



**Findings of the Fitness to Practise Committee
following an Inquiry held pursuant to Part 8
of the Medical Practitioners Act 2007**

Registered Medical Practitioner: Dr C

Registration Number:

Registered Address:

Date of Inquiry: 23rd 24th & 25th September 2013

Members of Inquiry Committee: Dr Michael Ryan (Chair)
Dr Mary Henry
Ms Mary Culliton

Legal Assessor: Mr Seamus Woulfe SC

Appearances - For the Chief Executive: Mr Rory Mulcahy BL instructed by of Mc Dowell Purcell Solicitors.

For the Practitioner: Mr Cathal Murphy BL instructed by Matheson Solicitors

Findings of the Committee:

Allegation 1:

That Dr C on one or more occasions, failed to consider adequately or at all Ms K's medical condition.

Having regard to the evidence adduced, the Committee found that :

Allegation 1 was not proven as to fact.

Reason:

While the omission of a mammogram may now appear incorrect with the benefit of hindsight, the Committee was not satisfied beyond a reasonable doubt that this was a failure to consider adequately Ms K's medical condition having regard to the prevailing circumstances at the relevant time, including the resources then available at the relevant hospital.

Allegation 2:

That Dr C on one or more occasions, failed to carry out any adequate investigation.

Allegation 2 was not proven as to fact.

Reason:

While the omission of a mammogram may now appear incorrect with the benefit of hindsight, the Committee was not satisfied beyond a reasonable doubt that this was a failure to carry out an adequate investigation having regard to the prevailing circumstances at the relevant time, including the resources then available at the relevant hospital.

Allegation 3:

This allegation was withdrawn.

Allegation 4:

This allegation was not pursued.

Allegation 5:

This allegation was not pursued.

Allegation 6:

This allegation was not pursued.

Allegation 7:

This allegation was withdrawn.

Allegation 8:

Having regard to some or all of allegations 1-6 above that Dr C fell short of the standards expected from a Consultant General and/or Breast Surgeon in respect of the totality of the treatment afforded by him to Ms K.

Allegation 8 was not proven as to fact.

Reason:

The Committee was not satisfied beyond a reasonable doubt, having regard to the totality of the evidence and the individual findings above.



Chairman

26th September, 2013
Date