

Chief Constable Alex Marshall
 Police HQ West Hill
 Winchester
 Hants SO22 5DB

Code A

26.10.09.

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 Brian Williams

Dear Chief Constable Marshall

Operation Rochester – Investigation into deaths at Gosport Memorial Hospital
 Mrs. Gladys Richards decd. Next of kin Mrs. Gillian Mackenzie

Upon receipt of Inspector Kevin Baxman's letter 15 October, I telephoned Inspector David Grocott who informed me that he was studying the transcript of the GMC case (as I am) concentrating on the evidence given by Dr. Barton under oath to establish whether there was a question of perjury. My impression was that this was his only interest and follows the pattern over eleven years in the Richards case (and possibly others) of building the investigation around Dr. Barton only.

You will be aware that the GMC conclusions on the Richards case are the same as the other eleven cases. In one instance a complainant was never given the opportunity to provide a statement to the Police – what happened to the other 80 families who came forward let alone any investigation into the 456 death certificates signed by Dr. Barton between 1995 and 2000 out of a total of 954 for the whole hospital ? It is difficult to accept that there were only 12 cases worthy of a hearing out of the 92.

There has been a marked reluctance by the Police in the Richards case to emphasise the part played by Philip Beed and other nurses on Daedelus Ward particularly since the first two investigations carried out by Gosport Police Officers between October 98 and February 99 were the subject of formal complaints upheld by the PCA. A further formal complaint involving John James made in 2001 was also upheld by the PCA and IPCC. There was never an explanation why it took years instead of months for that conclusion to be reached after John James had been promoted and had left the Hampshire Constabulary.

The Williams investigation 2003 – 2006 was instigated at the " suggestions" of Liam Donaldson and Alan Milburn following the publication of the CHI Report in July 2002 and I have no doubt that letters sent to various legal and political personalities by families concerned also played a part together with Press coverage. In addition the 1991 Report had been brought to the attention of the Police by nurse in 2002. I had already brought this matter to the attention of Ray Burt in 2001 due to a telephone call from a journalist from the Portsmouth News. (Jonathan Carter) Ray Burt informed Steve Watts which resulted in Carter being interviewed and given a Press statement which resulted in publicity for the first time. Carter was never questioned about the Nurse who had contacted him or for that matter how he knew about the Richards case. It was not until 2002 that the Nurse approached the authorities again when it was announced that Prof. Baker and Robert Forrest (of Shipman fame) were to be involved. This followed shortly after Ian Readhead had called a meeting with the 11 – 15 families at Fareham Station. During that meeting he stated he did not want any more questions from me and that he would not spend a further penny or a minute of police time on the cases. (11 September 2002)

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The Richards case was not submitted to the CPS in 2006 nor was a request made for an inquest. Due to my own efforts, backed by Bindmans (Solicitors involved with the Adomoko case), Mr. Horsley submitted an application to Jack Straw and an inquest was granted in January 2009. There was a further delay when Mr. Bradley declined to hear the case with the other ten at Portsmouth March 2009 informing me in a telephone call that the case was "exceptional" and he was passing it to the Senior Coroner Mr. Horsley. As I was prepared to take the case myself with no experience and little knowledge of the protocol and procedure in a Coroner's Court, Mr. Horsley backed my application for exceptional funding due to my financial circumstances. The application was made through Blake Laphorn and the LSC promptly "lost" the papers. Blake Laphorn applied again - to date there has been no ruling.

The GMC who had delayed the hearing of the Richards case together with those of Farthing (Brian Cunningham) Page (Eva Page) Wilson (Robert Wilson) Jackson (Mrs. Wilkie) then decided to go ahead with their case before the Richards inquest. I refused to participate. It is usual for an inquest to take priority. Nevertheless the GMC hearing has come to the same conclusion in all 12 cases. The Richards inquest is now delayed due to Police scrutiny of the GMC transcript. In the meantime Blake Laphorn have been unable to obtain the disclosures for the inquest. An application was made for further interviews with Paul Close CPS for three of the cases which was granted but the CPS is reticent to allow an interview for me. Is it little wonder that I am concerned at the way my case has been handled by all involved including the police and CPS at Basingstoke and London (How did Basingstoke come to a conclusion that Dr. Lord provided an independent opinion when she was the Consultant above Dr. Barton.)

The further emphasis on Barton as indicated by Inspector Grocott only gives me the impression that all is not well in the state of Denmark. I am aware that some of the papers were not sent to the GMC - did this also apply to the statements taken from Haslar staff - were all these papers sent to the CPS? All in all I am not happy with the situation and I shall continue my efforts to obtain justice for all the families involved.

