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open letter

Professor Terence Stephenson
Chair
General Medical Council
gmc@gmc-uk.org

Dear Professor Stephenson

I am writing to request a full, personal reply regarding

- 1) Ongoing Complaints of Lord Professor Winston's Multiple Gross Professional Misconducts
- 2) Request to Investigate my Previous Charges of GMC Dishonesty and Corruption

I am writing to you regarding as chair of the General Medical Council and would be grateful for a personal reply from you for reasons that will be clear below. I would appreciate your scrutinising this extremely important matter personally as I question the GMC's integrity in how it has handled this matter to date, and, once again, ask, a) for my very serious charges of gross professional misconduct to be properly investigated, and, b) for the GMC to open itself to an inquiry into my past charges of organisational incompetence and internal corruption.

I will briefly describe the background to the complaints, and describe the GMC's responses which I believe warrant your attention for reasons which will become clear.

Background to Complaint forwarded to General Medical Council for Investigation

Professor Lord Robert Winston seized the opportunity to try to destroy my reputation and career as I had previously worked in his infertility department for approximately 3 years at Hammersmith Hospital and he evidently viewed me as a rival in the same field.

Winston was a chief medical advisor to a Cook Report TV programme making a programme about "The IVF Business" in 1991 (In Vitro Fertilisation). Correspondences between the two reveal the considerable extent to which the TV programme relied on him to recruit suitable patients for its programme. Philipa Langton was an ex patient of my clinic who had previously conceived 3 times following 6 IVF embryo transfer procedures, but, had sadly miscarried in early pregnancy each time. These were the only wanted pregnancies she would achieve in her reproductive career.

Winston saw PL for a second opinion at Hammersmith Hospital several weeks after her last miscarriage in our IVF programme at the Infertility Advisory Centre. Unfortunately, there was another man present in the 1st consultation to whom she was not introduced and who never spoke throughout the visit. She discovered at a later date he was a Cook Report TV journalist. Winston told her at this 1st consultation her uterus was badly deformed and could never sustain a pregnancy which was completely untrue. This advice was remarkable, as he had not contacted previous investigators for relevant information, had no first hand uterine investigation reports to hand, and had not physically examined her. However, Winston then personally performed a hysterosalpingogram (HSG- an Xray of the inside cavity of the uterus and fallopian tubes) 2 days later at a different (private) hospital. He immediately alleged to PL that the HSG confirmed his suspicions which he had claimed at the 1st consultation, and directed her on the day of the HSG to complain to the Cook Report which she duly did (he led her to believe her IVF attempts were a "rip-off" as she could never sustain a pregnancy and that I must have known this all along). However, this was a 'secret' HSG as no mention of it was made in the Hammersmith Hospital notes, including the intention to perform it, or of the results, and the GP was never informed of its existence. Nevertheless, I have a copy of

the HSG films and a specialist radiologist report on them. It does not show a pathological uterus. Similarly, a laparoscopy and hysteroscopy performed by Winston's colleague several months later is documented in Hammersmith Hospital's notes as revealing a non-pathological uterus. In fact, the Hospital was considering entering the patient into its own IVF programme at the time. Nevertheless, 2 months after this procedure, PL appeared on the TV broadcast claiming my clinic's IVF treatment of her was a waste of time and money as, according to her second opinion (now known to be Winston), her uterus could not possibly sustain a pregnancy. Winston's name was not identified as the second opinion though he appeared on the programme as an apparently impartial commentator making various derogatory remarks about other Infertility specialists including myself.

