The Doctors’ Association UK Press Release regarding the Hadiza Bawa-Garba appeal 25th–26th July:

The General Medical Council’s serious error of judgement in aggressively pursuing Dr Hadiza Bawa-Garba’s erasure from the medical register in the High Court has set the safety culture back decades.

The case of Dr Hadiza Bawa-Garba has united the medical profession in fear and anger. A paediatrician in training, with a previously unblemished record, was convicted of gross negligence manslaughter for judgements made whilst doing the jobs of several doctors at once, covering six wards across four floors, responding to numerous paediatric emergencies, without a functioning IT system, and in the absence of a consultant. All when just returning from 14 months of maternity leave.

Yet it was the GMC’s aggressive pursuit of an otherwise highly regarded doctor, against the advice of the Medical Practitioners Tribunal Service (MPTS), that has prompted widespread outrage amongst doctors. This serious error of judgement on the part of Mr Charlie Massey, which was also criticised by the Professional Standards Authority, has led to an unprecedented loss of confidence in the regulator by the medical profession.¹

The GMC has shown it cannot be trusted to take a balanced and non-punitive approach in the context of system failures, and the recent Williams review recently agreed it should be stripped of the right to appeal decisions of the MPTS.²

Dr Samantha Batt-Rawden, Chair of The Doctors’ Association UK, said: “The GMC has a remit to protect, promote and maintain safety and well-being of the public. But this concerted action by the GMC against Dr Bawa-Garba has not only halted progress on the safety agenda, but set it back decades. There are no winners in a culture that seeks to persecute and blame dedicated clinicians working within a system under unspeakable pressure.”

Dr Cicely Cunningham, The Doctors’ Association UK Learn Not Blame³ Campaign Lead, said: “The NHS desperately needs an open, transparent, learning culture, where harm is minimised by learning from error and failings. Scandals such as Mid-Staffs, Gosport, and Morecambe Bay repeatedly demonstrate how a culture of defensiveness and denial can escalate into widespread cover-up leaving families fighting for answers. The climate of fear amongst the medical profession created by the GMC’s actions over Dr Bawa-Garba only makes it more likely that this will happen again. If the High Court ruling is overturned, this will be one small step in the right direction towards a just culture.”

¹ The GMC has shown it cannot be trusted to take a balanced and non-punitive approach in the context of system failures, and the recent Williams review recently agreed it should be stripped of the right to appeal decisions of the MPTS.

² Dr Samantha Batt-Rawden, Chair of The Doctors’ Association UK, said: “The GMC has a remit to protect, promote and maintain safety and well-being of the public. But this concerted action by the GMC against Dr Bawa-Garba has not only halted progress on the safety agenda, but set it back decades. There are no winners in a culture that seeks to persecute and blame dedicated clinicians working within a system under unspeakable pressure.”

³ Dr Cicely Cunningham, The Doctors’ Association UK Learn Not Blame Campaign Lead, said: “The NHS desperately needs an open, transparent, learning culture, where harm is minimised by learning from error and failings. Scandals such as Mid-Staffs, Gosport, and Morecambe Bay repeatedly demonstrate how a culture of defensiveness and denial can escalate into widespread cover-up leaving families fighting for answers. The climate of fear amongst the medical profession created by the GMC’s actions over Dr Bawa-Garba only makes it more likely that this will happen again. If the High Court ruling is overturned, this will be one small step in the right direction towards a just culture.”
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NOTES TO EDITORS

1. On 28th February The Doctors’ Association UK (DAUK) wrote a letter to Mr Charlie Massey, Chief Executive of the GMC expressing overwhelming concern regarding the handling of the Bawa-Garba case. This letter was signed by over 4500 doctors and several MPs. The letter can be found here.

2. In April DAUK submitted evidence to the Williams Review on gross negligence manslaughter, in which we recommended that the GMC be stripped of the right to appeal decisions of the MPTS. This review concluded that the GMC’s right to appeal had had “significant unwelcome and unintended consequences” and upheld our recommendation that the GMC should lose this power. Our full submission can be found here.

3. Following the case of Dr Hadiza Bawa-Garba DAUK launched our campaign Learn Not Blame, seeking to change the way medical error is approached in the UK. Our aim is to transform the current culture of blame and fear, into one of learning. We believe this is vital for patient safety, and have received cross-party support for the campaign, as well as backing from our peers. More information on the campaign can be found here: