

**Fitness to Practise Panels & Investigation Committee hearings week commencing 25 January
2009**

Fitness to Practise

Mr Nigel Philip Michael SACKS
GMC Reference Number: Code A

29724694

21157

Area of practice: London

Planned dates: 14 December 2009 – 23 February 2010 (with non-sitting days on 24, 29, 30 and 31 Dec 2009, 1 Jan 2010 and 8 February 2010)
Regent's Place, 350 Euston Road, London NW1 3JN

The Fitness to Practise Panel will meet at Regent's Place, 350 Euston Road, London NW1 3JN to consider a new case of impairment by reason of misconduct.

The Fitness to Practise Panel will inquire into allegations that Mr Nigel Sacks, a Consultant Surgeon, sought and accepted payment in respect of several procedures he had not carried out, that he later removed the handwritten fee notes that he had submitted to the Accounts Department and that his conduct was inappropriate, misleading and dishonest.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where it considers that the circumstances of the case outweigh the public interest in holding the hearing in public.

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Planned dates: 4 – 29 January 2010
This session is expected to last 20 days.

Please note that the Panel is currently deliberating in private session until further notice.

The Fitness to Practise Panel will meet at Regent's Place, 350 Euston Road,
London NW1 3JN, to continue its inquiry into three new cases of conduct.

This case will be considered by a Fitness to Practise Panel applying the General Medical Council's Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) Rules 1988.

The GMC's statutory purpose is to protect, promote and maintain the health and safety of the public by ensuring proper standards in the practice of medicine.

We investigate complaints about individual doctors in order to establish whether their fitness to practise is impaired and whether to remove or restrict a doctor's registration.

The GMC does not regard its remit as extending to arbitrating between competing scientific theories generated in the course of medical research.

The following is a summary only of the allegations which will be made before the Panel at the forthcoming hearing.

The Panel will inquire into allegations of serious professional misconduct by

Code A in relation to the conduct of a research study involving young children from 1996-98.

Code A were at the relevant times employed by the Royal Free Hospital School of Medicine with Honorary Clinical contracts at the Royal Free Hospital.

It is alleged that the three practitioners were named as Responsible Consultants on an application made to the Ethical Practices Committee of the Royal Free Hospital NHS Trust ("the ethics committee") in 1996 to undertake a research study involving children who suffered from gastrointestinal symptoms and a rare behavioural condition called disintegrative disorder. The title of the study was "*A new paediatric syndrome: enteritis and disintegrative disorder following measles/rubella vaccination*". The Panel will inquire into allegations that the three practitioners undertook research during the period 1996-98 without proper ethical approval, failed to conduct the research in accordance with the application submitted to the ethics committee, and failed to treat the children admitted into the study in accordance with the terms of the approval given by the ethics committee. For example, it will be alleged that some of the children did not qualify for the study on the basis of their behavioural symptoms.

It is further alleged that the three practitioners permitted a programme of investigations to be carried out on a number of children as part of the research study, some of which were not clinically indicated when the Ethics Committee had been assured that they were all clinically indicated. These investigations included colonoscopies and lumbar punctures. It is alleged that the performance of these investigations was contrary to the clinical interests of the children.

The research undertaken by the three practitioners was subsequently written up in a paper published in the Lancet in February 1998 entitled "*Ileal-Lymphoid-Nodular Hyperplasia, Non-Specific Colitis and Pervasive Developmental Disorder in Children*" ("the Lancet paper").

It is alleged that the three practitioners inaccurately stated in the Lancet paper that the investigations reported in it were approved by the ethics committee.

The Panel will inquire into allegations that **Code A** and **Code A** acted dishonestly and irresponsibly in failing to disclose in the Lancet paper the method by which they recruited patients for inclusion in the research which resulted in a misleading description of the patient population in the Lancet paper. It is further alleged that **Code A** gave a dishonest description of the patient population to the Medical Research Council.

The Panel will inquire into allegations that **Code A** administered a purportedly therapeutic substance to a child for experimental reasons prior to obtaining information about the safety of the substance. It is alleged that such actions were irresponsible and contrary to the clinical interests of the child.

