

Liz Smith

Sent from my iPad

appendix (b)
Z0003

On 10 Aug 2016, at 10:41, CAT D <CAT C> wrote:

Dear Ms Smith

Please see the attached. It details a long running and very serious issue which requires some kind of enquiry by the MSP's to find out how this could happen and to prevent it happening in the future. This is an issue which has resulted in permanent physical damage to over 140 individuals that we know of.

Regards and Thanks

Z0003

<Liz Smith eljamel.doc>

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The information in this email may be confidential. If you think you have received this email in error please delete it and do not share its contents.

Many thanks for any help / information you may be able to provide.

CAT D

For and on behalf of Z0003

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

From: Smith E (Elizabeth), MSP CAT E
 To: CAT D <CAT C>
 Sent: Thu, 11 Aug 2016 8:01
 Subject: Re: Help with Issue

Dear Z0003

Thank you for your email and the detail it contains. I cannot imagine what suffering your father and the whole family have been through.

I hope you will not mind this "holding response" meantime as I need to carefully consider how to proceed. Whilst I read many of the later newspaper articles about Professor Eljamel, I am not sufficiently well informed about the case and the action taken against him when he was struck off and what the reasons were for the refusal of an enquiry. I am just about to go on holiday but I have asked my staff to provide me with a very full briefing just as quickly as possible.

What I can say just now, is that there are really two issues, albeit connected ones. There is the appalling treatment of your father and there is the wider issue about Professor Eljamel's record since 2008 or maybe even before that.

You are quite right to take legal advice about your father's treatment. That is not something that I can advise on - indeed my advice would be to take legal advice straight away.

On the second issue, I will investigate matters just as speedily as I can so that I am apprised of the full facts and once I have done this I will let you know how I intend to proceed.

Once again, I am so very sorry that you have had to endure all this. I will be back in touch in the near future.

Yours sincerely,

Liz Smith

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On 10 Aug 2016, at 10:41, CAT D <CAT C> wrote:

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The Scottish Parliament: Making a positive difference to the lives of the people of Scotland

Pàrlamaid na h-Alba: A' toirt deagh bhuaidh air beatha sluagh na h-Alba

For the Attention of Elizabeth Smith, MSP

8 August 2016

Dear Madam

Call for a Public Enquiry - Professor Samuel El-Jamel

I am writing with regards to the above-named neurosurgeon who worked, in my father's [REDACTED] Z0003 case, for NHS Tayside, Ninewells Hospital, Dundee.

Dad attended this gentleman over a number of years with symptoms which included, amongst others, excruciating headaches, upper neck pain and a continually deteriorating walking gait. Professor Eljamel diagnosed diabetic neuropathy and insisted this was the case when he/we queried it as Dad's symptoms did not fit with this.

In April 2012 he refused to see Dad again, quoting diabetic neuropathy and would not listen to his worsened symptoms.

Four months later, in August 2012, my mother and I organised Occupational Health to visit as he was falling over in the house so much by that point he was breaking ribs. He could not leave the house as it was too dangerous. Occupational Health organised grab rails and had a wheelchair made to allow Dad to leave the house as his walking ability and balance were, by then, nearly gone. The Occupational Nurse took one look at Dad and stated she thought he had hydrocephalus.

In October 2012, I was so desperate I keyed his abnormal, shuffling walk into a search engine and, within 5 minutes, saw a man with advanced Normal Pressure Hydrocephalus (NPH - water on the brain) walking exactly like Dad.

Dad's friend, [REDACTED] CAT D (very sadly recently deceased in 2016), suggested Dad contact his own specialists [REDACTED] CAT D. Dad attended in late October/early November 2012 and was diagnosed (visibly) with advanced NPH (within 40 minutes). This was later confirmed by the same tests that Eljamel purported to have run earlier that year. He required life-saving brain surgery on 16 March 2013. This was paid for **privately** as the NHS (per Eljamel) **refused** any help and had made that very clear earlier in the year.

