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Professor Sir Peter Rubin by email [practise@gmc-uk.org](mailto:practise@gmc-uk.org) and [Peter.Rubin@nuh.nhs.uk](mailto:Peter.Rubin@nuh.nhs.uk)  
Chair of General Medical Council Please respond to [gilliatj@doctors.org.uk](mailto:gilliatj@doctors.org.uk)  
London

Dear Sir Professor Rubin

I am writing this open letter and enclosures to you, as Chair of the GMC,  
requesting a personal reply.

**June 1991 (initial complaint)**

I first forwarded a gross professional misconduct complaint against Lord Professor Robert Maurice Lipson Winston in June 1991, in which I described defamatory comments he made in a TV programme, but the GMC preliminary screener rejected it without investigation on the basis that he did not think defamation had taken place. Yet, my private action in 2000 against Winston for his defamation on TV resulted in him settling out of court.

**Oct 1991**

My Oct 1991 complaint presented Winston's new, further, highly defamatory comments<sup>3</sup> in a letter he sent to the TV company in July 91, several months after the TV broadcast, and other, newly presented misconducts. The GMC preliminary screener again failed to forward this complaint for proper investigation. His rejection letter, 13 Jan '92 made it clear he had completely misunderstood or ignored the misconduct issues which were not even mentioned, but explained his reasoning for rejection solely and exclusively on the grounds of the initial defamatory comments Winston made on TV, without even mentioning Winston's July defamatory letter.

These 1991 rejections represent an extra-ordinary cock-up but almost pale into insignificance when compared to what happened next.

**2000, 2004, 2007**

As you know, I complained to the GMC in 2000, 2004, and 2007, regarding multiple other professional misconducts providing hundreds of pages of incontrovertible evidences, asking the GMC to investigate them as they were newly discovered, extremely serious, and in the public interest. The GMC refused to initiate an investigation.

### **The General Medical Council**

The GMC failed to forward my Oct 1991 complaint for formal investigation.

The GMC's refusal to investigate the complaints from 2000 onwards was unconscionable given the incontrovertible evidences for new multiple gross professional misconducts – which were so damning, and the evidence so compelling, that each one would have justified a GMC inquiry in its own right. The GMC gave the absurd pretext for refusing to initiate an investigation in 2000, 2004, and 2007 that the gross professional misconducts were the same as in my initial 1991 complaint. But the body of these were different misconducts, of which I had not been aware until many years after 1991, so could not have, and had not, complained of them in '91. I pointed out how nonsensical the GMC's response was each time, but never received a reply regarding this surreal charade.

There are only two rational explanations I can think of for the GMC's persistent refusal to investigate; -

#### **1. Corruption**

- The refusal to investigate must have occurred at the highest echelons of the GMC. I believe there were at least two reasons for this.
  - a) Lord Professor Robert Winston's stature and establishment connections. He is the most famous doctor in the UK and is a household name due to his frequent TV appearances and programmes, especially. Winston has powerful media, professional political, and establishment connections. The horrific nature of the complaints, and the personality involved, could not

have failed to reach the ears of those in the highest echelons of the GMC, I believe.

- b) The competence and partiality of the GMC has been criticised by the medical profession, public and the press frequently over the past decades. I believe the GMC would have loathed to hold an inquiry into Winston's misconduct over the past years because the incompetence with which it has dealt with the scandal from 1991 to date would become very public knowledge, and the GMC exposed to scathing criticism with untold consequences for those in high authority at the GMC. It was therefore in the GMC's own interests to brush the affair under the carpet.

