

Surgeon accused of harming 100 patients will not face punishment

By **Victoria Allen**
Scottish Health Reporter

A SURGEON alleged to have harmed more than 100 patients will not face a medical tribunal.

Professor Sam Eljamel, 58, has removed himself from the medical register to avoid a hearing that could have seen him struck off.

His patients have been left devastated, while their lawyer has branded the situation an 'absolute disgrace'.

Professor Eljamel, formerly a consultant neurosurgeon at Ninewells Hospital in Dundee, was temporarily banned from carrying out spinal surgery in the UK after being referred to the General Medical Council (GMC).

One of the Dundee doctor's patients, 55-year-old teacher Patrick Kelly, underwent an operation in 2007 to remove part of his spinal disc, which almost killed him following a haemorrhage. He then claims to have seen a scan which showed the disc had never been touched.

Mr Kelly said he felt Professor Eljamel had 'got away with it', adding: 'This man has destroyed my life. When you go into hospital, you don't expect to come out worse than you went in.'

'I had an operation, knowing the risks, because it was my best shot. But I suffered a haemorrhage and my lung collapsed.'

'I was told if blood went into my lungs I would not last the night. That was the point where I said goodbye to my wife and son.'

'To find out last year my MRI scan was exactly the same as a decade ago and the disc had not even been touched was devastating. If I had died, no one would ever have known.'

Professor Eljamel may still be able to work abroad, despite removing himself from the register, which only means he



'Got away with it': Sam Eljamel

cannot practise in the UK. Thompsons Solicitors has been contacted by more than 100 people claiming to have been harmed by Professor Eljamel.

Patrick McGuire, a partner in the firm, said: 'This really is a slap in the face for those patients



'Life destroyed': Patrick Kelly

who have suffered at the hands of this surgeon. The GMC and the Scottish NHS really must take a look at this and tighten things up so medical professionals cannot simply absent themselves from the GMC list and so escape any scrutiny or

censure. That Professor Eljamel has been allowed to voluntarily remove himself from the medical register is simply not acceptable.'

GMC chief executive Niall Dickson said: 'We will only allow a doctor to remove themselves from the medical register if it is in the best interests of patients. Our priority must be to prevent patients coming to harm, not to punish doctors.'

Dr Andrew Russell, medical director of NHS Tayside, said: 'We have spoken to all patients who have been directly affected and offered them the opportunity to have their case reviewed. Professor Eljamel is no longer employed by NHS Tayside.'

Victims have now been left trying to sue NHS Tayside, while Professor Eljamel has reportedly established an office in Connecticut in the US.

Yesterday, neighbours in Newport-on-Tay, Fife, said he was not at home. His solicitor said he had no comment to make.

victoria@daily mail.co.uk