NPH has 3 very visible symptoms – all of which Dad had. It is not a “hidden” disease – the signs are very visible once mid-stage is reached. It takes years to manifest into advanced/late-stage. If I can deduce what Dad had then a trained neurosurgeon should have been able to see much sooner what was happening. Indeed, a colleague of mine had noticed his walking gait alter in that he was veering towards the walls of the long university corridors he walked along. This is mid-stage NPH. My colleague was operated on within weeks of presenting to Eljamel. This is proof of

Eljamel's ability to diagnose and treat the disease in mid-visible stages – he most certainly should have been more than capable to diagnose all stages and symptoms.

This non-diagnosis is nothing less than incompetence in Eljamel's area. His incompetence has led to a dramatic change in not only my father's life but of my mother's and ALL the family.

As Dad had this disease for a number of years, he has been left with permanent brain damage which, if diagnosed earlier, would have been prevented. As he was left suffering with this disease over years, it eventually resulted in a large portion of his central brain mass disintegrating – he has a large black void in the centre of his brain. The brain was under such immense pressure that the excess cervical fluid basically squeezed the brain matter against the skull causing the breakdown and loss.

Additionally, Dad was diagnosed with early stage lung cancer in Jan 2016 and, thankfully, had surgery. However, he was strongly advised NOT to attend Chemotherapy as the oncologists thought the detrimental effects to Dad with a brain shunt in situ would outweigh any benefits. Had he been diagnosed and treated timeously by Eljamel then there would have been no need for a brain shunt and he would have been able to have ALL the recommended treatment for his cancer.

My father has been a successful businessman for many years.

CAT D

CAT D

CAT D

His illness brought this to a halt although he does still retain the patent which cost upwards of £850,000. His first secured order was for over £500,000. His projected estimated gross income, had he been able to continue, would have been in the millions. He would have been a major employer in this country.

CAT D

CAT D

There were also enquiries from as far afield as

CAT D

CAT D

Commercially, his deterioration, has caused untold damage. Had he been tested and diagnosed when he initially presented to Eljamel, his damage would have been very limited (as per my colleague's was – he returned to full health). However, as a direct result of Eljamel's non/mis-diagnosis, Dad has been left permanently damaged, my mother has been left caring for a man with extremes of emotions including loud outbursts, and my brother and I are trying to help keep Dad's company afloat. Dad was an extremely clever man. That ability has been taken from him by

Eljamel when he did not correctly diagnose Dad and, further, when he refused to see him after I sent a "pleading" letter.

We now have a copy of Dad's notes from NHS Ninewells. Surprisingly it took 3 months for them to "find" the notes as they "...had been misplaced". Alarming, there are 3 years missing AND there are no notes of his detailing excruciating headaches (and I was with him on occasion when he detailed this) nor upper neck pain. Something is not right here and we are seeking legal advice.

My worry is that, it transpires, Eljamel had accusations made against him from 2008. Why, on earth, was this gentleman allowed to continue until 2013? Ninewells have stated that my father did not receive the care he should have done. My formal complaint was admitted 6 weeks before the stories started to hit the papers. We thought Dad was the only one to have been permanently damaged. It is so upsetting to hear he wasn't and there could be upwards of 140 people – and those are the people who have a voice. How many people died at his hands?

Eljamel has now handed his Licence to Practice back to the GMC and can no longer carry out spinal surgery nor neurosurgery. However, it has now come to light that he has been attributing his education and experience to institutes which are now refuting that he completed training with them and are publicly distancing themselves from him.

This begs the question – did he lie on his CV application with the NHS initially. If he did then why were inaccuracies not picked up. Did he, in fact, not complete his training and, if so, why on earth did the NHS not do thorough checks if this was the case? These are the questions that need to be answered. NHS Ninewells is not going to answer these. Notes are misplaced then missing when we request them?

There needs to be a Public Enquiry into this. Scotland needs to know what happened here. Unfortunately, the SNP has refused not only our family but over 140 individual people (and their associated families) who have been affected by Mr Eljamel the right to find out what happened. Can you do anything to help. This situation must NEVER happen again.