## 2. Incompetence

- See headings above – **June 1991**(initial), **Oct 1991**, and **2000, 2004 and 2007**
- Mere reading of the full text of all of the rejection letters underlines just how inept the GMC was. Please re-read them Sir Professor Rubin. The rejection letters are full of floundering flannel and bureaucratic mumbo-jumbo purporting to give an explanation for the reasons for rejection. But none of them mention the more than 13 gross professional misconducts – ever (except defamation). What an extraordinary triumph of mindless bureau-speak over the English language! The cardinal point, however, is that the only gross professional misconduct ever mentioned or discussed in any of the rejection letters was that relating to defamation.
- Each rejection letter since my 1991 complaints gave exactly the same specific excuse for refusing to initiate an investigation. That is, the GMC alleged the misconducts I complained of from 2000 onwards were the same as my initial 1991 complaint. This was a shamefully lame and dishonest contention, but appears to have been deliberately used - with stubborn repetition - as a tool with which to blindly steamroller each of my lengthy, logically presented and highly detailed, evidence based complaint letters over the years. The only plausible explanation was incompetence, but it also represented a dishonest, cynical strategy (corruption) embarked upon by the GMC to avoid investigating the Winston affair for reasons discussed in **1**, above.

You will be now be aware of the reasons for my having expressed concerns about the GMC's competence and corruption in the past<sup>4</sup>, and my previous reference to

the public's common perception of the GMC as a dysfunctional, brainless dinosaur<sup>5</sup>.

## Summary

The GMC, by its own admission, has failed to investigate a large number of Winston's gross professional misconducts repeatedly presented to it since Oct 91 - claiming in each rejection letter the reason for so doing was they were the same as my initial 1991 complaint, when it knew this could not possibly be the case. I have explained the logic as to why incompetence, corruption and lack of integrity/dishonesty are concerning issues.

## Sir Professor Rubin – Your Involvement

I spoke with you on 28 Aug 09 asking for a personal meeting in your role as newly appointed Chair of the GMC, as I currently work in the same hospital as you. You promised to first obtain, and scrutinise, the Winston file/previous correspondences, but you then declined to meet (“I cannot help on this one”). In fact, I wrote to your predecessor, Sir Graeme Catto, in a similar manner, but my correspondence, and request for a personal meeting, was simply ignored<sup>6</sup>. I knocked on your office door today at the hospital, but you could not see me. This letter was in my pocket and I asked to see you for a “few minutes” as I wanted to avoid sending it. You were busy and did not want to discuss GMC business and told me to send it, which I am now doing.

I wrote to you on 16 Sept 09, but there was no reply. I wrote a detailed letter to you again on 8 March 10 ending it as follows “**you have the power as President to see Winston is investigated in the public interest.**” You did not reply, and did not exercise your power but merely offloaded my letter to Jackie Smith knowing she would reply with her usual round robin five line bland refusal without referring to any of my points<sup>7</sup>.

The reason for this letter is that you have the position, authority and duty to ensure the GMC fulfils its function as per constitution as laid down by parliamentary statutes, and have the responsibility and ability to ensure the GMC initiates an investigation.

I would have no problems with the GMC if it formally investigated the Winston scandal, even if it reached a negative conclusion. My sole concern, however, is that the GMC has not bothered to even initiate an investigation of multiple gross professional misconducts on its own admission, and am concerned that the reasons for this failure is because of corruption at the highest echelons and incompetence, which is why this letter has brought this to the fore. Moreover, the GMC's whole approach to date would be

considered by the man in the street to be frankly dishonest. You have been personally fully aware of all the details of the Winston scandal for some time and would like to think you are not involved in this manner.

I therefore urge you not to associate yourself too closely with the GMC's stance initiated prior to your taking up position as Chair, in which it has bent over backwards to avoid initiating a proper investigation into Winston's multiple gross professional misconducts. You cannot condone Winston's falsification of the medical record, concealing vital test results from the medical record and the patient's GP, lying to a patient and her GP about the patient's medical condition after fabricating false diagnoses, deliberately destroying a patient's reproductive career, concealing a journalist in the patient's first consultation, perverting the course of justice, lying to the medical profession in a letter Winston published in the BMJ, etc..

Sooner or later, I will ensure the whole affair will become public knowledge in the public interest, in which case the GMC's, and those in authority's, role in the scandal will be exposed to close scrutiny and the behaviour of critical players will be scrutinised in the full glare of media attention; this should be seen as an opportunity for the GMC, and its key players, to be seen in a good light and to justly benefit from widespread favourable publicity if it is seen to do the job it is meant to do.

