



**Findings of the Fitness to Practise Committee
following an Inquiry held pursuant to Part 8
of the Medical Practitioners Act 2007**

Registered Medical Practitioner:	Dr Syed Naqvi
Registration Number:	010833
Registered Address:	212 Bluebell Woods Oranmore Co Galway
Date of Inquiry:	2 nd , 3 rd , 4 th & 26 th October, 2012
Members of Inquiry Committee:	Dr Michael Ryan (Chair) Dr Mary Henry Mr John Kincaid
Legal Assessor:	Mr Seamus Woulfe SC
Appearances - For the Chief Executive:	Mr. JP Mc Dowell of Mc Dowell Purcell Solicitors.
For the Practitioner:	Ms Eileen Barrington SC instructed by Ms Caroline Crowley of Hayes Solicitors

Allegation 1:

This allegation was withdrawn by the CEO.

Allegation 2:

That in respect of the first operation carried out in November 2008, Dr Naqvi failed to make a midline incision.

Allegation 2 was proven as to fact.

Reason:

Dr Naqvi accepted this was a literal statement of fact.

Allegation 2 did not amount to professional misconduct.

Reason:

The evidence established that an acceptable alternative incision was made.

Allegation 3:

That Dr Naqvi failed to ensure that an adequate record was completed in respect of the first operation carried out on or around 22nd November 2008.

Allegation 3 was proven as to fact.

Reason:

Dr Naqvi accepted that there were omissions in the account of the operation, in particular the absence of a record of extending the initial incision.

Allegation 3 did not amount to poor professional performance.

Allegation 4:

That following the first operation on or around 22nd November 2008 and in advance of the second operation on or around 3rd December 2008, Dr Naqvi failed arrange a CT scan.

Allegation 4 was proven as to fact.

Reason:

This was admitted by Dr Naqvi.

Allegation 4 did not amount to professional misconduct.

Reason:

The exercise of clinical judgment by the doctor did not fall seriously below the expected standard having regard to all the circumstances arising in this case.

Allegation 5:

That in respect of the second operation on or around 3rd December 2008, Dr Naqvi failed to explore the abdomen by way of midline incision and/or exteriorise the ileal and colonic ends through separate incisions.

Allegation 5 was proven as to fact.

Reason:

It was admitted by Dr Naqvi on the facts.

Allegation 5 did not amount to professional misconduct.

Reason:

The evidence showed that the alternative approach chosen by Dr Naqvi was acceptable clinical practice.

Allegation 6:

That following the second operation on or around 3rd December 2008 and in advance of the extensive resection on 8th December 2008, Dr Naqvi failed to arrange a CT scan.

Allegation 6 was proven as to fact.

Reason:

This was admitted by Dr Naqvi.

Allegation 6 did not amount to poor professional performance.

Reason:

The exercise of clinical judgment did not fall below the expected standards of competence, having regard to all the circumstances of the case.

Allegation 7:

That Dr Naqvi failed to make any or any adequate arrangements should Ms S have required transfusion.

Allegation 7 was not proven as to fact.

Reason:

It was not proven beyond a reasonable doubt.

Allegation 8:

That Dr Naqvi carried out an extensive resection on 8th December 2008 when same was not appropriate.

Having regard to the evidence adduced, the Committee found that :

Allegation 8 was not proven as to fact.

Reason:

It was not proven beyond a reasonable doubt.

Allegation 9:

That Dr Naqvi failed to ensure that Ms S was adequately resuscitated post the operation on 8th December.

Having regard to the evidence adduced, the Committee found that :

Allegation 9 was proven as to fact.

Reason:

The evidence established this as a matter of fact beyond a reasonable doubt.

Allegation 9 did not amount to professional misconduct.

Reason:

It was not proven beyond a reasonable doubt.

Allegation 10:

That Dr Naqvi failed to ensure that Ms S was in an ICU setting with full resuscitation capabilities.

Having regard to the evidence adduced, the Committee found that :

Allegation 10 was proven as to fact.

Reason:

The evidence established beyond a reasonable doubt that the Mid Western Regional Hospital in Ennis did not possess an intensive care unit with full resuscitation facilities.

Allegation 10 did not amount to poor professional performance.

Reason:

It was not proven beyond a reasonable doubt.

Allegation 11:

That Dr Naqvi failed to adequately monitor Ms S's condition after 3rd December 2008.

Having regard to the evidence adduced, the Committee found that :

Allegation 11 was not proven as to fact.

Reason:

This was not proven beyond a reasonable doubt.

Allegation 12:

That Dr Naqvi failed to arrange a transfer of Ms S to MWRH Limerick within an adequate time period.

Having regard to the evidence adduced, the Committee found that :

Allegation 12 was not proven as to fact.

Reason:

This was not proven beyond a reasonable doubt.



Chairperson

14th November 2012
