

Narendra Jana

Reference: E1-2621276254

The situation escalated to assault by the medical professional on the patient due to the GMCs refusal to restrict their behaviour.

Dear Mr Jana

Your concerns about Dr Trip and Dr Catania

You asked us to review our decision to close the enquiry about Dr Trip and Dr Catania. Having carefully considered your request, an Assistant Registrar has concluded that there are no grounds for commencing a review of the decision.

I am writing to inform you that, having carefully considered your request, an Assistant Registrar is of the view that the decision to close your complaint should not be reviewed. The reasons for the Assistant Registrar's conclusion are explained in this letter. The Assistant Registrar has authority from our Chief Executive Officer to make these decisions.

I realise that it must seem cold and insensitive that we refer to the law and our rules when dealing with such a personal matter which has clearly been upsetting for you. These are referred to only so we can fully explain what we can and cannot do, and why we have made the decisions we have.

The GMC's decision to not review led to further aberrant behavior by the clinician and assault by the clinician on the patient on April 13th and 14th in a medical setting in Addenbrookes hospital.

The statement "it may seem cold and insensitive that we refer to the law" appears to try and instigate an emotional appeal in the audience. The GMC is citing law with no reference to law (an empty statement) because it doesn't reference anything specific in law that would warrant not reviewing a case. Which law?

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public; necessary for the prevention of injustice to the practitioner; or otherwise necessary in the public interest’.

Material flaw

The Assistant Registrar first considered whether the decision may be materially flawed. I should explain that, for a flaw to be considered material, it must be capable of affecting the outcome if it were corrected.

The Assistant Registrar has read your original complaint to us, our closure letter dated 17 March 2020 and your post closure correspondence to us. While noting your disagreement with the closure decision, the Assistant Registrar felt that the concerns you have raised were dealt with adequately at a local level via UCLH’s response to you dated 26 November 2019 and do not raise a fitness to practise issue in relation to either Dr Catania or Dr Trip.

Taking all of the above into consideration, the Assistant Registrar was satisfied that the decision maker was clearly aware of their role and remit, applied the appropriate tests and took proper account of the information provided as well as our guidance. They could not fault their approach and concluded that there is nothing to suggest that the decision may be materially flawed and this ground for a review is not met.

New information

The GMC has ignored the new data sets that were sent to them and now a new situation over April 13th and 14th has extended into criminal malice.

Its clear that nothing was reviewed by the GMC in the first place with a clear explanation and basis of the clinical fraud in this setting.

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Having concluded that the decision may not be materially flawed, the Assistant Registrar went on to consider whether there is any new information which may have led to a different decision.

For the purposes of Rule 12, any new information must be truly novel, i.e. we must not have known about it previously and it must also have the potential to alter the original decision, had it been available to the decision maker at the time. The Assistant Registrar has carefully read your correspondence and they were of the view that although this provided further detail about your concerns, this information was a reiteration of your original concerns rather than providing significant new information.

As we have not been provided with any new information, it follows that this ground for a review does not apply.

Public interest

Because the Assistant Registrar did not find any grounds to commence a review, they did not need to go on to consider whether the public interest test was met.

Conclusion

The conclusion that there are no grounds for a review means that the original decision still stands.

We have also reached the end of our internal review process and as such, I'm afraid we are unable to consider your concerns again.

Even with an incredible amount of additional information its clear that the GMC didn't review the new data given to them. These are clear statements in ignorance by the GMC.

If there wasn't compelling evidence of malice in medical settings with intent to cause harm before there is gross evidence with substantiation now.

There should be a restriction in malice over several medical institutions by Dr. Trip and Dr. Catania. The denial of medical help in medial institutions in the NHS indicates a criminal intent to harm by Dr. Trip.

It is easy to fault Dr. Trip because for the progression of the clinical condition seen over April 11th and April 13th and April 14th.

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If you are still dissatisfied with the outcome, the only option is for you to ask the courts for a Judicial Review of the original decision although there are strict time limits for this. This is not something we can help you with though and we would recommend you get some independent legal advice on this.

I appreciate that you may be unhappy with this outcome but hope that after reading the reasons for the Assistant Registrar's decision, you will understand how it was reached.

I would also like to assure you that the Assistant Registrar considered your request for a review, including all of the information and the comments that you have made, very carefully before reaching their decision.

Yours sincerely

Niall Kelly
Complaints and Review Administrator

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ENC: FAQ document

The situation with Dr. Trip has clearly evolved. The new situation is clearly well beyond simply falsifying diagnostic data.

Dr. Trips case is now criminal malice with the intent to physical harm to the patient.

Narendra
Jana