

Written after reading the ‘Publishable Minutes’ of the MPTS hearing.
(All in italics are quotes from the MPTS’s own words)

After a hearing which began on 11/6/12 the Medical Practitioners Tribunal Service concluded on 21/12/12 that (on the balance of probabilities) Dr Derek Keilloh had repeatedly lied under oath about his experiences during and after the resuscitation attempt he made on the detainee Baha Mousa in 2003. The Panel did not have to ‘prove beyond all reasonable doubt’ that Derek was lying. Further they did not provide nor were they interested in determining a motive for the alleged lying. They ‘*determined that erasure (being struck off the medical register) is the only appropriate sanction in this case*’. It considered that ‘*this action is the only way proper standards of conduct and behaviour may be upheld and trust in the profession as a whole may be restored*’ and that ‘*the mitigating circumstances do not outweigh the gravity of its findings of fact in respect of his dishonesty from 2005 (date of first interview under caution) onwards*’.

Whilst we accept that we have not listened to the whole body of evidence, both supportive and otherwise, as have the MPTS

- We recognise that truth is subjective. Dr Keilloh did not report inhumane treatment of detainees because he has maintained that he had no knowledge of it. He has consistently maintained this in all statements. We note from the Panel’s findings that ‘*It appears that, in all other areas of his professional and personal life, he is regarded as an honest, decent man of integrity*’.
- We would like to question that ‘*trust in the profession as a whole*’ needs to be ‘*restored*’. We do not believe that this case has ‘*damaged the confidence which the public has in the profession*’. We note from the Panel’s findings that ‘*It is clear to the Panel that he is a highly respected and dedicated doctor with excellent clinical skills who is trusted and respected by colleagues and patients alike*’.
- We note that the Panel has taken the following into consideration but that these ‘*mitigating circumstances do not outweigh the gravity of its findings of fact in respect of his dishonesty*’
 - *the unusual circumstances*
 - *that he was a relatively inexperienced doctor*
 - *unexpectedly thrust into a war zone at very short notice to supply the highest levels of clinical care with little support or supervision.*
 - *In August 2003 he was still a junior doctor needing six months’ further training before he would qualify as a General Practitioner. In a civilian context, his practice would have continued under supervision for a further six months.*
 - *the wide-ranging and complex nature of the role of a Regimental Medical Officer and the attendant need for support and supervision.*
 - *expert evidence that it is usual for there to be further information and training before deployment so that the individual is aware of their role and able to prepare for their deployment.*
 - *He had attempted to arrange his own pre-deployment training, but was unable to secure this.*
 - *He was deployed at short notice, in the early hours of the morning, to a unit in a hostile warlike zone, of which he had no knowledge.*
 - *the handover on his arrival was ineffective and contained no written brief of procedures or current issues.*
 - *On arrival he was not made aware of the presence of detainees and there was no clarity as to his role and responsibilities regarding their care and welfare.*
 - *The general conditions within which all those in Basra were operating at the time... the oppressive and constant heat, the long hours and the distressing environment within which he was living. In his evidence he told the Panel that he felt that he was never off duty and he was “surrounded by death”.*
- We read that the GMC have said: ‘*We recognise that this has been a particularly challenging case with difficult and unusual circumstances but patients and the public must be confident that the*

doctor who treats them is competent and trustworthy.' We have read what his patients and colleagues have said about him on <http://www.facebook.com/SupportLocalDoctorDKeilloh> and http://www.ipetitions.com/petition/we-dont-want-to-lose-our-local-gp-dr-derek/?utm_medium=email&utm_source=system&utm_campaign=Send+to+Friend (these links are no longer available) and find that, in spite of the charges and sanctions made against him, they are completely confident that he is competent and trustworthy. He is said by those who know him to be a man of integrity and honour, and is described as talented, trustworthy, caring and an excellent doctor.

- We do not feel that it is in the public interest to have a community deprived of their so obviously well loved and much appreciated family doctor. We urge the MPTS to consider lifting the sanctions imposed in order to allow this good GP to return to serving his community.