I ask the following of you:-

- a) The courtesy of a personal response to this letter, as it is addressed to you. I beg of you not to ignore it, or to fob it off to someone else. My past correspondences with you inevitably mean you are now deeply involved in this whole affair.
- b) Once again I respectfully ask for a private meeting with you.
- c) Please exercise your duty as Chair of GMC to ensure that a proper investigation is initiated into all the extremely grave, gross professional misconducts listed in the ENDNOTE and encompassed by other correspondences. The complaints have been ongoing and current since Oct 91 only because the GMC has refused to initiate an investigation on the persistent, absurd, pretext that the misconducts were the same as I described in my initial 1991 complaint. They will remain ongoing and current until as such time you ensure the GMC agrees to initiate a formal investigation in the manner proscribed by its constitution, as per statutory duty, which you are duty bound to uphold. I am writing this letter to beg you to do this, in the public interest. Please act.

Incidentally, and irrespective of the patient's knowledge, the gross professional misconduct complaints also remain ongoing and current because neither Winston nor the GMC has formally told the patient the truth about her state of health or what happened to her, and Winston has not retracted his BMJ letter which therefore remains an ongoing, published lie about which the GMC is fully aware, but has done nothing.

- d) Sir Graeme Catto, your predecessor, did not reply to my detailed, important letter of 13 November 2007, in which I reminded him he had not replied to a letter I wrote him in 2004. I am enclosing a copy of it with this correspondence for ease of reference. I would appreciate your personal replies to all the points and questions raised in the 11 numbered sections and in the following General Comment and Summary sections of this open letter, as it was intended for his office as President of the GMC rather than to him personally. If you prefer, I could readdress it to your name.
- e) You must conduct an inquiry into how the GMC has handled the Winston affair to date, and fully investigate my charges of systemic failure, corruption and incompetence, transparently.

Yours sincerely

Jack Gilliat MBA, MBBS, MRCP, MRCOG, DipObs  
Consultant Specialist in Internal Medicine, Diabetes and Endocrinology

## **ENDNOTE**

### **Winston's Gross Profession Misconducts – a non exhaustive list**

Forgery/falsification of the medical record.

Concealing critically important medical reports on 2 sets of X-rays from the medical record, and from the GP.

Perversion of the course of justice; - fabricating the medical record after initiating a complaint to the GMC, and doing so several days after the TV company informed him of my complaint to the Broadcasting Complaints Commission and of possible legal action.

Deliberately lying to a patient regarding her medical condition by concocting a false diagnosis so making her believe she was infertile due to a diseased uterus (congenital uterine septum) whereas all tests to date of this purported diagnosis showed no significant pathology.

Destroying the remainder of the patient's reproductive career by withholding all directed infertility treatment for over a year when she was already 39 + yrs old.

Lying to the patient's GP, deliberately misleading the GP, and concealing vital test results over a period of approximately 1 year.

Concealing the presence of a journalist during the patient's 1<sup>st</sup> consultation.

Subjecting the patient to operative procedures under general anaesthetics via improperly obtained consent obtained under false pretences.

Physical assault, given the previous paragraph.

Lying to the medical profession in a letter published in the BMJ.

Deliberately, and falsely, destroying the trust of the patient in her medical practitioner.

Abusing his position of trust.

Inventing another concocted diagnosis of extensive uterine adhesions to replace that of congenital uterine septum. None of her previous uterine investigations had shown this diagnosis but the circumstances show the reason for the sudden switch in diagnosis was Winston's knowledge that my evidences to the GMC and Broadcasting Complaints Authority showed his concocted diagnosis of congenital uterine septum was untenable.

Falsely advising the patient she would need 5 further operative procedures to deal with the concocted diagnosis of extensive uterine adhesions.

Acting in a manner likely to bring the medical profession into dispute.

Dishonesty.

Defamation/ gratuitous denigration of a medical colleague.

Doing all of the above with the sole intention of destroying the reputation of a rival in the same field as he.

Supplying a complete copy of the patient's Hammersmith Hospital medical records to the TV company without proper consent and authority from the Dept of Health, or the patient.

Failing to communicate with medical colleagues to obtain relevant past history and test results, without which it would have been impossible to properly advise or manage the patient.

Encl 13 Nov 2007 letter to Sir Graeme Catto