The Panel will inquire into allegations that **Code A** was involved in advising solicitors acting for persons alleged to have suffered harm by the administration of the MMR vaccine. It is alleged that Dr Wakefield's conduct in relation to research funds obtained from the Legal Aid Board ("LAB") was dishonest and misleading. It will be alleged that **Code A** ought to have disclosed his funding from the LAB to the Ethics Committee but did not.

The Panel will inquire into allegations that **Code A** ordered investigations on some children as part of the research carried out at the Royal Free Hospital from 1996-98 without the requisite paediatric qualifications to do so and in contravention of his Honorary Consultant appointment.

The Panel will inquire into allegations that **Code A** failed to disclose his involvement in the MMR litigation, his receipt of funding from the LAB and his involvement in a Patent relating to a new vaccine to the Editor of the Lancet which was contrary to his duties as a senior author of the Lancet paper.

The Panel will inquire into allegations that **Code A** acted unethically and abused his position of trust as a medical practitioner by taking blood from children at a birthday party to use for research purposes without ethics committee approval, in an inappropriate social setting, and whilst offering financial inducement.

Dr Saroj ADLAKHA

GMC Reference Number: **Code A**

Area of practice: Birmingham

Planned dates: 4 January – 12 February 2010
Regent's Place, 350 Euston Road, London NW1 3JN

The Fitness to Practise Panel will meet at Regent's Place, 350 Euston Road, London NW1 3JN to consider a new case of impairment by reason of misconduct.

The Panel will inquire into allegations that Dr Saroj Adlakha, a general practitioner, assisted two females to obtain a termination of pregnancy in Spain when she knew that they could not lawfully obtain a termination under the relevant laws of England, Wales or Spain and without carrying out any assessment or examination, or advising of the risks of or alternatives to termination, or offering counselling or making any record of her involvement or informing any medical practitioner the females were registered with.

It is also alleged that Dr Adlakha completed a form that purported to show she had administered a contraceptive injection to one of the females, when she had not, and that she produced the form in an attempt to influence a criminal investigation into her conduct relating to termination obtained by the female. It is further alleged that, in an attempt to influence the witness' evidence, she telephoned a witness and asked him to support Dr Adlakha in her GMC case.

Additionally it is alleged that Dr Adlakha registered a false claim with an insurance company for the cancellation of a holiday, that she applied for a "Blue Badge" disability parking concession using a false referee and that she wrote two prescriptions in the name of a patient whilst her GMC registration was suspended. It is alleged that her actions were in breach of her duties as a doctor, liable to bring the profession into disrepute, irresponsible, inappropriate and dishonest.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where it considers that the circumstances of the case outweigh the public interest in holding the hearing in public.

Mr John Edward William HINES

GMC Reference Number: **Code A**

Area of practice: Ilford, Essex

Dr Paul Kenneth TIMMIS

GMC Reference Number: **Code A**

Area of practice: Ilford, Essex

Planned dates: 11 January – 5 February 2009
Regent's Place, 350 Euston Road, London NW1 3JN

The Fitness to Practise Panel will meet at Regent's Place, 350 Euston Road, London NW1 3JN to consider a new case of impairment by reason of misconduct.

The Fitness to Practise Panel will inquire into allegations that Mr John Hines, a Consultant Urological Surgeon, did not order appropriate tests and investigations for a patient. It is also alleged that following a procedure, Mr Hines did not ensure the patient received appropriate care and treatment and he did not immediately attend the hospital to further assess the patient. In addition, it is alleged that Mr Hines' acts and omissions fell below the standard expected from a reasonably competent Consultant Urological Surgeon, were inappropriate and were not in the best interests of his patient.

The Fitness to Practise Panel will also inquire into allegations that Dr Paul Timmis, a Consultant Anaesthetist, arranged the transfer by ambulance of a patient without ensuring that her condition was sufficiently stable, without preparing the patient appropriately, without skilled assistance or the means to monitor the patient's condition adequately. It is alleged that Dr Timmis' acts or omissions fell below the standard expected of a reasonably competent Consultant Anaesthetist, were inappropriate and were not in his patient's best interests.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where it considers that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Robert Theodore Henri Kees TROSSEL
GMC Reference Number:

Area of practice: London and Rotterdam

Planned dates: 11 January – 5 March 2010
Regent's Place, 350 Euston Road, London NW1 3JN

The Fitness to Practise Panel will meet at Regent's Place, 350 Euston Road, London NW1 3JN to consider a new case of impairment by reason of misconduct, conviction and caution.

