

## Sam Eljamel patient makes formal police complaint against NHS Tayside

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Jules Rose (centre) was among protesters who gathered outside the Scottish Parliament in August to ask for a public inquiry into disgraced surgeon Professor Sam Eljamel | Alamy

A patient who was harmed by disgraced neurosurgeon Professor Sam Eljamel has met with Police Scotland to ask that it begin a criminal investigation into his former employer, NHS Tayside.

Jules Rose was one of the patients operated on by Eljamel at Dundee's Ninewells Hospital, having a healthy tear duct rather than a brain tumour removed in 2013.

She went on to form the Patients' Action Group for Eljamel Public Inquiry, which has around 160 members and successfully lobbied the Scottish Government to hold an inquiry into how the doctor was able to harm so many people under his care.

Police Scotland is already conducting a long-running investigation into the circumstances surrounding Eljamel's activities with the aim of establishing any criminality. That investigation was upgraded to major investigation status after the announcement of the public inquiry in September.

However, Rose today attended Bell Street Police Station in Dundee to make a formal complaint against NHS Tayside, asking that a criminal investigation be launched into "the criminal failings of NHS Tayside,

their employees, and contractors [...] including Muftah Salem Eljamel, clinical and medical staff, and management staff [...] for ill treatment and wilful neglect”.

“NHS Tayside failed in their duty of care to me, and they failed to provide the level of care required by statutory law,” Rose said.

“The NHS Tayside board and their employees [...] including the surgeon, and other medical staff [...] failed in their statutory duty ‘to ensure the health and safety so far as was reasonably practicable’ of myself and many others.”

Rose said she had made the request in a personal capacity but added that she urged other members of the patient group to consider following her lead.

A spokesperson for Police Scotland noted the existing investigation and said that "enquiries are ongoing and we continue to work alongside partner agencies".

A spokesperson for NHS Tayside said it would “not be appropriate to comment” on the latest development.

Mid Scotland and Fife MSP Liz Smith, who has for several years campaigned on behalf of patients harmed by Eljamel, said that Rose “speaks for so many former patients of Professor Eljamel when she says that lives have been ruined”.

“This is not just because of the medical malpractice of the neurosurgeon himself but because of the complete lack of oversight of his medical practices,” she said.

“There appears to be substantial evidence that several key people knew that there were very serious concerns, yet nothing was done to address them.

“I understand why Jules Rose has presented her very serious allegations to Police Scotland so that these can be properly investigated.”

Earlier this year Rose told *Holyrood* that she [felt like she had been raped](#) when she discovered that the surgeon had removed a healthy part of her body rather than carry out the operation he had been supposed to.

She said knowing that he had been allowed to operate on her for a second time in order to remove the tumour he should have dealt with in the first instance had led to 10 years of “sheer hell” and “psychological torture”.

“I was not able to give informed consent, an informed choice [...] I wasn’t given a voice,” she said.

“If I had known anything, do you think I would have gone in for the first surgery let alone the second?”

In August, an internal review carried out by NHS Tayside [revealed a catalogue of errors](#) in its response to Eljamel, who worked for the health board for 18 years.

Though he was ultimately removed from his post in 2013 – and has since fled to Libya – the review found that prior to that the board had failed to recognise major issues with his performance and allowed him to

carry out more than 100 operations during a six-month period during which he was under indirect supervision.

In September campaigners [gathered outside the Scottish Parliament](#) to demand a public inquiry into the surgeon's actions, with First Minister Humza Yousaf [confirming the next day](#) that it would go ahead.