

Further Information -

@gmail.com

- Gmail

Dear Mr Baker

Please see below my response to each of the points you raise in your email of 28th April 2021

I note that my request for you to withdraw your grossly misrepresentative and deeply offensive remarks in your report has gone unheeded.

As HM Inspector of Anatomy, I confirm that I am of the view that the Annual Report (August 2018 – October 2019) is not misrepresentative of the situation described therein.

You have stated that you were unaware of the open access course run by [REDACTED] at Dundee and indeed did not mention this in your report where my trading name was brought into disrepute and my reputation

destroyed. The additional (unusual) press attention which I understand emanated from your office, was a further blow.

With regards to press attention, HM Inspector of Anatomy Annual Reports are published online and are publicly available.

As part of an information gathering exercise, I would like to understand the process by which your attention was brought to my class being run at St Andrews, specifically whether it was mentioned or brought to your attention by any single person or persons and the capacity in which any conversation was had.

The course was brought to my attention by a member of staff at the University of St Andrews after they received a request to renew the contract between Functional Fascia and the University. In my capacity as HM Inspector of Anatomy, universities are **requested** to inform me of any anatomy-related courses they run.

The course was confirmed by the head of services at St Andrews as a matter of procedure. However given that CD's name was the first to be mentioned, it clear that Professor Findlater had been contacted by Ceri Davies prior to his investigation.

As it transpired, he had absolutely no complaints at all about my course and was happy with its content, its professionalism and the delegates who attended it.

Upon further investigation into the course as part of my inspection duties, I became concerned about the money

being generated by the fees charged for the course, and how this squared with paragraph 97 of the Code of Practice for Anatomical Examination in Scotland, which states, "It is not permitted for any individual or organisation to make financial profit from bodies donated to medical science". I note that while the report expresses reservations about the course on the basis of the income being generated by such a course, in these circumstances it is up to the university to decide if the course should run or not, given it is the school that is inspected against the Code of Practice by HM Inspector of Anatomy.

The single comment was how it was funded. Had my company at the time been 'not for profit' he would not have been able to comment, even though my salary as a director of a not for profit could have way more than I could ever hope to make from this class. The sole reason I didn't run the business as a non-profit, was that it would have attracted VAT and made the class more expensive for the delegates, some of whom were undergraduate medical science students. It was this sole comment that made the whole thing fall apart.

Please also see Point 77 of the Annual Report, which notes that the course organiser "gave reassurances that the income generated from these courses only covered the expense of running them and that there was no financial gain on their part".

Financial gain or getting paid? It's a fine line. If I had been a university lecturer I would have made considerably more than the fees generated by this class. It's also worth noting that surgical training companies charge thousands of pounds per day to run classes, with cadavers, in Scotland, with not a peep from Ooorr Gordon. One rule for one?

As it appears that any course would only be focussed on if it was brought to your attention rather than any standard due diligence or laid out procedure, it seems strange that mine was singled out within weeks of your appointment, whereas a virtually identical class running only a few miles away was not questioned or even known about. I can only surmise that someone told you about my activities. Did they also suggest that you create the problems that you

subsequently did? It is notable that one named person has declined the offer of assisting with a freedom of information request. It is however gratifying to know that an Ombudsman's enquiry requires no such permission.

As HM Inspector of Anatomy, I ask all Heads of Department what courses are run in their department. If I am made aware of a course through other means, I contact the relevant university department to request further information.

It's clear that Prof Findlater and Prof Davies were in contact. The extent to this remains hidden due to Professor Davies, who has cited his publicly funded position at his publicly funded university and who has used his publicly funded email address, suddenly being a private citizen, not subject to the Freedom of Information Act.

I note that information to which you are entitled on this matter under your Subject Access Request was provided on 2 December 2020.

I am sure that your role as a dutiful public servant has not been compromised in any way by inappropriate influence being brought to bear, but I would like clarification regarding the train of events that have led to this point, in order that I can establish the best way forwards.

If, following this response, you still have concerns about the way your request has been handled you can write to the UK Information Commissioner's Office – the regulator

for data protection in the UK – at the following address:

Information Commissioner's Office

Wycliffe House Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745

You may also find their website <http://www.ico.org.uk/> a useful source of information.

Yours sincerely

Gordon Findlater

Professor Gordon Findlater

HM Inspector of Anatomy

Please direct all enquiries in the first instance to
anatomy@gov.scot