The Fitness to Practise Panel will inquire into allegations that Dr Robert Trossel offered, and made false claims about, treatment with stem cells therapy, Vitamin B therapy, Aqua Tilis Therapy, Therapeutic Resonance Imaging, to patients with Multiple Sclerosis and Hodgkins' Disease. It is alleged that, in doing so, Dr Trossel's actions were unjustifiable on the basis of the available scientific or clinical medical evidence, inappropriate, not in the best interests of the patients, exploitative of vulnerable patients, false, misleading, dishonest and an abuse of his position as a doctor.

In addition, it is alleged that on 16 August 2007 Dr Trossel was formally cautioned by the Police for an offence of making off with payment for a service, namely for failing to pay the sum of £472.50 to NCP Car Parks at Stanstead Airport, Essex, on 26 June 2007.

It is further alleged that on 17 February 2009 Dr Trossel was convicted in the Court of First Instance of the Court District of Antwerp of Failing to comply with the statutory provision that every removal and transplant of tissues, cells and organs must be carried out by a physician at a hospital as laid down by the Belgian Hospital Act of 23 December 1963 by removing or transplanting stem cells at a place which was not a recognised Hospital. He was also convicted of the illegal practice of medicine in Belgium by assisting Mr Aanen who failed appropriately to notify the Ministry of Public Health in Belgium of his

intention to perform medical services namely the carrying out of stem cell treatments. Dr Trossel was sentenced to five months imprisonment which was suspended for three years and a fine of four thousand Euros.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Mohamed Khan

GMC Reference Number: Code A

Area of practice: Hampshire

Planned dates: 14 January 2010 to 27 January 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct.

The Panel will inquire into the allegation that Dr Khan prescribed outside the Maudsley Prescribing Guidelines for patients with various mental health symptoms. It is further alleged that Dr Khan's actions in this regard were inappropriate and not in the best interests of his patients.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Argirios TSOUKLIS

GMC Reference Number: Code A

Area of practice: Berkshire and North Yorkshire

Planned dates: 18 to 26 January 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct.

The Panel will inquire into the allegation that, in August 2007, Dr Tsouklis, whilst working as a locum Specialist Registrar at the Royal Berkshire Hospital in Reading, prescribed morphine to a patient despite concerns expressed by nursing staff and medical colleagues, the contra-indications and the hospital's protocols for the administration of morphine, and without seeking the opinion of a Consultant.

In May 2008, whilst working as a locum Specialist Registrar at Scarborough Hospital, Dr Tsouklis administered an inappropriate dose of midazolam intravenously to a patient and performed a lumbar puncture without a local anaesthetic and without using an aseptic technique. It is further alleged that Dr Tsouklis denied administering midazolam when questioned by a member of staff. It is further alleged that, in July 2008, Dr Tsouklis, inserted a chest drain into a patient using a contaminated wire and

contaminated the sterile field.

It is alleged that Dr Tsouklis actions or omissions in the above were inappropriate, not in the best interests of the patients, below the standard to be expected of a reasonably competent Specialist Registrar.

It is further alleged that, following the insertion of the above chest drain, Dr Tsouklis took the clinical trolley containing used and contaminated equipment into a clean utility room and not the sluice room, cleared the trolley without wearing gloves, threw a pair of gloves onto the floor which had been offered to Dr Tsouklis to use, put the contaminated sharp instruments into the clinical work bin and not the sharps bin, became abusive and aggressive towards the Infection Control Trainer, and did not wash his hands. It is alleged that his conduct in this regard was inappropriate, liable to bring the medical profession into disrepute and not in the best interests of patients and/or hospital staff.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Rainer Zierer

GMC Reference Number: **Code A**

Area of practice: London and Nottingham

Planned dates: 18 January 2009 to 29 January 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a case of impairment by reason of misconduct and deficient professional performance.

