

4 February 2014

Our ref: E1-DHFKEI

**General
Medical
Council**

John Gittins
Senior Coroner for North Wales (East and Central)
H.M. Coroner's Office
County Hall
Wynnstay
Ruthin
LL15 1YN

3 Hardman Street
Manchester M3 3AW

Telephone: 0161 923 6200
Facsimile: 0161 923 6201
Email: gmc@gmc-uk.org
www.gmc-uk.org

Dear Mr Gittins

Re: Investigation touching upon the death of Kate Pierce

Thank you for your letter of 20 December 2013 enclosing your Report to Prevent Future Deaths. I am responding as the officer responsible for the Council's fitness to practise work.

We have carefully considered your report and in particular, the matters of concern set out in your report. We are aware of Dr [REDACTED] and his involvement in Kate Pierce's care, as this matter was initially brought to our attention on 27 April 2012. We made preliminary enquiries of the Betsi Cadwalader University Health Board and subsequently received a formal complaint from Mr [REDACTED] on 12 July 2012.

We considered the complaint by Mr [REDACTED] in accordance with our statutory framework and initially decided to investigate the case although the events at that time were more than five years old. Our statutory rules preclude us from investigating events that are more than five years old unless it is in the public interest in the exceptional circumstances to do so.

We were challenged by Dr [REDACTED] by way of Judicial Review about our decision to investigate the case even though the events were over five years old. Having taken advice from Counsel we decided to concede the Judicial Review and close our investigation.

With regard to Dr [REDACTED] audit, we received and considered a copy of this audit in late 2012. It relates to Dr [REDACTED] practice in 2007 and so was subject to the five year rule. We considered whether to waive the rule and concluded that the concerns raised did not satisfy the criteria for us to waive the rule and no further action was taken.

In terms of Dr [REDACTED] current fitness to practise, we have not received any further complaints about Dr [REDACTED] since 2007. Additionally, as part of the process of revalidation of a doctor's licence to practise, doctors must have a Responsible Officer whose statutory duties include reporting concerns to us, if they call into question a doctor's current fitness to practise. Our Employer Liaison Advisor who is a senior member

of staff working in the region has met regularly with Dr [REDACTED] Responsible Officer who has expressed no concerns about his current practice.

All registered doctors are also now required to revalidate their registration in order to keep their licence to practise. Once every five years, the doctor's Responsible Officer will make a recommendation to us as to whether a doctor should be revalidated and keep their licence to practise. Revalidation is aimed at supporting doctors in maintaining high standards, and will also help in identifying any concerns early on so that suitable action can be taken.

I hope I have explained why no action by us in this case is proposed and more importantly I have been able to address your concerns about Dr [REDACTED]. I would be happy to take your call on this if you feel it would assist.

Yours sincerely

[REDACTED]

[REDACTED]
Director
Fitness to Practise Directorate

[REDACTED]