

John Patrick Hickey

Appellant

v.

The General Medical Council

Respondent

FROM

THE PROFESSIONAL CONDUCT COMMITTEE
OF THE GENERAL MEDICAL COUNCIL

ORAL JUDGMENT OF THE LORDS OF THE JUDICIAL
COMMITTEE OF THE PRIVY COUNCIL, DELIVERED THE
5TH JULY 1990

Present at the hearing:-

LORD KEITH OF KINKEL
LORD TEMPLEMAN
LORD GRIFFITHS

[Delivered by Lord Keith of Kinkel]

In this case the Professional Conduct Committee found the doctor guilty of four charges by which he was alleged to have abused his professional position by issuing prescriptions for various controlled drugs in an irresponsible manner. The Committee determined that in relation to the facts which they found proved the doctor had been guilty of serious professional misconduct and they directed that his name should be erased from the Register.

No appeal is taken against the Committee's findings of fact, nor against their holding that the doctor had been guilty of serious professional misconduct. The appeal is directed only against the Committee's decision as regards penalty.

It is clear that the Committee regarded this case as a very serious one having regard to the terms in which the Chairman expressed himself when he gave the Committee's adjudication upon sentence. In their Lordships' opinion the Chairman and the Committee as a whole were well justified in considering that this was a serious case and, notwithstanding all that Mr. Gage has very persuasively said on behalf of the doctor, their Lordships have been unable to find any grounds upon which they could properly interfere with the Committee's decision as regards sentence.

Their Lordships will therefore humbly advise Her Majesty that this appeal should be dismissed. The appellant must pay the respondent's costs.