

Complaints against Lord Professor Robert Maurice Lipson Winston of Gross Professional Misconduct

08 March 2010
Professor Peter Rubin
President
The General Medical Council
London

by email practise@gmc-uk.org

Dear Professor Rubin

I am writing to you regarding all the complaints I have presented to the General Medical Council since 1991 in which I have presented specific evidences of multiple gross professional miscondacts by Winston.

My Initial Complaint 1991

My initial complaint of June 91 involved defamatory comments made by Winston in a TV programme broadcast in April 1991. The GMC rejected this in its refusal letter of 6 August 91 claiming a) there was no defamation in that broadcast, when there had been (the GMC was badly mistaken in its judgement as Winston was forced to settle damages out of court in 2000, specifically regarding these comments), and b) Winston did not have "any control over the context of the programme", so the GMC claimed his derogatory comments were not relevant to me. The GMC refusal letter made it clear it had investigated defamation in context of the broadcast only, but considered no other matters – and had rejected my complaint at the preliminary screening process so had not forwarded it for investigation.

My Subsequent Complaint 1991

I made another complaint on 18 Oct 91 because further inquiries I had made whilst the GMC was investigating my June complaint, revealed several new areas of gross professional miscondacts of which I had not been aware previously and so had not presented them to the GMC in my original complaint of June 1991. This new complaint related to the following miscondacts; -

1. An open letter Winston wrote in June 91 to the Cook Report - many weeks after the broadcast - in which he made extraordinary, reckless, malicious, highly disparaging personal comments about my professional abilities which could only have been intended to destroy my professional reputation and credibility. I did not know of his letter at the time of my initial, June 91, complaint, and this was therefore a new complaint of defamation; - For example;- "**unluckily for her, (she) went to see Dr Glatt.**" "**Dr Glatt tries to absolve himself from responsibility for this patient by saying that he had very little contact with this couple. Of course this is no excuse for his inadequate care, ...**". "**Dr Glatt claims that the uterus was measured for length using ultrasound. This is fine as far as it goes, but of course ultrasonic investigation of the uterus is an extremely poor way of assessing whether or not there is a uterine abnormality. In my view, the assessment of a uterus was most incompetent**". "**What is extraordinary is that in spite of Mrs Langton's repeated request, no attempt of investigation as to the cause of miscarriage was undertaken.**" "**All of Mrs Langton's miscarriages were dealt with by the National Health Service, where the uterus was scraped out. This, I think, says a considerable amount about the deficiency of the care provided by Dr Glatt, who preferred to dump his ill patient on a National Health Service Hospital...**" "**a number of irregularities which were of a serious nature.**" "**... whilst I regard many of the inadequacies of his practice clearly deficient...**". The GMC's code of conduct makes it clear such comments constitute gross professional misconduct, as would be the case with any other professional body.
2. Other newly discovered matters of professional misconduct unrelated to defamation.
3. Incidentally, I asked that the issue of Winston's original defamatory comments against me on the Cook Report TV programme itself be reassessed. After all, the GMC's excuse for rejecting my original complaint in June 1991 was because the GMC believed Winston did not have any control "**over the context in which his comments ... were transmitted**" by the TV programme. The GMC made a cardinal error in this respect as it had not bothered to make proper inquiry or to ask

me for my evidences prior to making its flawed decision. I therefore provided newly discovered Evidences in my subsequent complaint (18 Oct 91) showing Winston – contrary to the GMC's belief - did, in fact, have control over the context of how his comments were transmitted as; a) he was the programme's medical advisor in respect to the patient, b) had personally recruited the patient on to it, c) had approved the final version, and d) by Winston's deliberate inaction, permitted his patient's false complaint, which he had specifically engineered, to be rebroadcast in July 91 and in 1994.

Unfortunately, the GMC again rejected this second complaint of Oct 1991 at the preliminary screening process without forwarding it for investigation. The screener's only explanation was he had again based rejection on the issue of defamation during the broadcast. Stunningly, the misconduct issues, nos. 1-3 above, were not mentioned in the rejection letter.

My Complaints of 2000, 2004, and 2007

These complaints described at least 18 new areas of gross professional misconduct (see end noteⁱ). These had not been considered by the GMC previously, mainly because I had not been aware of their details until many years after the initial broadcast. I provided well over 40 new Evidences related to the new complaints.

However, none of my new complaints were presented to the GMC's screening process as required by statutory process and enshrined in the GMC's own constitution. Instead, each of the complaints were intercepted by the GMC's executive/secretariat and rejected out of hand, on the purported basis that the GMC had investigated the matter in 1991 (endnoteⁱⁱ). This explanation was untenable. I was not even aware of most of the details of the gross professional misconducts until about 1998 so, quite obviously, the GMC could not have investigated the matter in 1991. I explained this in each of my complaints, but the GMC has repeatedly failed to explain this absurdity.

Summary

None of the extremely serious multiple gross professional misconducts (see endnoteⁱⁱⁱ) have ever been investigated by the GMC. My Oct 91 complaint was improperly screened, as some misconducts were not even considered according to the rejection letter, so the complaint was rejected without any investigation process at all. My 2000, 2004, and 2007 complaints have all been intercepted by the secretariat/executive and rejected out of hand instead of being presented to the GMC's constitutional investigatory process.

Conclusion

Each of the initially discovered misconducts of my Oct 91 complaint, including the further case of extraordinary disparagement of Winston's June 91 letter to the TV company, were serious enough to have justified a GMC disciplinary hearing in its own right. However, the GMC failed in its duty to investigate any part of the matter at all. This failure was inexplicable. Worse still, my subsequent complaints significantly added to my October 1991 complaint precisely because far more serious evidences of further or other gross professional misconducts came to light over the years, but these were also rejected out of hand without investigation.

