

FACULTY OF FORENSIC & LEGAL MEDICINE

of the Royal College of Physicians, London

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Friday, 3 July 2008

Standards & Ethics Team
The General Medical Council
Regents Place
350 Euston Road
London
NW1 3JN

Dear Sir,

Re: Consultation on reporting criminal and regulatory proceedings within and outside the UK

The Faculty of Forensic and Legal Medicine welcomes the opportunity to respond to the above consultation paper. The faculty was established in 2005 by the Royal College of Physicians of London and has been founded to achieve the following objectives:

- To promote for the public benefit the advancement of education and knowledge in the field of forensic and legal medicine.
- To develop and maintain for the public benefit the good practice of forensic and legal medicine by ensuring the highest professional standards of competence and ethical integrity.

The faculty includes three different professional groups:

- Forensic physicians
- Medically qualified coroners
- Medico-legal advisers to the medical defence organisations

I have been asked to comment on the GMC consultation on behalf of the Faculty of Forensic and Legal Medicine where some of our members obviously have direct experience in protecting the professional interests of doctors where it is alleged that they have not complied with the GMC requirements in disclosing such information.

We would firstly observe that there remains genuine confusion within the profession as to the necessity to self report as there is a widespread belief that subsequent to a conviction the regulatory body will be notified automatically meaning the doctor does not need to do so.

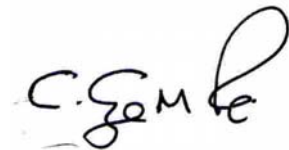
The faculty welcomes the specific clarity contained within this revised guidelines which we believe removes the current ambiguity and should make it easier for Medical Defence Organisations (MDOs) to advise practitioners appropriately.

It is particularly helpful to have reference to seeking advice from MDOs where there is any dubiety in the hope that an unintentional failure to inform the GMC will be avoided.

We would recommend that there be suitable attendant publicity to the release of this revised document as, otherwise, there will continue to be doctors who have not appreciated that the approach has changed.

One part where confusion is likely to remain is “*You **may** also have an obligation to inform other organisations, such as your employer or contracting body about any criminal proceedings or findings of another regulatory body. If you are unsure about whether, or who, you need to inform, you should seek advice from a defence body or medical association*”. The Faculty follows why it is not possible to make a precise stipulation here in that there may be differing contracts of employment but wishes to highlight the Faculty’s concern about this particular point.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C. George M. Fernie'. The signature is written in a cursive style with a large, looping flourish at the end.

DR C GEORGE M FERNIE
LLB, MBChB, MPhil, FFFLM, FRCGP, DFM