

WAS THE FITNESS TO PRACTISE CASE AGAINST DR KEILLOH PREJUDICED?

1. In December 2006 Dr Keilloh was presented as a prosecution witness during the Court Martial proceedings against members of 1QLR who were charged with failing in their duties and inhumane treatment of detainees.
2. Leading on from this appearance, in July 2007 Mr Phil Shiner of Public Interest Lawyers (PIL) singled out Dr Keilloh for pursuit and reported him to the General Medical Council (GMC).
3. At the same time PIL were active in Basra soliciting multiple claims against the Ministry of Defence (MOD) for financial compensation on behalf of Iraqi nationals.
4. PIL were also aggressively pursuing their agenda of achieving a Public Inquiry in relation to the event of 15 September 2003.
5. Mr Shiner was instrumental in the publication of an article in the “Independent on Sunday” newspaper, “UK Army doctors in Baha Mousa case 'colluded in cover-up'”: By Andrew Johnson Published: 22 July 2007. [a\) UK Army doctor in Baha Mousa case](#)
6. The remit of the Public Inquiry process was to establish the circumstances that led to the mistreatment and death of Baha Mousa. It commented upon the “Medical” involvement, however those comments were not fully tested or examined and were simply the singular judgement of the Chairman based on limited evidence. Hence the report contained several statements regarding medical involvement which are unsupported, questionable and prejudicial.
7. Dr Keilloh is the only individual to have been pursued and harmed by the event, apart from one of the guard forces who pleaded guilty to inhumane treatment of the detainees at the court martial. Was he an easy target as he was now a civilian and no longer protected by the army? Was he chosen because he could be reported to his regulatory body? Was he a ‘scalp trophy’?
8. Until the Fitness to Practice (FTP) hearing there had never been any complaints from any of the Iraqi witnesses against Dr Keilloh with reference to his conduct or clinical management in the statements they made for:
 - the court martial
 - compensation claims from the MOD
 - or public inquiry
9. PIL put forward an Iraqi witness to the FTP hearing with whom Dr Keilloh had no involvement: Kifah Matairi. His relative Ahmad Matairi who was also a detainee, was presented in person as a witness.

The evidence given by Ahmad Matairi at the FTP was inconsistent with his earlier statements and witness evidence during cross examination in the course of:

- the court martial
- compensation claims towards the MOD
- the public inquiry.

In all three of these forums **he stated that he received helpful and supportive care from the Medical team of 1QLR and specifically from Dr Keilloh.**

10. This Iraqi witness, Kifah Matairi, and another (D004) were not available for cross-examination at the FTP hearing.
11. Other witnesses were also unavailable for cross examination at the FTP hearing.
Written evidence presented at the FTP hearing was accepted as the truth without any opportunity to cross examine.
12. Before, during and after the FTP hearing, media reporting on Dr Keilloh included graphic images of Baha Mousa's face six days post mortem. This leaves the impression that the image represents Baha Mousa's appearance at the time Dr Keilloh treated him, with the implication that he must have seen, and should have reported, the obvious injuries
13. The panel were asked not to read the Public Inquiry report, but there were no mechanisms to prevent this
14. There is nothing in place to prevent the panel being influenced by other external influences.
15. Due to the media coverage and information accessible in the public domain it is difficult to assess the FTP panel's awareness of Dr Keilloh's true position.
16. The book 'A Very British Killing' by AT Williams of Warwick University was published before the end of the FTP hearing. It uses transcripts of the Public Inquiry hearings, including Derek's. *'The full story, told with the power of a true-crime expose or court-room drama, shows how this was not simply about a few bad men or 'rotten apples'. It shines a light on all those involved in the crime and its investigation, from the lowest squaddie to the elite of the army and politicians in Cabinet. What it reveals is devastating. It is the winner of the Orwell Prize for Political Writing 2013.'* The acknowledgements for help and encouragement include: *'Phil Shiner, an inspirational figure'*. The book did not put Derek in a good light. After he was struck off from the medical register, electronic copies of the book flag up his erasure.