

IN THE FAMILY HEALTH SERVICES APPEAL AUTHORITY

Case No: 14783

Panel

Mrs Debra Shaw - Chairman
Dr Howard Freman - Professional Member
Mrs Valerie Barducci - Member

BETWEEN

OXFORDSHIRE PRIMARY CARE TRUST

Applicant

and

DR DAVID OTTERBURN
GMC NO: 1613511

Respondent

DECISION WITH REASONS

The Application

1. This is an application by Oxfordshire PCT ("the PCT") for national disqualification of Dr David Otterburn ("the Respondent") under section 18A of the National Health Service (Performers Lists) Regulations 2004 (as amended) and associated regulations ("the Regulations").

History

2. The Respondent accepted a caution from the Thames Valley police in respect of making indecent photographs of children between 1/12/06 and 01/04/07 at Steventon, Oxfordshire, namely 100 level 1 images of a child, which is an offence under section 1(1)(A) of the Protection of Children Act 1978. He was placed on the Sex Offenders Register.
3. As a result, and having considered the criteria set out in section 11(2) of the Regulations, the PCT removed the Respondent from its Performers List with effect from 2nd July 2008 on the ground of unsuitability under sections 10(3) and (4)(c) of the Regulations.
4. On 8th September 2008 the PCT applied to the Family Health Services Appeal Authority ("the FHSAA") for a national disqualification to be imposed on the Respondent..
5. In a letter to the FHSAA dated 22nd September 2008 the Respondent confirmed he did not intend to oppose the application or to instruct a representative.
6. The parties subsequently agreed to the Panel considering the application on the papers alone and the Panel proceeded in the absence of the parties on 2nd December

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Debra R Shaw
Chairman of the Panel