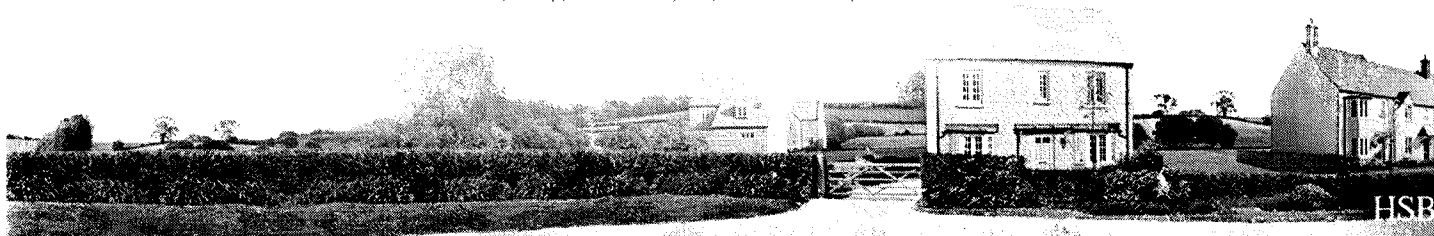




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Anger as drug errors doctor free to practise

By Jeremy Laurance, Health Editor | Sunday 23 October 2011 | 0 comments



A doctor who prescribed “excessive” doses of painkilling drugs to elderly patients which put them at “increased risk of premature death” was found guilty of serious professional misconduct by a disciplinary panel of the General Medical Council today but escaped being struck off the medical register.

Dr Jane Barton, a Hampshire GP, had displayed a “worrying lack of insight” and “intransigence” over her care of 12 patients at Gosport War Memorial Hospital in the 1990s. Her prescribing was “inappropriate” and “potentially hazardous”, the panel found.

But it said it had taken into account her 10 years of safe practice as a GP in Gosport since the events and 200 letters of support. Instead of stripping her of her licence to practise it imposed 11 conditions on her registration, including a ban on her prescribing injectable opiates or providing palliative care.

The verdict provoked uproar among relatives attending the hearing in London who had expected Dr Barton, who qualified in 1972, to be banned from practising. Iain Wilson, the son of Robert Wilson, one of the patients who died, shouted: “You should hang your head in shame.”

It also earned an unusual rebuke from the GMC itself, issued with unprecedented speed a few minutes after the verdict was read out.

Niall Dickson, GMC chief executive, said: “We are surprised by the decision to apply conditions in this case. Our view was the doctor’s name should have been erased from the medical register following the panel’s finding of serious professional misconduct. We will be carefully reviewing the decision before deciding what further action, if any, may be necessary.”

The verdict by the five member panel is now likely to be referred to the Commission for Healthcare Regulatory Excellence, the body that oversees all the medical professions, which has the power to impose a tougher sanction, including striking the doctor from the register, if it concludes the GMC’s verdict was too lenient.

The hearing followed a decade-long series of inquiries by the

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police and the NHS into almost 100 deaths of elderly patients at Gosport War Memorial Hospital in the late 1990s. Relatives of those who died had long claimed that morphine had been overprescribed and spoke of “death wards” where patients sent to recuperate had instead deteriorated and died.

Ten sample cases were referred to the Crown Prosecution Service but it decided there was not enough evidence to prosecute. The cases were instead passed to the coroner who held an unprecedented inquest which concluded last April, more than a decade later, that three of the ten were wrongly prescribed excessive doses of morphine which hastened their deaths.

Dr Barton, a GP who worked at the community hospital part time, was the main doctor in charge of Dryad and Daedalus wards, where the patients died. She introduced a system of pre-emptive prescribing which allowed nurses to increase the amount of painkillers such as morphine without the need for a doctor being present. She left the hospital in 2000 but continued practising as a GP in Gosport.

In a statement today, Dr Barton said: “I am disappointed by the decision of the GMC panel. Anyone following this case carefully will know that I was faced with an excessive and increasing burden in trying to care for patients at the Gosport War Memorial Hospital. I did the best I could for my patients in the circumstances until finally I had no alternative but to resign.

“None of the nurses who gave evidence were critical of my care of the patients in this inquiry. The consultants who had overall responsibility for the patients never expressed concern about my treatment and working practices. Throughout my career I have tried to do my very best for all my patients and have had only their interests and wellbeing at heart.”

Liberal Democrat Shadow Health Secretary, Norman Lamb said: “This is an utterly extraordinary decision and represents an abject failure of the system to protect patients and to give justice to the families who have campaigned for 11 years. The only way forward is to hold a full public inquiry. At the very least, we owe it to the families of those who died in unexplained circumstances at Gosport Hospital.”

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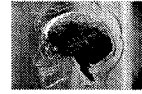
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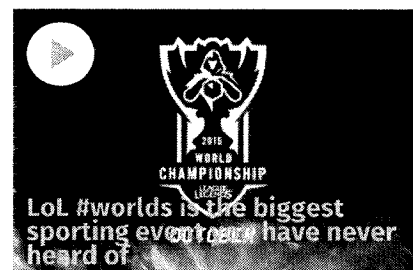
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