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8 January 2010

Sir Peter Viggers MP  
House of Commons  
London  
SW1A 0AA

### **Fitness to Practise hearing of Dr Jane Ann Barton**

Further to my previous letters of 11 May and 21 August 2009 (enclosed), I am writing to update you on the progress of the Fitness to Practise hearing of Dr Jane Barton which was adjourned part-heard in August 2009.

The Panel found proved allegations that Dr Barton prescribed drugs, including Diamorphine and/or Midazolam, to be administered to the patients and that in some instances the dose range was too wide and the prescriptions created situations whereby drugs could be administered which were excessive to the patients' needs. The Panel further found proved allegations that Dr Barton's actions in prescribing the drugs were inappropriate, potentially hazardous and not in the patients' best interests.

The Panel also found proved allegations that, in respect of four patients, the lowest doses or lowest commencing doses of Diamorphine and/or Midazolam that Dr Barton prescribed were too high and that that in respect of four patients Dr Barton did not obtain the advice of a colleague when a patient's condition deteriorated.

The Panel further found proved allegations that Dr Barton failed to appropriately assess the condition of the 12 patients before prescribing opiates and that she did not keep clear, accurate and contemporaneous notes in relation to the patients' care.

The Fitness to Practise Panel will reconvene on 18 January 2010 to consider whether Dr Barton has been guilty of serious professional misconduct in respect of the facts that have been found proved. If so, the Panel will go on to consider whether or not it should make any direction regarding her registration.

The reconvened hearing will be held from 18-29 January 2009 at the GMC's London office at Regent's Place, 350 Euston Road, London NW1 3JN. Although hearings are held in public, the panel may decide to exclude the public where they consider that the circumstances of the case outweigh the public interest in holding the hearing in public. The Panel has already decided to sit in private on 18 and 19 January 2010.

We will keep you updated and notify you of the panel's decision once the hearing has reached its conclusion. If you have any questions, please do not hesitate to contact me.

Yours sincerely

Laura Nelson  
Public Affairs Manager

**Code A**