I would appreciate your personal attention to this matter and confirmation that you did at least read my letter of the 8 October. Further police scrutiny should be given to the nurses participation. I am extremely annoyed with the stupid and defamatory evidence /statement given by Nurse Couchman. The Meeting which took place at Chichester some weeks after my Mother's death was that of the local branch of the Scientific and Medical Network of which I was a member. I did not invite Couchman and it is obvious that the matters discussed were totally beyond her comprehension. It had nothing to do with spiritualism. The Chairman of the Council was Prof. Peter Fenwick who introduced me to the Network. He was not only a Consultant Neuropsychiatrist at the Maudesley Hospital but also a Consultant at Broadmoor. I have never been an inmate at Broadmoor or a psychiatric hospital. I have an interest in psychiatry, brain function, law, philosophy etc. At one time I was able to help in a minor way through television appearances with some research of a scientific and medical nature for Prof. Fenwick. I have many academic interests - at the present time attending lectures given by a nuclear physicist who was involved in research projects for the British and American governments - No! I am not intending to go to Iran which I visited during the 50's - 60's. I am also attending meetings on religious pluralism and science - No! I am not entering the Church. I attend many other lectures and functions - which no doubt are outwith the experience of the police or the general public in Gosport. In addition Couchman has stated I gave away some of my Mother's possessions - she apparently knows my sister well who was the sole executor. Her evidence is absolute nonsense. I find it odd as I was

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questioned about this by the GMC solicitors last year and knowing that I had refused to be a witness this year they still put forward Couchman's evidence about me – were they trying to make me out to be an absolute “nutter” knowing I could not be questioned about it at the hearing? Nothing would surprise me.

I hope you can reassure me that Inspector Grocott's scrutiny of the GMC transcript will cover everything to bring this eleven year investigation to the Criminal Court.

Yours sincerely

Code A

Gillian M. Mackenzie

Chief Constable Alex Marshall QPM
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 Binary Hills

Code A

8.10.09

Dear Chief Constable Marshall

Operation Rochester – Investigation into deaths at Gosport War Memorial Hospital

With reference to your letter 15 September I would like to make the following comments as it seems to me that you are unaware of some matters. Some of the papers sent to Inspector Williams were not sent on to the GMC. These were detailed notes on the Haslar files and the Gosport medical files which I had prepared when I became aware that Mrs. Lack/O'Brien had not mentioned important details in her Statement to Inspector Ray Burt originally (circa 1999). The Family Liaison Officer [Code A] would not allow me to make a further Statement which involved comparisons of medication doses between Haslar and Gosport nor the conversations with Philip Beed. From the beginning there was limited investigation of Philip Beed who also has a Duty of Care.

In my Statement of April 1999 I pointed out that Philip Beed had "confirmed a conversation with Dr. Barton" which was untrue. This Statement was kept under lock and key in the Professional Standards office under the jurisdiction of Deputy Chief Constable Ian Readhead and it was not until the Williams investigation that numerous Police Officers were aware of its existence. At the GMC hearing I witnessed Beed lying under oath regarding the two injections of diamorphine given to my mother – witnessed by Mrs. O'Brien and myself – his alibi being that the prescription was not written up. There was no cross examination and Mrs. O'Brien did not emphasise the fact nor the lack of evidence of a massive haematoma. I hope you will notice in the transcript of the GMC hearing that another nurse confirmed that there was access to diamorphine for patients before a prescription was written up.

You will know that I refused to be a witness at the GMC hearing. From the beginning my opinion has been that this case was for a criminal Court or at least an inquest hearing – hopefully with a competent Coroner. I had been informed by the GMC that my hearing could not be dealt with until all the other inquests had been finalised. When Jack Straw agreed in January that I too should have an inquest (with no help from the Police) I failed to understand why my GMC case should be heard before the inquest with Mr. Horsley. I still have a query why my case was not heard with the others in March apart from the fact that Mr. Bradley informed verbally that he would not take the case as it was "exceptional" and he was passing it to Mr. Horsley.

