
- ~~The arrangements for the inquests are an operational matter for the coroner.~~
- The legislation relating to section 15 cases will be updated in the Coroners and Justice Bill - criteria will remain similar, but final decision in reformed system will be taken by the Chief Coroner.
- ~~We do not comment on the details of individual cases, particularly where an inquest is pending.~~

- Consideration of a public inquiry is a matter for DH.
- Inquiries about any criminal prosecution are for CPS.

Background

Ministerial submissions attached. Briefly:

- Concerns arose about a doctor at Gosport War Memorial Hospital.
- 3 police investigations 1998-2006.
- 92 deaths investigated.
- The CPS concluded that criminal culpability or gross negligence could not be proven, and there was therefore no realistic prospect of conviction.
- General Medical Council and Commission for Healthcare Improvement also investigated.
- DH concluded no grounds for public inquiry.

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Press Office
Ministry of Justice

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From: Code A

Sent: 16 March 2009 10:43

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As the Indie article goes into a bit of detail about the timeline and there has been a further case since the lines below, I think the updated ones should be used. They also give the background to section 15 and divert the public inquiry issue to DH – they've had some correspondence about this recently, so it might come up.

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From: Code A

Sent: 16 March 2009 10:37

To: Code A

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Subject: RE: Gosport War Memorial Hospital inquests

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These were the lines we gave out in May last year- can we not just recycle them?

Thanks,

Code A

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In the light of the facts, the Secretary of State decided that it was desirable that inquests should be held into these seven deaths and directed the coroner to hold them

We cannot comment on the details of the individual cases

Decisions as to how the inquests should be conducted are matters for the coroner concerned."

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Senior Press Officer
Ministry of Justice Press Office

102 Petty France, London, SW1H 9AJ

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W/ www.justice.gov.uk

From: Code A

Sent: 16 March 2009 10:35

To: Code A

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Code A

Subject: Gosport War Memorial Hospital inquests

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There has been media interest in these cases over the weekend (Independent on Sunday and Sunday Mirror). Lines are below.

I've alerted our policy counterpart at DH, but you'll need to liaise with their Press Office.

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Lines to take

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