We are having a problem taking this to court as the lawyers say we have to prove that another "like-minded" neurosurgeon would have diagnosed Dad with the disease ie. come to a different conclusion than Eljamel. Hydrocephalus is a disease which takes years to build to the point where you are in a wheelchair. I diagnosed Dad looking at a YouTube clip! Additionally, Eljamel's Locum wrote to him (we have the note) stating my Dad had something other than the diabetic neuropathy Eljamel had diagnosed. Nothing was ever done about that. If a Locum could spot it was not Neuropathy surely a worldwide expert should have known it was not neuropathy. The private expert Dad went to diagnosed hydrocephalus visually within 40 minutes!

Thanking you for taking the time out of your busy schedule to read this and we look forward to your response.

Yours faithfully

Tel/Fax: CAT C

CAT C

Smith E (Liz), MSP

From: Smith E (Elizabeth), MSP
Sent: 19 September 2016 12:32
To: CAT D
Cc: Land C (Christopher)
Subject: Re: Help with issue

Dear CAT D

Thank you for your email and I am so sorry to hear about your father's diagnosis.

As Chris Land has explained, the case is before Mr John Connell, Chief Executive of NHS Tayside who is undertaking several enquiries. I fully appreciate this is taking some time all of which is adding to the distressed caused to your family.

I shall continue to work to obtain the full facts. My staff have been in touch as I am sure Mr Land explained.

Liz Smith

Sent from my iPhone

On 19 Sep 2016, at 10:52, CAT D <CAT C> wrote:

Good Morning

I am writing to confirm my father's (Z0003) conversation a moment ago with Christopher Land. Dad detailed that he hadn't heard anything since your email of 11 August (below).

The reason for Dad's call for any follow-up is that he received devastating news last week. He had lung cancer (diagnosed Dec2015, finally operated on in ERI on 29 April this year - outwith N.I.C.E. recommendations which state surgery on cancer should take place not more than 31 DAYS after diagnosis, Dad waited over 4 months). He began to feel unwell last week and was diagnosed with pneumonia but also given an urgent CT scan. Within an hour of the scan he was told he had "numerous nasty and very bad looking growths through his liver". We now have a 3 week wait until the "monthly" departmental meeting takes place to discuss, basically, how long he has left - three weeks now seems like an eternity.

Dad was told that, after his lung surgery, the high risk of critical infection that would probably occur if he had chemotherapy from the shunt in his brain (which he would not have needed had Eljamel diagnosed him timeously). They quite clearly advised that there was a high potential of death through infection. Chemo was, effectively, denied to him. He won't get it this time either. It really will be down to, what would let Dad live the longest - chemo or the cancer.....

Eljamel has had numerous complaints made about his work both in his inability to diagnose and also operating and causing damage. Both cause damage to the patient. There has now been an investigation into his CV. and, it has been found, he appears to have inaccurately stated he completed his training at universities. These universities have now stated he did not finish his training with them and they have no idea why he has stated that on his CV. Complaints about him now appear to go back to at least 2001. However, I would point out that the NHS complaints

procedure and the legal system have time barrs placed on them. How many people have been blocked from making their complaint through a time barr, or may now be deceased and have no voice whatsoever?

There needs to be a Public Enquiry (PE) into how a man, purporting to be an international expert of neurosurgery and spinal problems, with many publications and invitations to speak worldwide on these subjects was able to hand his Licence to Practice back to the GMC in the UK and walk away. We believe he is now opening a practice in America. I, for one, am disgusted that there is no arena in this country to have a PE - it was ruled out by Nicola Sturgeon. Why?

This country can hold a PE into why the Forth Road Bridge was closed for a few days - but over 120 people (I suspect the tip of the iceberg) permanently damaged by one man do not get this courtesy?????

There does not seem to be a logical explanation of how this man could be so seriously wrong with so many people and, essentially, walk away from facing the consequences. What has happened here? Was his CV not checked thoroughly? Why was this man allowed to continue his "mistakes" from (at least) 2001 to 2015 without consequence? Why no Public Enquiry? As my Dad's time is now VERY limited will the NHS respond to you/us in an accelerated manner? Or will Dad go to his death with no answers as to how this could happen?

