

GENERAL MEDICAL COUNCIL
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Your reference
In reply please quote PBH/PM/PDI/8846

6th August, 1991

CONFIDENTIAL: FIRST CLASS

Dear Dr Glatt,

I am replying to your letters of 11th and 14th June, 1991 concerning Professor Winston. I have referred your correspondence to the Chairman of the Council's Preliminary Proceedings Committee who is a medical member of Council appointed to undertake the initial consideration of complaints about the conduct of doctors. The Chairman has also consulted a lay member of the Council who is appointed to advise on such matters.

The Chairman has asked me to first say that he appreciates your reasons for writing to the Council about this matter. He wishes me to explain that the Council's disciplinary powers in relation to doctors are defined in the Medical Act 1983. The Act enables the Council to take formal disciplinary action in response to a complaint about a doctor's professional conduct only where there is direct evidence of behaviour by the doctor which appears to be so serious that it could justify holding a formal inquiry to decide whether it might be necessary to restrict or remove the doctor's registration. The words used in the Act to describe such behaviour are "serious professional misconduct".

The Chairman has given very careful consideration to your letters and the transcript of the television programme in question. However, he has decided that there is insufficient evidence to justify disciplinary action against Professor Winston on the grounds that he disparaged your professional abilities. The Council considers that doctors should be free to express general comments in the media on matters of public interest, and the Chairman notes that you have provided no evidence which would indicate that Professor Winston had any control over the context in which his comments, which do not mention any doctor by name, were transmitted.

In the circumstances, I have been asked to inform you that it is not possible for the Council to intervene in the matter.

Yours sincerely,



PP P Barton-Hanson (Ms)

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