The Panel will inquire into the allegations that Dr Zierer, whilst working as a locum in Nottingham, was reviewed by Lambeth PCT, on whose Performers List he was listed.

It is alleged that the PCT's review showed Dr Zierer's professional performance was deficient in the areas of history taking, examination, treatment planning, prescribing and record keeping. It is alleged that Dr Zierer refused to undergo any training program and declined to refrain from practising when requested to by the PCT.

It is alleged that Dr Zierer refused to undergo an assessment by the General Medical Council of his professional performance. It is also further alleged that Dr Zierer published or caused to be published misleading, scandalous and inappropriate allegations concerning fellow professionals on the internet. It is alleged that Dr Zierer repeated these allegations to a patient and brought them to the attention of the police.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Jane Ann BARTON

GMC Reference Number: 1587920

Area of practice: Gosport, Hampshire

Planned dates: 18 – 29 January 2010
Regent's Place, 350 Euston Road, London NW1 3JN

The Fitness to Practise Panel will reconvene at Regent's Place, 350 Euston Road, London NW1 3JN to continue to consider one new case of conduct.

Please note that the Panel will sit in private on Monday 18 January 2010 and Tuesday 19 January 2010.

This case will be considered by a Fitness to Practise Panel applying the General Medical Council's Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) Rules 1988.

In August 2009 a Fitness to Practise Panel commenced consideration into allegations against Jane Ann Barton, a medical practitioner, relating to her treatment of 12 patients whilst working as a clinical assistant in elderly medicine at the Gosport War Memorial Hospital, Hampshire between January 1996 and November 1999.

The Panel found proved allegations that Dr Barton prescribed drugs, including Diamorphine and/or Midazolam, to be administered to the patients and that in some instances the dose range was too wide and the prescriptions created situations whereby drugs could be administered which were excessive to the patients' needs. The Panel further found proved allegations that Dr Barton's actions in prescribing the drugs were inappropriate, potentially hazardous and not in the patients' best interests.

The Panel also found proved allegations that, in respect of four patients, the lowest doses or lowest commencing doses of Diamorphine and/or Midazolam that Dr Barton prescribed were too high and that that in respect of four patients Dr Barton did not obtain the advice of a colleague when a patient's condition deteriorated.

The Panel further found proved allegations that Dr Barton failed to appropriately assess the condition of the 12 patients before prescribing opiates and that she did not keep clear, accurate and contemporaneous notes in relation to the patients' care.

The Fitness to Practise Panel will reconvene on 18 January 2010 to consider whether Dr Barton has been guilty of serious professional misconduct in respect of the facts that have been found proved and, if so, the Panel will go on to consider whether or not it should make any direction regarding her registration.

Dr Louay Al-Alousi
GMC Reference Number: Code A

Area of practice: Nottinghamshire.

Planned dates: 18 January 2010 to 2 February 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new and review case of impairment by reason of misconduct and deficient professional performance.

The Panel will review the case of Dr Al-Alousi whose registration is subject to conditions until 4 February 2010 by virtue of a decision by a Fitness to Practise Panel on 4 January 2008. The Panel will also enquire into further allegations surrounding Dr Al-Alousi's conduct and performance relating to seven post mortem examinations between January 2004 and December 2007. It is further alleged that Dr Al-

Alousi's conduct in this regard was below the standard expected of a Home Office Consultant Forensic Pathologist.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr David HICKSON

GMC Reference Number: Code A

Area of practice: East Yorkshire

Planned dates: 20 to 29 January 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct.

The Panel will inquire into the allegation that Dr Hickson, whilst working as a GP, commenced a sexual relationship with a patient who had a history of mental illness. It is further alleged that Dr Hickson continued to consult with the patient and with her husband, who was also his patient. Further, it is alleged that Dr Hickson, when confronted about the alleged relationship, denied the relationship with the patient, suggested that the patient was infatuated with him and that she was stalking him.

It is alleged that Dr Hickson's actions were improper, an abuse of his professional position and were not in either the patient's or her husband's best interests.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Daud Basharat Akbar KHAN

GMC Reference number: Code A

Area of practice: South West London

Planned dates: 25 January 2010
MWB Meeting Venues, Liberty House, 222 Regent Street, London W1B 5TR

The Fitness to Practise Panel will meet at MWB Meeting Venues, Liberty House, 222 Regent Street, London W1B 5TR to review one case of impairment by reason of misconduct.

