

### 3 – Chief Executive’s Report – Annex D

#### Summary information on appeals and judicial reviews

1. Table 1 outlines summary information relating to outstanding appeals as at 12 January 2009.

**Table 1:**

Case	Decision appealed	Current status
AR	Appeal in the Scottish Courts against sanction of erasure.	Appeal part heard. No date set for further hearing yet.
AS	Appeal against sanction of erasure.	Appeal lodged. No listing date yet.
Ba	Appeal against sanction of erasure.	No listing date yet.
Cha	Appeal against sanction of erasure.	Listed for hearing on 6 February 2009.
Ch	Appeal against decisions on facts, impairment and sanction.	Appellant’s notice, skeleton argument and bundle of papers have been served. No listing date yet.
Cho	Appeal against sanction of suspension.	Papers received.
Co	Appeal against sanction of erasure.	No listing date yet.
Di	Appeal against sanction of erasure.	No listing date yet.
D	Appeal against sanction of erasure.	Appeal lodged. Doctor has applied for an extension of time to serve the papers. No listing date yet.
Dz	Appeal against IOP suspension and sanction of erasure.	No listing date yet.

<b>Case</b>	<b>Decision appealed</b>	<b>Current status</b>
<b>EF</b>	Appeal against sanction of erasure.	No listing date yet.
<b>F</b>	Appeal against sanction of suspension.	No listing date yet.
<b>G</b>	Appeal against sanction of erasure.	Appellant's notice received. Doctor seeking 6 month postponement for service of skeleton argument due to ill health. No listing date yet.
<b>Ha</b>	Appeal against sanction of suspension.	No listing date yet.
<b>H</b>	Appeal against sanction of suspension.	Awaiting papers. No listing date yet.
<b>Is</b>	Appeal against sanction of erasure.	No listing date yet.
<b>J</b>	Appeal against sanction of erasure.	Listed for 13 January 2009.
<b>K</b>	Appeal against sanction of suspension.	Awaiting new listing.
<b>Kh</b>	Appeal against sanction of suspension.	Listed for 13 January 2009.
<b>NP</b>	Appeal against sanction of suspension, appeal against use of civil standard of proof in resumed hearing. Appeal against impairment and sanction.	New Appeal. No listing date yet.
<b>Po</b>	Appeal against sanction of erasure.	Notice of appeal received. No listing date yet.
<b>S</b>	Appeal against sanction of erasure.	Appeal lodged 21 November 2007. No listing date yet.
<b>Sa</b>	Appeal against sanction of erasure.	Listed 29 March 2009
<b>Sh</b>	Appeal against sanction of suspension.	Appeal lodged on 7 May 2008. Awaiting papers. No listing date yet.
<b>Si</b>	Appeal against sanction of suspension.	Papers received.

<b>Case</b>	<b>Decision appealed</b>	<b>Current status</b>
<b>So</b>	Appeal against sanction of erasure.	Due to be heard in the Administrative Court in January 2009 (date to be confirmed)  Awaiting listing date.

2. Table 2 outlines summary information relating to outstanding judicial reviews as at 12 January 2009.

**Table 2:**

<b>Doctor</b>	<b>Claim</b>	<b>Current status</b>
<b>AV</b>	JR of decision not to waive the 5 year rule.	Application for permission hearing on 24 February 2009.
<b>D</b>	JR of the decision by a panel to take no action in respect of another doctor.	Application for permission.
<b>I</b>	JR of IOP decision in July 2006 to suspend doctor's registration.	GMC submitted acknowledgement and evidence in support on 24 November 2006.  Matter due to be listed in 2007, although Court aware Doctor has since been sectioned under MHA, which may influence listings. Dr remains detained under s.3 MHA.  Not yet listed.
<b>P</b>	JR of the decision to refer a complaint to the Case Examiners.	Permission partly upheld at an oral hearing. Awaiting substantive hearing listing date.
<b>Pi</b>	JR of the decision to close complaint against two doctors	Awaiting papers.

Doctor	Claim	Current status
R	JR of the decision of the Investigation Committee to issue a warning. Doctor is also claiming an injunction against GMC, requesting an order granting a subject access request and to compel the GMC to end its investigation.	Oral permission hearing adjourned. Awaiting hearing date.
S	JR of the decision to close the complaint.	Application for permission on the papers.
T	JR of the FTP Panel's decision not to conclude doctors hearing with no further action after submissions by Defence Counsel that insufficient evidence had been adduced by the GMC to find the facts proved or to support a finding of impairment.	Application for permission on the papers. Decision awaited.
U	JR of the performance procedures.	Awaiting papers.