



**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 Tonya Timmons
Registration Number:	251197
Registered Address:	Dew Park 331 Blackhorse Avenue Navan Road Dublin 7
Date of Inquiry:	9 th October 2013
Members of Inquiry Committee:	Mr Declan Carey (Chair) Ms Mary Buckley Dr Abdul Bulbulia
Legal Assessor:	Mr Seamus Woulfe SC
Appearances - For the Chief Executive:	Ms Elaine Finneran BL instructed by Mc Dowell Purcell Solicitors.
For the Practitioner:	Ms Jane O'Neill BL instructed by Matheson Solicitors

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Findings of the Committee:

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

Allegation 1:

This allegation was withdrawn by the CEO.

Allegation 2:

This allegation was withdrawn by the CEO.

Allegation 3:

That In respect of a consultation with the patient in or around 16 September 2011 Dr Timmons:

(a) Failed to conduct an adequate examination of the patient and/or;

Allegation (3a) was proven as to fact.

Reason:

The evidence of Mrs Kelly together with the medical records, established this beyond a reasonable doubt notwithstanding the evidence of Dr Timmons to the contrary.

Allegation 3(a) did amount to poor professional performance.

Reason:

The evidence of Dr Cryan and Professor Bradley established beyond a reasonable doubt that this was a failure to meet the standards of competence that can be reasonably expected of general practitioners.

Allegation 3(b)

Failed to take an adequate record of the patient's symptoms and/or;

Allegation 3(b) was not proven as to fact.

Reason: not proven beyond a reasonable doubt

Allegation 3(c)

Failed to give adequate consideration to any other diagnosis apart from sciatica in circumstances where that diagnosis was not entirely consistent with the patient's symptoms and/or;

Allegation 3(c) was not proven as to fact

Reason: not proven beyond a reasonable doubt

Allegation 3(d)

Failed to carry out and/or arrange appropriate investigations to establish the correct diagnosis and/or;

Allegation 3(d) was not proven as to fact

Reason: not proven beyond a reasonable doubt

Allegation 3(e)

Failed to consult with a more experienced colleague, and, in particular, her Trainer, Dr. John Delap, in relation to the issue of diagnosis and treatment and/or;

Allegation 3(e) was not proven as to fact

Reason: not proven beyond a reasonable doubt

Allegations (f)(g)&(h) were withdrawn by the CEO

Allegation 4:

That in respect of a consultation with the patient on or around 4 October 2011 Dr Timmons:

Allegation 4(a)

Failed to take an adequate record of the patient's symptoms and/or;

Allegation 4(a) was not proven as to fact.

Reason:

Not proven beyond a reasonable doubt.

Allegation 4(b)

Failed to give adequate consideration to any other diagnosis apart from sciatica in circumstances where that diagnosis was not entirely consistent with the patient's symptoms and/or;

Allegation 4(b) was proven as to fact.

Reason:

The evidence of Dr Cryan established this beyond a reasonable doubt, notwithstanding the evidence of Professor Bradley to the contrary.

Allegation 4(b) did amount to poor professional performance.

Reason:

The evidence of Dr Cryan established beyond a reasonable doubt that this was a failure to meet the standards of competence that can be reasonably of general practitioners.

Allegation 4(c)

Failed to carry out and/or arrange appropriate investigations to establish the correct diagnosis and/or;

Allegation 4(c) was proven as to fact.

Reason:

The evidence of Dr Cryan established beyond a reasonable doubt that Dr Timmons failed to arrange appropriate investigations to establish the correct diagnosis at this time.

Allegation 4(c) did amount to poor professional performance.

Reason:

The evidence of Dr Cryan established beyond a reasonable doubt that this was a failure to meet the standards of competence that can be reasonably of general practitioners.

Allegations 4(d)

Failed to consult with a more experienced colleague, and, in particular, your Trainer, Dr. John Delap, in relation to the issue of diagnosis and treatment and/or;

Allegation 4(d) was proven as to fact.

Reason:

The totality of the evidence established this as a matter of fact beyond a reasonable doubt.

Allegation 4(d) did not amount to poor professional performance

Reason:

This was not proven beyond a reasonable doubt.

Allegation 4(e)

Failed to arrange a follow-up appointment with the patient to review her condition.

Allegation 4(e) was proven as to fact.

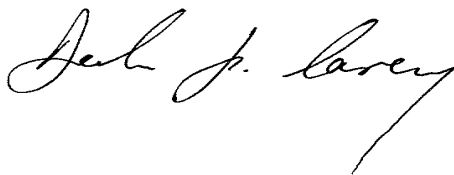
Reason:

This was not proven beyond a reasonable doubt.

Allegation 4(e) did not amount to poor professional performance.

Reason:

This was not proven beyond a reasonable doubt.



Chairperson

11th October, 2013

Date