The Broadcasting Complaints Commission wrote to Winston some months after the broadcast, calling him to account after I complained to it. He immediately falsified PL's Hammersmith Hospital medical record, appending a hand written entry claiming the presence of a "congenital uterine septum" without any explanation of the source of this purported diagnosis. Winston did this despite the fact that all four previous uterine tests did not show a septum or a pathological uterus. Interestingly, Winston's fabricated entry into the record was dated several days after receipt of the Broadcasting Complaints Commission's letter, on a Sunday when no clinics operate, and 6 months after any patient investigation, visit, or any other entry in the notes – ie out of the blue, totally divorced from any recent clinical activity related to PL. He then replied to the Broadcasting Complaints Commission in a letter dated only one day after his falsified entry, claiming his tests had shown an alleged "uterine septum", without mentioning any basis or evidence for it. The letter was highly venomous and derogatory of me³. His hand written entry is the only mention of a "uterine septum" in the whole of Hammersmith Hospital's medical record (or any other medical record), and, once again, the GP was never informed of this alleged 'diagnosis'. Winston's same hand written note shows he booked the patient for a repeat hysteroscopy specifically for a removal of the alleged "congenital uterine septum" to be done by him personally two months later despite his colleague having performed a hysteroscopy only six months previously together with the above mentioned laparoscopy. However, his subsequent hand written hysteroscopy operation notes were extraordinary as they made no mention of the planned procedure to operate on the alleged "uterine septum", nor indeed, made any mention of the septum at all. Instead, Winston now purported a completely new diagnosis – that of extensive uterine adhesions¹ (synechiae or Asherman's syndrome) which is an acquired condition that develops only after over-enthusiastic operative clean out of the uterus following miscarriages or very rarely because of tuberculosis. No explanation was given for this dramatic change of diagnosis which is not supported by the two previous uterine tests in his department at Hammersmith Hospital, let alone the two uterine investigations performed previously elsewhere. However, you should be aware that the Winston was by now cognisant that his purported diagnosis of "congenital uterine septum" was impossible given the evidences which I had forwarded to the Broadcasting Complaints Commission after I discovered his allegation of it². Winston had never communicated with me or my clinic at any time regarding this patient's management, and I did not know of his connection to my ex patient until months after the broadcast. The GP was kept in the dark about all of this too.

Thus, the 1st consultation was a setup and Winston directed the patient to the Cook Report, for which he acted as an advisor, under false pretences with the sole purpose of clandestinely trying to ruin the professional reputation of an ex colleague in the same field as he. In the process he slowly and cynically destroyed this patient's reproductive career over a period of about one year. He falsified the medical record when asked¹ to justify himself, and then again when he realised his false assertion could not stand. Incidentally, Winston did not reveal to the Cook Report that I had worked with him at Hammersmith Hospital for 3 years until informed of such via the Broadcasting Complaints Commission investigation well after the broadcast.

The General Medical Council's Refusal to Investigate the Complaint, and Itself

My approach is also related to the GMC's refusal to investigate Winston for at least 20 gross professional misconducts – any one of which would justify a GMC conduct committee hearing in its own right. I have written to the GMC repeatedly, and they have possession of all the evidences including a copy of all the medical records of all the institutions that had investigated PL including Hammersmith Hospital, and all the copies of all the uterine investigations and their results.

¹ Adhesions represent internal uterine scarring.

² Uterine septums are always congenital and are therefore present since birth. Accordingly, if absent at birth they cannot develop later in life. So, if a uterine test does not show the presence of a uterine septum, it is impossible for it to develop at a later date.

Over the past years I have written to the President/Chair of the GMC, and I have also asked for the GMC to investigate the propriety of its own investigative procedures. I have accused the GMC of corruption and incompetence at the highest level – providing good reason. Unfortunately, the GMC has not replied to my complaint about their conduct of the matter and charges of incompetence and corruption. My letters have been ignored. Indeed, the GMC has written on more than one occasion to say that all further correspondence from me will remain unanswered. My whistle-blowing attempts have failed. This is one of my main reasons for writing to you now.