I am of the opinion that all the evidence could not have been passed to the CPS and I would have welcomed the opportunity to discuss the case with the CPS and in particular David Perry – based on points of Law and not emotion. In addition the GMC were ready to proceed with my case and the other four cases dealt with by John James in 2002 based on the expert medical opinions at the time (Gary Ford and Brian Livesley) There are questions to be asked why no sanctions of any kind were imposed on Dr. Barton – it is indeed fortunate that Ray

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Burt's investigation and interview did at least lead to her resignation from the Gosport War Memorial Hospital in 2000. It had nothing to do with being over-worked as she still carried on working at the Rowan Hospice. I would question why the families of the inquest cases at Portsmouth were given details of my case including the details from Brian Livesley's conclusions to which I had never been privy. I would query whether there was any competent investigation into my case after Ray Burt's in 1999/2000 when he was taken off the case and my two formal complaints had been upheld by the PCA and IPCC.

I attended some of the Inquest hearings at Portsmouth – I am not aware of a verdict of deaths by natural causes – rather diamorphine given for “therapeutic reasons”. If ever there was a case for getting rid of the jury system this was it. You will note from the GMC transcript that you cannot know whether a patient warrants an increase in diamorphine if they are completely unconscious on a lesser dose or for that matter whether oramorph is justified when co-codomol PRN has been adequate for pain at Haslar. When my mother left Haslar she was mobile and fully weight bearing on both occasions. The fact remains that Dr. Barton totally ignored the two discharge letters from Haslar which accompanied her to Gosport. My mother could not have deteriorated to warrant palliative care within such a short period of time after being seen by the Consultant at Haslar who approved of the discharge letters and examined my mother just before discharge. It was Philip Beed who administered oramorph within half an hour of arrival at 11.15 am and another dose was given by Couchman at 11.45 am although oramorph is written up every four hours. It was also Beed who diagnosed a “massive haematoma” for which there was no evidence or write up on the file. If this was the reason for palliative care it is odd there was no mention on the file. I would venture to state that the Consultant at Haslar on two occasions was far more professional and experienced than Dr. Barton, whose training and experience is not impressive. This was also Beed's first managerial post. His further write-up of several doses of oramorph within a few hours when my mother was already unconscious from the two diamorphine injections administered on 17 August 1998 is very questionable – I certainly queried why my mother had become unconscious in the X-ray department and was still unconscious when I left the hospital late that evening. Was he covering up his tracks as he had administered two injections which were not written up and you will see from the GMC transcript Dr. Barton was not in the habit of agreeing to injections. My mother was still unconscious next morning when Beed set up the syringe driver. I confirm again we did not have a conversation with Barton about the haematoma but you will also notice that Barton mentioned it in passing but was not questioned about it at the GMC hearing. Once again there is no write-up on the medical file

It is my strong opinion that it was Barton's intention that these elderly patients were to be treated as palliative on arrival irrespective of the information in the discharge letters from Haslar. I am tired of hearing over the last eleven years such remarks from the police and others there was no motive – apart from psychiatrists doesn't anyone know in the investigation team about psychopaths.

You will be aware that there was no evidence that my mother suffered from Alzheimers dementia and I have sent the evidence for that to Mr. Horsley or at least the allegation where this diagnosis came from. Mrs. O'Brien has also stated there was no such diagnosis or evidence of a haematoma when she laid my mother out four days after Beed's reason for putting my mother on a syringe driver. She has confirmed this in her statement to the GMC - the rest of her evidence seems to be chaotic. The drug Trazadone referred to in my Statement of March 2000 has now been banned in the UK. (we are catching up at last with the American research) It is never suitable for elderly patients receiving haloperidol for a “good

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night's sleep" at the Glen Heathers Care Home. Dr. Banks should be questioned about her prescriptions and diagnosis as should my mother's GP Dr. Bassett at Lee-on-Solent.

Please note that I do not accept the GMC conclusion that "with the considerable passage of time there is an inevitable dimming of memories" Complaints were raised with the Chief Executive in writing before my mother died. The incompetence of the subsequent investigations over eleven years has not caused deterioration in my recollections or IQ. The Richards case was the first case reported to the police in 1998 five weeks after my mother's death and on receipt of the complaint investigation letter from Mr. Millet dated 22 September 1998. I have no doubt that the Nursing staff and Medical remember it well as it was also the first time that they had had a complaint from a Nurse/relative together with another relative who had an interest in law. They were all fully aware of the complaint from the beginning.

I note that copies of the GMC hearing transcript will be reviewed by officers connected with the investigation. In my case all the officers have taken early retirement. I hope you are not going to put me in the hands of Code A again. As an ex Personnel Officer I am amazed at your recruitment procedures and I do not understand how she ever attained the rank of "Detective" but mine is not to reason why or how.

There is a considerable amount of written reference with logical and legal argument for a criminal case. I have a strong query why this has not taken place. I hope I will live long enough to know that justice will prevail.

Yours sincerely

G.M.Mackenzie