

**From:** Harris, Elizabeth </O=BAS EXCHANGE/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN= Code A

**Sent:** 20 August 2009 14:20

**To:** Tiller, Sara; Olga Senior; Graham Groves ( Code A  
Montgomery, Jonathan; Tyler, Hilary; Samuel, Richard; Ward, Stuart; Clanchy, Helen; Woodland, Betty (HPCT-SE); Kiran Bhogal; Stratford Allison - Head of Communications; Popplewell, Richard; Harriman, Sue

**Cc:** Copage, Manda; Ingram, Stephanie; dcommunications - NHPCT; Caroline Searle; Julie Dean; McBride, Annette

**Subject:** Dr Jane Barton GMC hearing update

**Attachments:** Barton (M) facts final 20 Aug 2009.doc; Barton amended charge for Press Office Revised 12 June 2009 (2).doc

**Categories:** To do

Dear all,

The GMC Panel held a public session this morning to announce its findings on facts (attached). It has been determined that the facts are sufficient to support a finding of serious professional misconduct.

The Panel has made multiple findings that Dr Barton's conduct has been inappropriate, potentially hazardous and/or not in the best interests of her patients. It has concluded that the facts found proved (both admitted and otherwise) would not be insufficient to support a finding of serious professional misconduct.

#### **Next steps**

The Panel will invite Counsel for the GMC to adduce evidence, if he wishes to do so, as to the circumstances leading up to the facts which have been found proved, the extent to which those facts indicate serious professional misconduct on Dr Barton's part and as to her character and previous history. The Panel will then invite Counsel for Dr Barton to address it on her behalf in relation to those matters and also to adduce evidence in mitigation, if he wishes to do so.

The Panel will then proceed 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, they will go on to consider whether or not they should make any direction regarding her registration.

#### **Timings of next steps**

In the light of the finding and as there is only one full day left of this session, the Panel has determined, with the agreement of both parties, to adjourn the case part-heard and to resume as soon as possible. Owing to commitments of members of the Panel, the case cannot resume before January 2010. Dates will be agreed with parties in due course.

#### **Background**

The case is being considered by a Fitness to Practise Panel applying the GMC Professional Conduct Committee Rules 1988.

The hearing began on Monday with 15 detailed charges relating to 12 patients being read. Eight of these patients were covered by the inquests - Elsie Devine, Robert Wilson, Ruby Lake, Enid Spurgeon, Arthur Cunningham, Leslie Pittock, Helena Service and Sheila Gregory. Four are new cases - Gladys Richards (this case will be subject to an inquest later in the year), Jean Stevens, Eva Page and Alice Wilkie.

Dr Barton immediately admitted a number of elements of the charges – most notably that in 11 cases 'her actions in prescribing (some but not all) of the drugs were potentially hazardous'; that in 11 cases 'the prescription created a situation whereby drugs could be administered which were excessive to the patient's needs'; in 10 cases that 'the dose range was too wide' and that notes in all cases were inadequate.

Many thanks,

Elizabeth

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