The Panel will review the case of Daud Basharat Akbar Khan, a general practitioner, whose registration is suspended until 26 February 2010 in consequence of a direction by a Fitness to Practise Panel January 2008.

In June 2006 a Fitness to Practise Panel found proved allegations that Dr Khan's actions had been inappropriate and dishonest in relation to claims he had submitted to his Primary Care Trust for reimbursement in respect of practice staff and expenses. The Panel imposed conditions on his registration for a period of 18 months.

At a review hearing in January 2008 a Panel suspended Dr Khan's registration for a period of 12 months. He appealed against the direction. The High Court dismissed the appeal in February 2009.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where it considers that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Barbara CZASLAWSKA
GMC Reference Number: Code A

Area of practice: Greater Manchester

Planned dates: 25 January to 5 February 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct.

The Panel will inquire into the allegation that, in June 2008, whilst working as a Consultant Orthopaedic Surgeon at Greater Manchester Surgical Centre, Dr Czaslawska did not advise a patient of the risks and complications associated with a surgical procedure and failed to secure the consent of that patient. It is further alleged that Dr Czaslawska performed a procedure and encountered several complications and did not seek advice from a specialist surgeon in this regard. It is also alleged that Dr Czaslawska signed an operation note which did not include information regarding the complications she encountered and the damage that she had caused to the patient. It is also alleged that when Dr Czaslawska referred the patient she did not mention the damage that she had caused to the patient. It is further alleged that Dr Czaslawska submitted a dishonest and misleading report to the General Healthcare Group.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Magued Hobrok
GMC Reference Number: Code A

Area of practice: London & South West

Planned dates: 25 January 2010 to 12 February 2010
St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct, and deficient professional performance.

The Panel will inquire into the allegation that Dr Hobrok, whilst specialising in Obstetrics and Gynaecology at number of locations, failed to gain the fully informed consent of patients, made incorrect and inadequate assessments in a number of cases. In one case this resulted in an incorrect procedure being performed, and in another procedure Dr Hobrok used unnecessary force. It is also alleged that Code A Hobrok's record keeping and prescribing along with the conduct above was inadequate, clinically unjustified, not of the standard to be expected of a reasonably competent medical practitioner employed as a senior registrar and not in the best interests of his patients.

It is also alleged that Dr Hobrok's conduct towards his colleagues in various respects was inappropriate, aggressive and unjustified. Dr Hobrok made comments regarding the Trust's protocol for hand washing that were inappropriate and not in the best interests of his patients.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr David COLLIER

GMC Reference Number: **Code A**

Area of practice: Ayrshire

Planned dates: 27 January 2010

St James's Building, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Building, 79 Oxford Street, Manchester, M1 6FQ to consider the review case of impairment by reason of misconduct.

The Panel will review the case of Dr Collier whose registration is subject to conditions in consequence of a direction by a Fitness to Practise Panel in November 2008.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Yosef M Alsaieq

GMC Reference Number: **Code A**

Area of practice: Sussex

Planned dates: 27 to 29 January 2010

St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct.

The Panel will inquire into the allegation that Dr Alsaieq on an application for full medical registration with the General Medical Council dated 9 July 2008, withheld information regarding his being interviewed under caution on in July 2007 and May 2008 about allegations that he had committed benefit fraud.

It is further alleged that Dr Alsaieq's conduct in this regard was inappropriate, dishonest and below the standard expected of a registered medical practitioner.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr Kirsten KROBATH

GMC Reference Number: Code A

Area of practice: Leicestershire

Planned dates: 28 January 2010

St James's Building, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Building, 79 Oxford Street, Manchester, M1 6FQ to consider a review case of impairment by reason of deficient professional performance.

The Panel will review the case of Dr Krobath, a locum general practitioner, whose registration is suspended until February 2010 in consequence of a direction by a Fitness to Practise Panel in January 2009.

