

Your reference
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MRB/KE/PDI/8941

13th January, 1992

Dear Dr. Glatt,

Thank you for your further letters of 25th November and 5th December. I am sorry you have not received earlier replies to your letters of 11th and 18th October and 11th November. I have now submitted all your correspondence and enclosures to a medically qualified member of the Council appointed as preliminary screener of initial complaints about the conduct of medical practitioners. I should explain that the preliminary screener performs the same function in relation to complaints as the Chairman of the Council's Preliminary Proceedings Committee who considered your earlier correspondence. The screener has consulted a non-medical member of the Council appointed to advise him on such matters.

The screener has asked me to say first of all that there is no strict time limit by which complaints should be received by the Council. However, you will appreciate that it is often extremely difficult to pursue complaints if many years have elapsed since the events complained of, due to legal and practical reasons.

The screener has considered most carefully all the further information you have provided and has undertaken a complete review of all the documents previously seen by the Chairman.

In deciding whether to direct the Council to intervene under its statutory powers, which he notes were explained to you in the Council's letter of 6th August, 1991, the screener has had to decide whether, in the matters you raise, there is any issue so grave that it could be judged as serious professional misconduct on the part of Dr. Winston. The screener has decided that no such issue is raised.

In taking this decision, the screener has had in mind the Council's guidance contained in paragraph 62 of the booklet "Professional Conduct and Discipline: Fitness to Practise", a further copy of which is enclosed. He has analysed the points you make about each aspect of the programme in question and does not consider that Dr. Winston offered other than what could reasonably be interpreted as honest comment and that he offered it in good faith.

The screener has also had regard to the advice in paragraph 64 of the booklet, and does not consider that the description of comment in that paragraph can be applied to that made, either directly or by implication, by Professor Winston in the television programme.

The screener understands why you felt it necessary to write to the Council about this matter and is grateful for the trouble you have taken both to assemble all the details for his consideration and to explain so clearly your feelings about them. He hopes you will understand why, in all the circumstances, he has decided not to invoke the Council's statutory disciplinary procedures in relation to your complaint.

Yours sincerely,



Martin Bainton

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