

Skye Sue - Legal Services Manager

From: Skye Sue - Legal Services Manager
Sent: 06 February 2009 08:12
To: Skelton Sarah - Diagnostic Imaging Services Manager
Subject: FW: Brain scan films - 1999
Importance: High

Hi Sarah

Further to our conversation yesterday, the Trust lawyer, Stuart Knowles, has asked some questions below. Could you help me with your thoughts on his third para please?

Thanks very much.

Sue Skye
Legal Services Manager
Portsmouth Hospitals NHS Trust

Code A

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

From: Stuart Knowles [Code A]
Sent: 05 February 2009 16:53
To: Skye Sue - Legal Services Manager; Radway Patricia - Head of Governance; Mellor Peter - Company Secretary
Cc: Topping Emma - Media & Stakeholder Relations Manager; Jill Mason; Kiran Bhogal
Subject: RE: Brain scan films - 1999

Thanks Sue,

Let me know what you find out please. I will need to check to see if Devine is one of the families with representation. I understand the PCT's concerns but I would need to be persuaded that whether this patient had dementia or not would have affected how this patient died and whether the x-ray would be relevant to any of the questions the Coroner has to answer.

The family to some extent will have to be managed by the Coroner and the lawyers to make sure only relevant concerns are raised.

Having said that the absence of records is always a tricky question and the family may try and 'litigate' in front of the cameras. Do we actually know when and why these films were destroyed? We should have kept a record of destruction if it was a deliberate act. We should also be able to explain why a decision to destroy seems to have been taken after only three years and when we knew the case was subject to a police inquiry and inquest. Are we sure they are not with the police? I don't have a copy of the doc from Mary D - is it DoH guidance?

If you can let me know what you find out and also info on the biochemistry results that will be helpful. If we can get our facts straight I am happy to work on an appropriate public line with Emma and Tri-media.

Many thanks for letting me know

Stuart

06/02/2009