I initially complained to the GMC twice in 1991. The preliminary screener declined to investigate on both occasions solely on the basis that he did not consider TV defamation had occurred (despite my second complaint of 1991 providing good evidence of a few other misconducts and a further instance of the most extraordinary defamation in Winston's letter of excuse to the Broadcasting Complaints Commission; these were not even considered according to the refusal letter). However, from 2000 onwards I forwarded several complaints because I had recently come into possession of documents revealing newly discovered, multiple other professional misconducts. The GMC's reply, on each occasion, was to refuse to investigate these newly presented complaints with the excuse that it had investigated these complaints in 1991³. My reply, on each occasion, was to point out how nonsensical their responses were, given that I had been completely unaware of the multiple new misconducts until just before 2000, and had therefore could not have presented them in 1991; also, by its own admission, the GMC had declined to investigate the 1991 complaints solely on the basis of defamation on the TV programme. I have to emphasise that the GMC has never tried to investigate any of these very serious complaints. In fact, none of their correspondence has mentioned one word that relates to any of the 2000 onwards complaints at any time. I would not have minded if the GMC had investigated the misconducts and then declined to pursue the matter for good reason, but, at the risk of overemphasising the point, the GMC has, on its own admission, refused to investigate any of them.

I feel certain the GMC's stance encompasses corruption and incompetence at the highest level as explained in my past correspondence, related to two main factors; - 1) the GMC should have investigated Winston following my 2nd complaint of 1991 as by then I had provided it with more than enough evidence to do so and the GMC is therefore concerned at being publicly shamed by its own incompetence, and 2) The establishment and old school tie lives on – and Winston has very powerful medical, political and media connections that impact on the GMC. I feel sure GMC would have investigated right away had Winston been just Winston, and not Professor Lord Winston.

The only other comment I would make is my complaints are still ongoing as the GMC, on its own admission, has refused to investigate them. Moreover, the issue is a current one because the patient is still walking around believing she has a badly diseased uterus as no-one has advised her otherwise – not Winston, nor my General Medical Council.

All I want is to see a great wrong put to right, and the GMC to enter my complaint into its investigatory process as per statutory obligation. It is not protecting patients. You owe an apology to the patient who, no doubt, still has mistaken trust and belief in Professor Lord Winston's false assertions about the state of her uterus and has no knowledge of how her reproductive career was destroyed by him precisely because the GMC has endorsed his professional misconducts by declining to investigate him contrary to its statutory duty. I have acted as a whistle-blower in bringing the GMC's own investigatory machinery's incompetence and corruption to the attention of its hierarchy without response, but it refuses to answer any more correspondence from me. If this is how it can handle an extremely serious complaint from a senior physician then I shudder to think of the brick walls that laypersons may have to face with their complaint presentations.

This is an extraordinary affair in which a senior figure in the House of Lords has committed the most heinous, multiple, gross professional misconducts the like of which I have never heard previously. Professor Lord Robert Winston had no qualms in sacrificing his patient's reproductive career for the sake of

³ The GMC wrote to me admitting it had destroyed all records of my 1991 complaint in 1998. However, it refused to investigate my 2000 complaint on the basis it was the same as my 1991 complaint! I have pointed out the inconsistency of this to the GMC on several occasions, without reply.

trying to destroy the career of an ex colleague. The GMC has failed in its statutory duty to initiate an investigation of the multiple misconducts and in its role to protect patients, despite my presenting it with incontrovertible documentary evidences - no aspect of which has ever been contradicted or even mentioned, let alone investigated, in any GMC correspondence since my October 1991 complaint despite my multiple approaches since.

My complaints therefore still continue to stand before the GMC. They will continue to stand until it investigates them all, and I receive a specific, detailed response to each of the at least 20 plus charges of Professor Lord Winston's gross professional misconducts. You are duty bound, and have the authority, to exercise your personal power to ensure this is done, and to expedite a proper inquiry into my charges of dishonesty and corruption within the General Medical Council. Any failure on your part to do this will merely implicate you personally in these same charges, for you are now fully aware of the nature of the GMC's role in this affair and should not become party to it. You are also duty bound to inform the patient there is no evidence that she has a pathologically diseased uterus and inform her of the circumstances of her misinformation as your remit is to protect patients and your proper investigation of this matter will achieve this goal. These are the reasons why I respectfully request your detailed, personal reply.

Yours sincerely

A handwritten signature in black ink that reads "Jack Gilliat". The signature is written in a cursive, slightly slanted style.

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Consultant, Internal Medicine, Diabetes and Endocrinology