Dr Krobath underwent an assessment of the standard of her professional performance, the conclusion of which was that she was unfit to practise as an independent general practitioner and that the standard of her professional performance was deficient.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Dr James Alexander TAYLOR

GMC Reference Number: Code A

Area of practice: North Yorkshire

Planned dates: 28 – 29 January 2010

St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ

The Fitness to Practise Panel will meet at St James's Buildings, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of a conviction or caution.

The Panel will inquire into the allegation that on 22 July 2009 at Teeside Crown Court, Dr Taylor, having previously entered a plea of guilty, was convicted of sixteen counts of making an indecent photograph of a child contrary to section 1(1)(A) of the Protection of Children Act 1978 and one count of possession of an indecent photograph of a child between 1 July 2007 and 8 January 2009. It is alleged that, on 4 September 2009 at Teeside Crown Court, Dr Taylor was sentenced in respect of his conviction.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Mr Simon Keith Marsh

GMC Reference Number: Code A

Area of practice: London and Colchester

Planned dates:

16-17 January at St James's Building, 79 Oxford Street, Manchester, M1 6FQ and on
30-31 January 2010 at Regent's Place, 350 Euston Road, London NW1 3JN.

The Fitness to Practise Panel will re-convene at St James's Building, 79 Oxford Street, Manchester, M1 6FQ to consider a new case of impairment by reason of misconduct.

The Panel will inquire into the allegation that Dr Marsh, whilst employed as a Consultant Breast Surgeon at the London Breast Clinic and a Consultant General Surgeon at the Oaks Hospital Colchester, arranged for a bone scan and liver ultrasound on one patient and that these investigations were unnecessary and incurred financial cost to AXA PPP Healthcare. It is further alleged that Dr Marsh excised a lump and further tissue on another patient's breasts and that the procedures were not clinically indicated, unnecessary, contrary to the patient's wishes to avoid surgery and incurred financial costs to AXA PPP Healthcare.

It is further alleged that on a number of occasions Dr Marsh recorded incorrect codes in respect of procedures on invoices to AXA PPP Healthcare and overcharged for the cost of local anaesthetic.

The Panel will inquire into the allegation that in all respects Dr Marsh's conduct was inappropriate and in some respects misleading and below the standard to be expected of a Consultant Breast and/or General Surgeon.

In accordance with Rule 41(2) of the General Medical Council (Fitness to Practise) Rules 2004, the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public.

Investigation Committee (Oral) hearings

There are no investigation committee hearings this week.

Notes to Editors:

For further information please contact the Media Relations Office on 020 7189 5454, out of hours 020 7189 5444, email press@gmc-uk.org, website www.gmc-uk.org.

The General Medical Council registers and licenses doctors to practise medicine in the UK. Our purpose is summed up in the phrase: *Regulating doctors, Ensuring Good Medical Practice*.

The law gives us four main functions:

- keeping up-to-date registers of qualified doctors
- fostering good medical practice
- promoting high standards of medical education
- dealing firmly and fairly with doctors whose fitness to practise is in doubt

Merger of PMETB with GMC

From 1 April 2010, (subject to legislation) the functions of the Post Graduate Medical Education and Training Board (PMETB) will be transferred to the GMC, creating a simpler and clearer framework for the regulation of medical education and training.

In February 2008, the Secretary of State announced that PMETB would be merged with the GMC, following a recommendation from **Code A** Independent Inquiry into Modernising Medical Careers. Following the merger, all stages of medical education and training will fall under the GMC's remit. For more information please visit www.gmc-uk.org or www.pmetb.org.uk

Office of the Health Professions Adjudicator (OHPA)

From April 2011, the adjudication of fitness to practise cases involving doctors will transfer from the GMC to a new body called the Office of the Health Professions Adjudicator (OHPA). OHPA is being established under the Health and Social Care Act 2008. It is being created to ensure clear separation between the investigation of fitness to practise cases and the process of determining whether a professional's fitness to practise is impaired.

To begin with, the new body will be responsible for making decisions on fitness to practise cases brought forward by the GMC and, in time, the General Optical Council. Over time, other regulators of healthcare professionals may transfer their adjudication functions to OHPA. For more information about OHPA, please visit www.ohpa.org.uk

The GMC will remain the regulator for doctors, continuing to set the standards for professional practice and receiving and investigating allegations about their fitness to practise.

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