

Inquest into the Death of David Gray to Begin Thursday 14th January 2010.

The inquest into the death of Mr David Gray, who died following an overdose of diamorphine administered by an overseas doctor during an out-of-hours visit, will begin on Thursday 14th January 2010. Anthony Collins Solicitors have confirmed they will be representing the family.

Mr Gray, aged 70, from Manea in Cambridgeshire, had suffered with kidney stones and occasional severe pain in his kidneys for many years. On Saturday 16th February 2008 Lynda Bubb contacted Take Care Now (TCN) who provided out of hours medical cover on behalf of the Cambridgeshire Primary Care Trust.

Dr Daniel Ubani, the on-call doctor, visited Mr Gray at home on behalf of TCN, and gave him an injection of 100 mg of diamorphine, ten times the maximum dose of 10 mg usually recommended. Dr Ubani later admitted that he had no knowledge of the drug diamorphine. Mr Gray died within minutes.

Dr Ubani, 66, from Witten in Germany, was on his first ever shift in the UK having arrived in the UK the day before to work for TCN.

The inquest, which starts this week, will take place at Wisbech Coroner's Court held at the Magistrates Court in Wisbech, Cambridgeshire. It will determine the facts surrounding Mr Gray's death, examining in detail key features of the case which have already given rise to serious questions about the provision of out of hours care in this country.

Inez Brown from Anthony Collins Solicitors explained further; "This case has unearthed concerning aspects about the use of overseas doctors to deliver out-of-hours medical care in the UK. Of particular concern is the process for vetting the doctors beforehand, their level of training in comparison to the NHS, and the information and training given to ensure the safe use of medicines and controlled drugs like diamorphine."

In June 2009 the Care Quality Commission, the independent regulator of health and social care services in England, began an investigation into the out-of-hours service provided by TCN, as a direct result of Mr Gray's death. Its interim findings concluded that primary care trusts were failing to consistently and routinely look at the quality of care provided. The Commission's final report is expected early in 2010.

Due to communication breakdowns and misinformation between the English and German authorities, the extradition of Dr Ubani for trial in England for causing the death of Mr David Gray was refused. He received by post a 9-month suspended sentence and costs of 5,000 euros from the District Court in Witten, Germany for causing actual harm/death by negligence, without being interviewed by the police. Mr Gray's family are pursuing civil action against Dr Ubani, the Cambridgeshire Primary Care Trust and Take Care Now.

Mr Gray's son, Dr Stuart Gray from Kidderminster in the West Midlands, commented "It is disappointing that, but for certain national media support, it is unlikely any further action would have been taken by the authorities responsible for the registration of doctors, the overseeing of the out-of-hours service and the implementation of the law. I feel we have been constantly hitting barriers in our fight to get heard and attempt to get changes made to the present system to make the out-of-hours service safer. There seems to be an endemic attitude of defensiveness, deflection of blame and evasion of responsibility and accountability for actions that pervades these organisations, and until there is a shift in these attitudes then, regrettably, I can see no effective changes for the improvement of patient safety in out-of-hours care occurring in the near future."

- ENDS -

Further information is available from the Anthony Collins Solicitors Press Office.

For general enquiries contact Simeon Ling on 07841 499693 or for media enquiries contact Jo Garner on 07717 897991 or 01527 888992, email media@anthonicollins.com. www.anthonycollins.com.

Please see accompanying briefing notes for more information.

Editor's Notes

Anthony Collins Solicitors

Anthony Collins Solicitors is a full service law firm with a national reputation for advising individuals, businesses, not-for-profit organisations, local authorities, and public sector bodies throughout the UK. For nearly four decades, it has been successfully combining market-leading legal expertise with a commitment to excellence and long-term relationships underpinned by a strong ethical position.

Chambers UK, the leading guide to the legal industry, recently praised the firm across its broad range of practice areas, singling out an outstanding 20 leaders in their fields.

Its Clinical Negligence team has also been recognised by members of the legal profession. In particular, the Legal 500 and Chambers UK guides recommend Anthony Collins Solicitors as one of the leading law firms in clinical negligence in the West Midlands.

Inez Brown, Associate Solicitor, is the lead solicitor acting on behalf of the Gray family working alongside the team's two partners, Tony Hall and Rankeshwar Batta. Profiles for each of these individuals are available at <http://www.anthonycollins.com/who-we-are/our-people.aspx>.