

**Dr. Marta Stefan**

*Appellant*

v.

**The General Medical Council**

*Respondent*

FROM

**THE HEALTH COMMITTEE OF THE  
GENERAL MEDICAL COUNCIL**

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ORAL JUDGMENT OF THE LORDS OF THE  
JUDICIAL COMMITTEE OF THE PRIVY COUNCIL,  
Delivered the 17th July 1995  
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*Present at the hearing:-*

Lord Keith of Kinkel  
Lord Slynn of Hadley  
Lord Hoffmann

*[Delivered by Lord Keith of Kinkel]*

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Dr. Stefan appeals to Her Majesty in Council against a direction of the Health Committee of the General Medical Council given on 23rd February 1995. The Committee determined that Dr. Stefan's fitness to practise was seriously impaired and directed that her registration be suspended for a period of eight months.

This was the fourth occasion on which the Health Committee had had occasion to consider Dr. Stefan's case. At a hearing on 21st June 1993 the Committee found that the appellant's fitness to practise was seriously impaired and directed that her registration be conditional on compliance with certain conditions. Dr. Stefan, on that occasion, appealed to Her Majesty in Council but on 9th December 1993 the Board humbly advised Her Majesty that the appeal should be dismissed because they were unable to find that it raised any question of law. Under section 40(5) of the Medical Act 1983 an appeal to Her Majesty in Council from the Health Committee lies only upon a question of law.

The Health Committee considered Dr. Stefan's case again on 20th June 1994 and made a similar direction to the one which they had previously made. On the further hearing which took place on 23rd February 1995 the Committee asked Dr. Stefan whether she was prepared to accept certain conditions upon which her registration might be conditional. However, it appears that Dr. Stefan was not prepared to accept these conditions and as a result the Committee gave the direction for suspension to which their Lordships have referred.

Dr. Stefan has addressed the Board and submitted a written case which their Lordships have carefully considered. Their Lordships are unable to identify any question of law, just as the Board were likewise unable to find such a question on her previous appeal. There is no doubt that on the material before the Health Committee they were entitled to make the direction which they did. In the circumstances their Lordships will humbly advise Her Majesty that this appeal ought to be dismissed.