

BY EMAIL

Health Committee

10 March 2018

Dear Dr Wollaston and colleagues,

Re consistency of GMC decisions on erasure of doctors after conviction for criminal offences

I write to submit evidence pertinent to the debate around the case of Dr Bawa-Garba.

1. The GMC has admitted via FOIA that it has no policy on the automatic erasure of doctors convicted of gross negligence manslaughter.

This is despite its chief executive Charlie Massey asserting that the GMC had no choice but to seek erasure after Dr Bawa-Garba's conviction for gross negligence manslaughter, implying automaticity.

The GMC is clearly more open to questions of arbitrariness and discrimination in the absence of a clear policy.

2. The GMC has admitted via FOIA that in the last 5 years it has chosen not to seek erasure in one third of cases where doctors had been convicted of sex offences (23 out of 73).

It seems a peculiar and unjust state of affairs when the GMC overrides its own Tribunal to strike off a doctor who made errors that the Tribunal considered were not made recklessly,

Medical Practitioners Tribunal Service decision 13 June 2017:

“There is no evidence to suggest that your actions on 18 February 2011 were deliberate or reckless.”

https://minhalexander.files.wordpress.com/2018/03/mpts-dr-hadiza-bawa-garba_13_june_2017.pdf

but it applies lesser sanctions to doctors who have been convicted of wilful, often premeditated, criminal sexual offences.

This is the FOI correspondence with the GMC and the disclosed data which is summarised above:

<https://minhalexander.files.wordpress.com/2018/03/gmc-foi-response-on-erasure-for-sex-offences-and-policy-on-gross-negligence-manslaughter-9-03-2018.pdf>

Yours sincerely,

Dr Minh Alexander

Cc

Harry Cayton CEO Professional Standards Authority
David Isaac Chair ECHR

Rob Behrens PHSO

Dr Philippa Whitford MP

Secretary of State for Health and Social Care

Minister of State for Health and Social Care

Sir Terence Stephenson Chair GMC