

**Minute of the In Camera session of the Public meeting of the
General Osteopathic Council held on Wednesday 21 November 2018, at
176 Tower Bridge Road, London SE1 3LU**

Confirmed

Chair: Alison White

Present: Sarah Botterill
Elizabeth Elander
John Chaffey
Bill Gunnyeon
Simeon London
Joan Martin
Haidar Ramadan
Denis Shaughnessy
Deborah Smith

In attendance: Sheleen McCormack, Director of Fitness to Practise
Marcia Scott, Council and Executive Support Officer

**Item 8: Fraud and Error in relation to registration – Report on the
Registrar’s investigation**

Council’s Approach

1. It was confirmed that no member of Council had a conflict of interest in relation to the case.
2. In considering the Registrar’s report concerning the case of Mr Akhtar, Council was invited to:
 - a. Consider the Registrar’s report, and
 - b. Reach a decision in accordance with Section 10 of the Osteopaths Act 1993 (the Act).
3. Council was advised that in its approach to making a decision it must have regard to the statutory scheme contained in Section 10 (5) of the Act which provides that if, having considered the Registrar’s report, the Council is satisfied that the entry in question is fraudulent, it may order the Registrar to remove the entry.
4. There were therefore two matters for Council to consider in relation to Mr Akhtar’s entry on the Register:
 - i. Was the entry in question fraudulently procured or incorrectly made?

- ii. If the Council is satisfied that it was, on either of those bases, does it wish to order the Registrar to remove the entry from the register?
 - a. The first question is one of fact. In coming to its decision on fact, Council considered the information provided by Mr Akhtar on both his GOsC application form and LCOM application form in light of the subsequent information provided by the PMDC and KEMC. Council also had regard to LCOM's subsequent decision to rescind Mr Akhtar's RQ.
 - b. If Council made finding on fact, it was mindful that it must then consider whether to order the Registrar to remove Mr Akhtar's entry from the register. In doing so Council members had in mind the purpose of Section 10 which is to ensure that only those who should be admitted to the register have an entry on it.
 - c. Council was advised that Mr Akhtar could appeal its decision.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Preliminary Matters

6. As a preliminary matter, Council first addressed whether sufficient and fair notice of today's meeting was provided to Mr Akhtar. The Council was advised that the Act was silent on any notice period required and so it should have regard to overall fairness when making its decision. As a reference point as to sufficient notice Council may take into consideration notice which is prescribed in fitness to practise hearings. The notice of hearing required of a fitness to practise hearing is 28 days.
7. In reaching a decision on proceedings in absence, Council had regard to a letter dated 23 July 2018 from Mr Akhtar to the GOsC where he confirmed that he would not be appealing the Registrar's suspension of his entry on the Register. The Council also had regard to an undated letter in which Mr Akhtar refers to being 'unable to attend' today's hearing. Within this letter he refers to resigning from the Register and asking for his entry to be removed. This letter was received by GOsC on 25 October 2018. In all the circumstances, Council was satisfied that Mr Akhtar had been given sufficient notice of today's meeting and it was both appropriate and fair to proceed and determine the issue in his absence.

Decision

8. The allegation to be considered by Council is as follows:
 - (a) In support of his application for admittance to the membership course at the London College of Osteopathic Medicine (LCOM), Mr Shamim Akhtar provided a false degree certificate for the Bachelor of Medicine and Bachelor of Surgery degree (M.B.B.S) purporting to be issued from the University of the Punjab.
 - (b) In his application for entry to the Register of osteopaths, Mr Shamim Akhtar provided false registration details with the Pakistan Medical and Dental Council.

In light of paragraphs (a) and (b) above, the Registrar would not have been satisfied that Mr Akhtar was of good character and permitted him entry onto the Register.

9. The background to the allegation can be stated shortly. The GOsC contacted the PMDC to verify whether the details Mr Akhtar provided on his GOsC Application form were accurate. On 4 April 2018, the PMDC emailed the GOsC, confirming 847159-P is not a valid PMDC registration number. On 3 July 2018 the PMDC emailed the GOsC, confirming Mr Akhtar is not registered and his details do not

exist in the PMDC's database. The PMDC further stated registration no.847159-P is not a valid registration number: it is a fabricated/fictitious and fake number.

10. The GOsC also contacted the KEMC to verify whether the degree certificate Mr Akhtar provided to LCOM in support of his application was authentic. On 11 July 2018 the KEMC emailed the GOsC with a letter from the KEMC Registrar attached, confirming 'The contents of the degree of the individual cited above are not verified. It is "Bogus".'
11. In arriving at its decision Council had regard to:
 - a. The GOsC's overarching, statutory objective to protect the public and act in the wider public interest;
 - b. The need to maintain the integrity of the GOsC register and uphold the reputation of the profession;
12. Council determined from the documentary evidence presented to it that Mr Akhtar did not have the primary medical qualification which was a prerequisite to enable him to gain entry to the course he undertook with LCOM. Council further determined that his procurement of a false medical degree certificate enabled him to obtain an RQ from LCOM which he then used to subsequently gain admission to the Register. Council therefore concluded that Mr Akhtar's entry in the Register was fraudulently procured.
13. Council then went on to consider whether it should order the Registrar to remove Mr Akhtar's entry from the register. Mr Akhtar's conduct in procuring the false medical degree certificate and providing GOsC with false registration details with the Pakistan Medical and Dental Council constituted a series of steps taken by him which represented serious and premeditated acts of dishonesty. Council was in no doubt that his conduct was extremely serious and represented a fundamental incompatibility with the high standards of integrity and honesty required of osteopaths.
14. Council considered that there was a lack of remorse and contrition shown by Mr Akhtar demonstrated by his lack of engagement with the situation, his disregard of the impact on the reputation of the profession and most importantly his disregard for concerns relating to patient safety. Council concluded that Mr Akhtar does not satisfy the good character requirement under section 3 of the Act. Council determined in all the circumstances and in furtherance of the protection of the public and the wider public interest, Mr Akhtar should be removed from the Register.

Agreed: Council agreed that in accordance with Section 10 of the Osteopaths Act 1993 and (Fraud or Error Appeals) Rules 1999 (the 1999 Rules) that the Registrar should be ordered to remove Mr Akhtar from the Register.