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Doctor wins fight over heroin ‘cover-up’

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A doctor who found heroin in the room of a dead patient was told not to mention the drugs at an inquest

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One of Britain’s largest providers of mental health services attempted to cover up claims that heroin had been found in the room of a dead patient and sacked a doctor who told a coroner about it, an employment tribunal has found.

[Tony Romero](#), who is said to earn £625,000 as chief executive of [Cygnet Health Care](#), told Dr Ambreen Malik, a consultant psychiatrist, that she should not mention the heroin at the inquest into the patient's death. Romero, who was the company's managing director at the time, wrote to her, saying: "Are you telling me you will go to the police?" and "Do you know the implications of what you are saying?"

When she asked him what to say to the coroner he advised her: "Do not make your life complicated."

Malik did make the disclosure at the inquest and was suspended from Cygnet Fountains hospital in Blackburn.

An employment tribunal found that after her return to work, the doctor was targeted by staff, who had been asked to report on her, including a cleaner who reported her for leaving a computer screen on while talking to a patient. Malik was later dismissed for gross misconduct over her care of a patient and referred by the company to the General Medical Council (GMC). The tribunal found that the company's referral was "venomous and dishonest" and that Malik "had complied with every step required of her".

The hearing was told that in August 2015 a patient who was a "known substance-misuse risk" was visited by alleged drug dealers and not searched after they left. He was found dead in his room the following day. A post-mortem examination revealed traces of an illicit substance but concluded he had died of natural causes.

Malik was approached by staff who had found tin foil containing powder in his room. She reported the matter to Romero after an internal investigation found there were no drugs. Before the inquest in March 2016 she was told by the firm's solicitor not to mention the drugs but did so anyway, and was suspended because there had been "a breakdown of trust". No action was taken and she returned to work, where she said she felt as if she were "walking around with a target on her

back” and was “humiliated” to learn an email had been sent round about her suspension, saying she was to be supervised twice weekly.

In July 2017, after consultation with medical experts and family, Malik decided to administer an antipsychotic drug to an aggressive patient without their knowledge, as it was felt to be in his best interest. The hospital suspended her, claiming she had breached guidelines. She was dismissed for gross misconduct and referred to the GMC.

Judge Warren found Romero’s actions “to be less than honest” and said that he was “responsible in effect for nearly all of the actions taken by the other parties”. She ruled that Cygnet had breached Malik’s contract, adding that senior managers had seized an opportunity to dismiss her.

A spokeswoman for [Cygnet Health Care](#) said: “We are appealing the outcome of this case on the grounds the ‘decision is perverse’ due to the number of factual errors throughout . . . We reject any suggestion that there was an attempt to cover up the circumstances surrounding this patient’s death.”