I know this is an emotive email but you will have to excuse me, I have spent the last decade of my life watching my father be damaged both physically and mentally by the NHS (Ejamel) and still feel like his voice is silent. It is a disgusting state of affairs and is both morally and ethically wrong. We, as a family, are prepared to carry on the fight for clarity and justice after Dad has gone.

Many thanks for any help / information you may be able to provide.

CAT D

For and on behalf of Z0003

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

From: Smith E (Elizabeth), MSP <CAT E>
To: CAT D <CAT C>
Sent: Thu, 11 Aug 2016 8:01
Subject: Re: Help with Issue

Dear CAT D

Thank you for your email and the detail it contains. I cannot imagine what suffering your father and the whole family have been through.

I hope you will not mind this "holding response" meantime as I need to carefully consider how to proceed. Whilst I read many of the later newspaper articles about Professor Eljamel, I am not sufficiently well informed about the case and the action taken against him when he was struck off and what the reasons were for the refusal of an enquiry. I am just about to go on holiday but I have asked my staff to provide me with a very full briefing just as quickly as possible.

What I can say just now, is that there are really two issues, albeit connected ones. There is the appalling treatment of your father and there is the wider issue about Professor Eljamel's record since 2008 or maybe even before that.

You are quite right to take legal advice about your father's treatment. That is not something that I can advise on - indeed my advice would be to take legal advice straight away.

On the second issue, I will investigate matters just as speedily as I can so that I am appraised of the full facts and once I have done this I will let you know how I intend to proceed.

Once again, I am so very sorry that you have had to endure all this. I will be back in touch in the near future.

Yours sincerely,

Smith E (Liz), MSP

From: Smith E (Elizabeth), MSP
Sent: 19 September 2016 14:28
To: CAT D
Subject: Re: Help with Issue

Dear CAT D

I intend to pursue matters with Mr Connell.

Liz Smith

Sent from my iPhone

On 19 Sep 2016, at 14:26, CAT D <CAT C> wrote:

Many, many thanks for both your and Mr Land's response. Mr Connell's response is appreciated however, I stand by the facts that appear to be coming to light regarding Professor Eljamel and the fact that a Public Enquiry is very much needed. There are a lot of people and their associated families and friends in both Scotland and England who have been affected over a period longer than 2008.

Seeking answers from NHS Tayside is a Facebook page which has been published by and Administrator (not me!) which makes very interesting reading and shows some of the concerns regarding the surgical problems just a small fraction of people have encountered. I would point out that most (if not all) on the page have a court case in progress regarding damage suffered.

Once again, many thanks for your continued help. It is also of some relief to my Dad which, at the moment, is about all he has got - someone is helping him.

Regards

CAT D

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

From: Smith E (Elizabeth), MSP <CAT E>
 To: CAT D <CAT C>
 CC: Land C (Christopher) <CATE>
 Sent: Mon, 19 Sep 2016 11:32
 Subject: Re: Help with Issue

Dear CAT D

Thank you for your email and I am so sorry to hear about your father's diagnosis.

As Chris Land has explained, the case is before Mr John Connell, Chief Executive of NHS Tayside who is undertaking several enquiries. I fully appreciate this is taking some time all of which is adding to the distressed caused to your family.

I shall continue to work to obtain the full facts. My staff have been in touch as I am sure Mr Land explained.

Liz Smith

Smith E (Liz), MSP

From: Smith E (Elizabeth), MSP
Sent: 17 October 2016 16:00
To: CAT D
Cc: Land C (Christopher)
Subject: Re: Help with Issue

Dear CAT D

Thank you for this. Mr Land is on holiday this week but I will investigate with the parliamentary authorities whether it is possible to undertake a freedom of information request regarding the relevant papers. I am not sure if this is possible in a medical context as I was once refused material relating to another patient on account of confidentiality. I will however try when I return from London this week.

Liz Smith

Sent from my iPhone

> On 17 Oct 2016, at 14:44, CAT D <CAT C> wrote:
>
> phenomenally