The end result is that the GMC has consistently refused to look into multiple charges of gross professional misconduct (see endnote^{iv}) at any time despite the most outrageous misconduct that any doctor could inflict on a patient and his profession's medical code of practice. I suspect this was because Winston is not just Winston but is Lord Professor Winston, the most well known doctor in the country, and a famous media figure. How precisely has the GMC – which was originally set up over 150 yrs ago to protect patients from rogue physicians, investigated the most serious of charges against this particular rogue, and protected this patient? Incidentally, the harm to the patient is still ongoing on a daily basis as no-one in authority has informed her that there is no objective evidence her uterus is seriously diseased – neither Winston, nor the GMC. Accordingly, Winston's professional misconduct in terms of the lies he told the patient about her condition is correspondingly ongoing and current.

Not to investigate Winston would be a travesty of all that the GMC is meant to stand for. It would also make a mockery of the GMC's attempts - via its newly proposed Revalidation and Relicensing procedures - to be seen to protect patients more effectively from medical scum. The public would, quite rightly, regard Revalidation and Relicensing as a meaningless GMC window dressing exercise if they realised how the GMC had handled the Winston affair, and they ought to be informed of this in the public interest. After all, there is nothing in the new proposals which would have protected this patient from the methodical, calculated rape of her reproductive career by a heartless, malicious, gynaecologist bent on trying to ruin a colleague's professional reputation - imagining that his political power, establishment position and personal fame would allow him to get away with it. The public will believe the GMC has allowed Winston to get away with it for this very reason.

My complaints to the GMC in Oct 91, 2000, 2004, and 2007 encompass extremely serious complaints of gross professional misconduct as described for example in endnote⁽ⁱ⁾. None of the misconducts have ever been investigated by the GMC. All these complaints are therefore still ongoing from 1991 onwards, and are current. They will remain so until the GMC investigates them fully. Please investigate them properly and deal this complaint letter as part of the ongoing complaints since October 1991. The complaints must not be blocked by the secretariat/executive again, but must be properly forwarded to the GMC's routine investigative channels. You have the power as President to see Winston is investigated in the public interest.

The GMC is obliged to request the police to investigate whether Winston is guilty of perverting the cause of justice (forging the medical record after Winston became aware a complaint had been forwarded to the GMC and the Broadcasting Complaints Commission) as this is a criminal offence. I sent Winston copies of both 1991 GMC complaints. The police are unlikely to investigate without an expression of concern from the GMC.

I am sure that the GMC's reputation can only be redeemed and enhanced if it seen to do the right thing now rather than damaged in some sort of cause celebre at a later date. Please look into this ongoing complaint for the sake of the reputation of the GMC, as I know this will be close to your heart and your deep sense of honour and integrity.

I am relying on your personal principle, and position as President of the General Medical Council, to ensure proper, effective, and transparent investigation of all Winston's extremely serious, multiple professional misconducts in the public interest.

Yours sincerely



Jack Gilliat MBA MBBS MRCP MRCOG DipObs
Consultant Physician

aka Jack Glatt

ENDNOTES

ⁱ I have presented multiple examples of Winston's gross professional misconduct to the GMC since 1991 which the GMC has never investigated, such as the following eighteen misconducts; -

- Forgery and falsification of the medical records in which Winston invented a diagnosis of uterine septum for which there was no medical evidence and was, in fact, an impossibility.
- Fraud and corruption.
- Concealment of the performance and results of medical investigations from the medical record.

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- Deliberately misleading and misinforming the patient's GP about the patient's management and diagnosis, concealing vital medical information from the GP, and lying to the GP.
 - Lying to the patient, TV programmers, and in a letter published in the British Medical Journal.
 - Breach of patient trust.
 - Deliberately denying good medical care and destroying the remainder of a patient's reproductive career by withholding specific fertility treatment for almost a year at the age of 39 yrs during which time Winston subjected her to invasive investigations under false pretences, and which had already been undertaken elsewhere.
 - Confidentiality was breached. Winston concealed the presence of a TV journalist during the patient's first consultation. Also, Winston gave the TV company a complete copy of the patient's Hammersmith Hospital medical record.
 - Physical assault on the patient as consents for invasive investigations were obtained under false pretence and were therefore invalid.
 - Improperly advising the patient, contrary to her best interests, regarding appropriate complaints channels - rather than maliciously advising her to complain to a TV company only two days after having first met her.
 - Dishonesty.
 - Bringing the medical profession into disrepute and destroying trust in it.
 - Defamation/making maliciously inspired, highly disparaging, gratuitous and unsustainable comments about a colleague's professional abilities and care of a mutual patient in an open letter to a TV company when he knew the comments could not have any basis in fact.
 - Abuse of professional privilege, power, and opportunity.
 - Performing a Hysterosalpingogram uterine X-ray on behalf of the TV company rather than the patient.
 - Failure to communicate with medical colleagues regarding relevant past history without which it was impossible to advise the patient properly.
 - Deliberately trying to destroy the professional reputation of a rival in the same field by engineering a "frame-up". He planted a concocted diagnosis of uterine septum on the patient and then told her to complain to his TV programme making her believe, and say on TV, that my IVF treatment of her was a "rip-off".
 - Perverting the course of justice

ii The GMC summarised its reason for rejecting my 2007 complaint in the following manner; -

2. **“The GMC continues to maintain its position (stated and restated over the years) that all your complaints against Prof Lord Winston are closely linked, that none has been new or unrelated to its predecessors and that all have been substantially the same as the 1991 complaint. Indeed, much of your own correspondence has linked the later complaints to the 1991 complaint.”**

No! The majority of my multiple complaints against Winston over the years were quite obviously unrelated to the 1991 complaint.