

Scott Margaret - Chair EHPCT

From: Hayden Smith Jane [Code A]
Sent: 08 January 2003 12:01
To: 'Lucy Doherty'; 'Margaret Scott'
Subject: GWMH

Importance: High
Sensitivity: Confidential

Attachments: GWMH.rtf

Dear Lucy and Margaret

Please find attached an urgent and confidential note for your attention.

Regards,

JHS



GWMH.rtf (9 KB)

Jane Hayden-Smith
 Beachcroft Wansbroughs
 direct line - [Code A]
 email - [Code A]

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Website: <http://www.bwlaw.co.uk/>

Hayden Smith Jane

To: Lucy Doherty; Margaret Scott

Subject: GWMH

Dear Lucy and Margaret

First of all, my apologies to both of you for the delay in my coming back to you about the letters you have each received from IP and TH.

Having read both letters, I am aware that they follow a similar format and are the same in substance, although they are not identical.

As Margaret will recall from my brief telephone conversation with her on Monday 16 December 2002, I did agree that each letter should have received a response, which indicated that the redeployment would be kept under review and re-examined in the light of the outcome of the management investigation, as and when available, and that although you understood that it was the intention that the management investigation should be completed as soon as ever possible, TH/IP would understand that you had no direct control over how long that process would take, and for that reason could not give any firm commitment to a particular timescale.

As I also indicated to Margaret when we spoke (although I did not have the opportunity to relay this directly to Lucy), I had also spoken to Ed Marsden and Michael Taylor just prior to receipt of the copy letters from each of you, since they had wanted advice on some points in relation to the management investigation. Michael Taylor had indicated to me during that conversation that the police seemed to be becoming less enthusiastic about the management investigation process and that they would be having a further meeting with the police to clarify with them the process to be adopted in the management investigation to ensure that the police had no objection to what would be happening.

I understand that a meeting with the police did take place on Wednesday 18 December 2002, at which I understand it became clear that the police were concerned that continuing with the management investigation could prejudice the ongoing criminal inquiries, and that they were to take further advice on that from the CPS before confirming their position. The implication at that time was that the police might require the management investigation to be halted, pending the outcome of the criminal investigation.

I subsequently spoke to Gareth Cruddace and understood from him that he would be informing you both of the position, and if that has happened then you will know all of this already.

I do not know if the police have yet formally indicated what position they are going to take about the management investigation, but clearly these developments have a bearing on what either of you can or should say to both IP/TH, and if a written response has not yet been issued to either of them in reply to their letters dated 6 December 2002, then I am minded to advise that a reply should not be issued until the view of the police about the management investigation continuing are known, assuming that will be known fairly soon.

You should also be aware that today the Strategic Health Authority have asked me to advise them on what options are available to them if the police decide that the management investigation cannot proceed, and have requested my advice on the implications of that position for both TH and IP. I will be indicating to Gareth that while I can advise them as requested, since your organisations are the respective employers of both individuals, and since I act for both of your organisations, I will need to share any advice I give to the Authority, with both of you. Please confirm that you are both content with this approach.

I appreciate that one or both of you may want to discuss this matter with me - and if that is the case then please do not hesitate to give me a ring. I am in the office all week this week, although I will be in a meeting this afternoon between 3.00pm and 4.00pm.

Regards,

JHS

Jane Hayden-Smith
Beachcroft Wansbroughs

direct line - [Code A]
email - [Code A]