

**Yvonne Mills**

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**From:** Margaret Scott - Chair EHPCT  
**Sent:** 28 January 2003 13:23  
**To:** Yvonne Mills  
**Subject:** FW: GWMH Latest development



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

From: p=NHS NATIONAL  
INT;a=NHS;c=GB;dda:RFC-822=Richard.Samuel(a)hiowha.nhs.uk;  
Sent: 28 January 2003 13:23  
To: Lucy Docherty - Chair F&G PCT; Margaret Scott - Chair EHPCT; p=NHS  
NATIONAL INT;a=NHS;c=GB;dda:RFC-822='lucy(a)trevosehd.freeseve.co.uk';;  
p=NHS NATIONAL  
INT;a=NHS;c=GB;dda:RFC-822=lucy(a)trevofehd.freeseve.co.uk;  
Subject: GWMH Latest development

I have to confess to a degree of exasperation with the Police - they seem unable to tell the truth (or at least sustain a position for more than a day!).

I had a discussion with Ian Readhead (Dept Chief Constable) on Friday morning explaining the NHS' position with regard to GWMH and asking if he could write to us formally to confirm the Police's position with regard to both our Management Investigation and the return of our Chief Executives. He was briefed on the matter and agreed to draft a letter that day to confirm the Police's position on both matters.

**Police Advice**

I received a call this morning from Nigel Niven who has been delegated responsibility for Operation Rochester by Steve Watts (Head of CID) during Steve's holiday which finishes on 4 February 2003. Nigel stated that they had not yet received written confirmation of Counsel's opinion and hence would be unable to write to the NHS to confirm the advice Steve Watts gave during the meeting with the CMO. I stressed that the lack of a letter from the Police was creating a number of difficulties for the NHS - not least the public line to take on the second CHI investigation, the NHS Management Investigation and the return of the two Chief Executives. He apologised, but stated that he was unwilling to draft a letter in Steve's absence. He did feel that we could have a letter by 10 February 2003.

**MP Letters**

I raised the matter of the letter to local MPs regarding the status of the NHS investigations and he reiterated the Police's position - although he did concede that the Police have given their advice and must 'take the responsibility for giving this advice.'

We discussed the meeting with the CMO and the potential that minutes might not be produced (I understand the CMO does not, as a matter of course, produce minutes of meetings). Entertainingly, he stated that if necessary the Police would insist on minutes being produced as evidence.

#### Chief Executives

On discussing the position of the Chief executives, he stated that their return to work was 'not an issue that the Police had an opinion on'. After a bit of pushing, he did however, confirm that the Police would be prepared to state (in a press release and subsequent letter) that they 'can confirm that there is no reason why Mr Piper and Mr Horne should not return to their posts'. He did make mention of the need for safeguards, and when pressed, these safeguards entail the agreement of the two Chief Executives that they do not discuss the case with any individual that they believe or know to be involved in the investigation and that they do not involve themselves in the management of any element of the investigation.

#### Alexander Harris

Nigel Niven confirmed that he and Steve Watts will be meeting with the relatives and Ann Alexander on 5 February 2003 to answer any questions that they might have. At that meeting he will be providing the relatives with an update on the investigation - namely the involvement of Professor Forrest and his clinical team.

#### Media

Niven informed me that he had had approaches from Panorama and File on Four to run items on Gosport War Memorial Hospital. He stated that he had not co-operated with either request, stating that such co-operation might compromise the Police investigation. He also stated that he had secured Ann Alexander's commitment (?) not to go public with any information she receives during their meeting on 5 February 2003.

#### Next Steps

The delay in the receipt of the Police letter creates a timing challenge for the NHS. Lord Hunt is extremely unlikely to write to CHI to inform them to suspend their investigation until his department has received the written advice from the Police (i.e. week commencing 10 February 2003). I suspect, therefore that CHI will remain silent throughout this process. We need to

decide whether we go at risk and announce the suspension of the Management Investigation and the return of the Chief Executives on the basis of advice received from the Police, prior to formal receipt of a letter from the Police. The DHSC will also need to decide whether to send the letters to MPs on the basis of the advice by the Police.

#### TIMELINE

24 January 2003

Briefing on proposal to return the Chief Executives given to Lord Hunt's office by DHSC

Tuesday 28 January 2003

DHSC to confirm whether Lord Hunt content with briefing

Wednesday 29 January 2003

PCT remuneration committees meet to consider whether or not to offer the Chief Executive's to opportunity to return

Friday 30 January 2003

Chief Executive's likely to want to take legal advice on the offer to return

Monday 3 February 2003

Decision potentially made by the Chief Executives

DHSC informed so that MPs letters can be sent out confirming that Chief Execs returning (or not) and that investigations suspended (if we feel able to do so)

Wednesday 5 February 2003

Relatives meeting on GWMH - likely publicity ensuing

Thursday 6 February 2003

Press statement issued that (a) confirms that, on the advice of the Police, investigation has been suspended and CE's are to return....or (b) confirms that, on the advice of the Police, investigation has been suspended.....or (c) no press statement, just a holding line that we are currently in discussion with the Police about matters.

Adrian is working with Sue Galley, the Police and CHI Comms leads to pull

together a detailed media plan. This is likely to be an iterative process - we need to see what the CEs decide and how the public meeting of 5th goes before finalising the media plan.

Regards

Richard