

**From:** [Matthew McCoig-Lees \(0161 923 6579\)](#)  
**To:** [xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxx.xxx](#)  
**Subject:** RE: Freedom of Information request - Dr Arowojolu (4467036) erased because of sexually motivated conduct - rehearings  
**Date:** 13 January 2021 18:06  
**Attachments:** [Record of Determination.docm](#)

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Dear J Roberts

I write further to previous correspondence with a response under the Freedom of Information Act 2000. I apologise for the delay in responding to you.

I will address your questions in the order in which they were made, addressing the second two together.

*1. Please provide a copy of the initial hearing.*

See attached.

*2. For each of the past three years, please provide the number of MPT decisions appealed to the High Court. Break down the figures to show who brought the appeals.*

*3. For each of the past three years, please provide the number of MPT decisions appealed to the High Court which resulted in the GMC initiating fresh MPT proceedings. Break down the figures to show the outcome of the fresh proceedings.*

Firstly, I should explain that some of this data is that which we provide to the Professional Standards Agency. The definition of 'year' follows their reporting year (Apr-Mar) rather than calendar years. I hope this is acceptable. It relates to the number of appeals which were concluded in each period.

I should also explain that when a matter comes before a judge, if they uphold the appeal against the MPTS decision, they have the option of either remitting the decision back to the MPTS or making their own decision. Therefore, it's important to understand that the number of cases remitted back to the MPTS represents only part of the appeals upheld.

The GMC can also agree to a rehearing following a doctor appeal without a decision by a judge and the data below for remitted cases includes these matters.

Below is the number of appeals instigated on behalf of doctors which concluded 1 April 2017-31 March 2020, split by reporting year with the outcomes of remitted hearings where they have been held.

Date	Number of S40 Doctor Appeals concluded in period	Number of cases remitted to MPTS	Outcomes of Remitted MPTS Hearings
1 April 2017-31 March 2018	25	1	No Impairment
1 April 2018-31 March 2019	20	1	Suspension

1 April 2019-31 March 2020	20	2	Erasure  Hearing not taken place
<b>Total</b>	<b>65</b>	<b>4</b>	

Below is the number of appeals instigated on behalf of the GMC which concluded 1 April 2017-31 March 2020, split by reporting year.

<b>Date</b>	<b>Number of S40a GMC Appeals concluded in period</b>	<b>Number of cases remitted to MPTS</b>	<b>Outcomes of Remitted MPTS Hearings</b>
1 April 2017-31 March 2018	25	11	Erasure x2  Suspension x5*  Order Revoked (Combined hearing covering two cases)  Restoration Application Granted^  Restoration Application Refused
1 April 2018-31 March 2019	5	1	Conditions
1 April 2019-31 March 2020	1	1	Suspension
<b>Total</b>	<b>31</b>	<b>13</b>	

\* In one of these cases the GMC successfully appealed the initial tribunal decision at the High Court which directed a sanction of suspension should be replaced with erasure. The doctor appealed the High Court decision to the Court of Appeal. As a result the original Tribunal decision was restored. This case is included only in the second table.

^ In this case the GMC was unsuccessful at High Court but successful at the Court of Appeal which remitted the matter back to the Tribunal.

I hope you find this information helpful.

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Kind Regards

Matt

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M3 3AW  
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Tel: 0161 923 6579



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**From:** FOI

**Sent:** 26 November 2020 16:08

**To:** xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxx

**Subject:** RE: Freedom of Information request - Dr Arowajolu (4467036) erased because of sexually motivated conduct - rehearings

Dear J Roberts,

**Your information request – IR1-2867751650**

Thank you for your email dated 25 November, in which you ask a copy of the hearing for Dr Arowajolu (4467036) and the number MPT decisions appealed to the High Court in the last 3 years and the number that resulted in the GMC initiating fresh MPT proceedings.

**How we will consider your request**

We're going to look at your request under the *Freedom of Information Act 2000* (FOIA). The FOIA gives us 20 working days to respond but we'll come back to you as soon as we can.

**Who to contact**

Matt McCoig-Lees will be handling your request. If you have any questions you can contact him via email at [xxxx.xxxxxxxxxx@xxxxxx.xxx](mailto:xxxx.xxxxxxxxxx@xxxxxx.xxx).

Yours sincerely

Lauren Barrowcliffe  
Information Access Team Assistant

[xxxxxx.xxxxxxxxxx@xxxxxx.xxx](mailto:xxxxxx.xxxxxxxxxx@xxxxxx.xxx)  
General Medical Council  
3 Hardman Street  
Manchester  
M3 3AW

-----Original Message-----

From: J Roberts [<mailto:xxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx>]

Sent: 25 November 2020 15:54

To: FOI <[xxx@xxxxxx.xxx](mailto:xxx@xxxxxx.xxx)>

Subject: Freedom of Information request - Dr Arowojolu (4467036) erased because of sexually motivated conduct - rehearings

Dear General Medical Council,

The High Court quashed the direction of the first tribunal that Dr Arowojolu's name be removed from the medical register - procedural error:

<https://clicktime.symantec.com/3Tw9u551YRPCK9S6dVmJCJG6H2?u=http%3A%2F%2Fwww.bailii.org%2Ffew%2Fcases%2FEWHC%2FAdmin%2F2019%2F3155.html>

The outcome of the rehearing was the same as the initial hearing - erasure:

<https://clicktime.symantec.com/3CpPhLw85end2ePHtF1ippZ6H2?u=https%3A%2F%2Fwww.mpts-uk.org%2F-%2Fmedia%2Fmpts-rod-files%2Fdr-olakunle-arowojolu-12-nov-20.pdf>

1. Please provide a copy of the initial hearing.
2. For each of the past three years, please provide the number of MPT decisions appealed to the High Court. Break down the figures to show who brought the appeals.
3. For each of the past three years, please provide the number of MPT decisions appealed to the High Court which resulted in the GMC initiating fresh MPT proceedings. Break down the figures to show the outcome of the fresh proceedings.

Yours faithfully,

J Roberts

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Please use this email address for all replies to this request:

[xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxx.xxx](mailto:xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxx.xxx)

Is [xxx@xxxxxx.xxx](mailto:xxx@xxxxxx.xxx) the wrong address for Freedom of Information requests to General Medical Council? If so, please contact us using this form:

[https://clicktime.symantec.com/3JZbNoBcuehZ6d6s2JL4sBh6H2?u=https%3A%2F%2Fwww.whatdotheyknow.com%2Fchange\\_request%2Fnew%3Fbody%3Dgmc](https://clicktime.symantec.com/3JZbNoBcuehZ6d6s2JL4sBh6H2?u=https%3A%2F%2Fwww.whatdotheyknow.com%2Fchange_request%2Fnew%3Fbody%3Dgmc)

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<https://clicktime.symantec.com/3Js1bjQnzz8EtXUT4M95m16H2?u=https%3A%2F%2Fwww.whatdotheyknow.com%2Fhelp%2Fofficers>

For more detailed guidance on safely disclosing information, read the latest advice from the ICO:

<https://clicktime.symantec.com/33oqQ9voYnc46J3L9nxvg8d6H2?u=https%3A%2F%2Fwww.whatdotheyknow.com%2Fhelp%2Fico-guidance-for-authorities>

Please note that in some cases publication of requests and responses will be delayed.

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