



Hampshire Constabulary
Chief Constable Alex Marshall

PRIVATE

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15 September 2009

Dear Mr Horsley,

Death of Mrs Gladys Mabel Richards:

Thank you for your letter of the 28th August regarding the above matter and the possibility of new material coming to light as a result of the recent General Medical Council hearing.

The Hampshire Constabulary investigation into the circumstances of the deaths connected with Gosport War Memorial Hospital concluded in December 2006. The Crown Prosecution Service concluded that in respect of each of the cases submitted to them there was insufficient evidence to support a prosecution in respect of any case, for any criminal offence. This was the culmination of three separate investigations by Hampshire Constabulary into the circumstances of the deaths between 1998 and 2006.

In the specific case of Mrs Richards two files of evidence were considered by the CPS, initially in 2001 and then again upon receipt of further expert opinion in September 2002.

On conclusion of the investigation, the papers were passed to the regulatory bodies such as the General Medical Council & Nursing and Midwifery Council for consideration.

The General Medical Council has recently announced their factual findings and will conclude their deliberations probably in January 2010.

In respect of the Fitness to Practice Hearings, it is correct that the proceedings were held under the old legislative procedural rules of 1988 relating to the criminal standard of proof. This was due to the complaint being lodged in 2004. New matters are now judged on the balance of probabilities. The General Medical Council however were not addressing or considering whether any person had been unlawfully killed.

The General Medical Council deliberations which have been recently published reveal that in the case of Mrs Richards, the panel concluded that Dr Barton prescription of relevant drugs were inappropriate and not in the best interests of the patient and that there was a failure to follow what is described as the Analgesic Ladder. These are the proven facts to a criminal standard referred to.

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Hampshire Constabulary and the Crown Prosecution Service intend to review the transcripts of both the GMC hearings and the evidence given under oath at your inquests held during March of this year to ascertain whether there is new information suitable for investigation or the commencement of criminal proceedings.

Please be assured that my officers are cognisant of the passage of time relating to this investigation and the effect upon both witnesses and family members.

Yours Sincerely

Code A

Alex Marshall
Chief Constable

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