

GENERAL OSTEOPATHIC COUNCIL
PROFESSIONAL CONDUCT COMMITTEE

Case No: 313/2158

Interim Suspension Order Hearing

DECISION

Case of: Mr Keith Grieve
(Registration Number: 3\2158\F)

Committee: Dr Andrew Thompson (Chairman)
Ms Fiona Walsh
Mr Tim McClune
Dr Leslie Wootton
Ms Margaret Wolff

Legal Assessor: Mr John Williams

Representation for Council: Mr Nick Leale

Representation for Osteopath: Mr Paul Grant (not attending)

Clerk to the Committee: Miss Anna Ripley

Date of Hearing: Thursday 5th March 2009

Decision:

We considered whether to proceed in the absence of Mr. Grieve. We were satisfied under Section 20 of our Rules that notice of today's proceedings was served on Mr Grant as Mr Grieve's solicitor and indeed Mr Grant confirmed this in his letter of 4th March 2009. We therefore decided to proceed in the absence of Mr. Grieve. We were told by Mr. Leale that this case was referred by the Investigating Committee on the 28th January 2009.

We heard from Mr Leale on behalf of the Council that allegations of indecent assault had been made by 7 former patients of Mr. Grieve beginning 11 years ago. The allegations included in the summary from the police if proved could amount to serious breaches of the Osteopathic Code of Practice in relation to consent, examination and treatment of intimate areas and chaperoning. Although we were provided with a transcript of the hearing at the Investigating Committee we have considered the matter afresh and reached our own view on whether, on the information provided to us it may be necessary under Section 24 (2) of the Osteopaths Act 1993 to suspend Mr. Grieve's

registration until this matter is determined. We considered two letters from Mr. Grant on behalf of Mr. Grieve dated 27th January 2009 and 4th March 2009.

We have had advice from our legal assessor and noted the advice the legal assessor gave to the Investigating Committee.

We are satisfied that it is necessary to protect the public for us to direct the Registrar to suspend Mr Grieve's registration until this matter is determined. We stress that we have not made any findings of fact in relation to evidence and our decision is based solely on the information which has been given to us by Mr. Leale and Mr. Grant and has not been subject to being tested by live evidence and cross examination. We took into account that there have been seven separate serious allegations made against Mr. Grieve. If proved these allegations could involve not only serious criminal offences but also serious breaches of our Code of Practice in relation to consent to examination and treatment, respect for patient's privacy and the provision of chaperones. We also took into account that the allegations began eleven years ago. We considered that if the allegations were well founded there could be a real risk of repetition. We took into account Mr. Grieve's previous good character, the devastating impact on his livelihood and professional reputation and that he strenuously denies the allegations. We drew no inference from his absence before us today.

Whilst we have come to no judgment on the truth or otherwise of the allegations we have decided it is necessary to order the Registrar to suspend Mr. Grieve's registration in order to protect the public pending what we understand will be the outcome of the criminal proceedings and any further disciplinary proceedings of the Council.

Under Section 24 (6) of the Osteopaths Act 1993 Mr. Grieve has a right of appeal to the appropriate Court. Any such appeal must be brought within 28 days.

This concludes the hearing.