

Victims of Dr Emil Gayed, from his time working at Manning Rural Referral Hospital in Taree (from left): Keisha Green, Kelly Smith, Lyndsay Heaton and Jacquelyn Kennett.

TOWN *of*

TORTURE

The sleepy NSW town of Taree has forever been scarred by the catastrophic failings of disgraced doctor Emil Gayed. Now, the women whose lives he has ruined are speaking out, reports Melissa Davey

Lyndsay Heaton had no idea she was pregnant when her gynaecologist blasted her uterus with an electric current. The mother of four was having a vaginal polyp surgically removed and made the decision to have the procedure, known as endometrial ablation, at the same time because she didn't want any more children. She was told ablation, which removes the inside layer of the uterus, may prevent pregnancy. But that few minutes of treatment on November 11, 2015, delivered by Dr Emil Shawky Gayed in a hospital in the regional town of Taree on the mid-north coast of New South Wales, changed her life forever.

By Christmas, Heaton's breasts and stomach had swollen. Because she was unable to have sex while she recovered from surgery, Heaton initially dismissed the idea that she might be pregnant. But by January, she felt the undeniable sensation of her baby moving. "I'd had four kids, so I knew I must be at least 16 weeks once I felt the baby move," she says. "I realised that meant I must have been pregnant at the time of my surgery."

Endometrial ablation should never be performed on a pregnant woman because it risks killing the foetus. Obstetricians and gynaecologists must check for pregnancy beforehand, and under NSW law it is mandatory for all doctors to immediately report such a catastrophic mistake, so the situation can be reviewed.

When Heaton rang Gayed and told him she was pregnant and must have been during the procedure,

he told her "not to jump the gun", she recalls. At his clinic in Taree, he performed an ultrasound. "The ultrasound absolutely wrecked me, because I could hear my baby's heartbeat," Heaton says through tears. "It was just so, so difficult. I couldn't stop crying."

During the appointment, she recalls Gayed telling her that because the procedure destroys the uterine lining, "the foetus had likely been affected and that the baby wouldn't be normal". He told her she needed an abortion immediately – a procedure Heaton would never have been comfortable with, but felt coerced into. "He said I was 19.6 weeks pregnant and we had to act quickly because legally you can only terminate up to 20 weeks. There just wasn't time to stop and think."

Heaton believes she may have been 20 weeks at the time, which she says could explain why Gayed rushed her abortion and sought to cover it up. Within a couple of days, he booked her into a Sydney clinic and wrote her a cheque to cover the \$2400 abortion cost. "I was absolutely numb at the time, everything was just happening around me," she says. "I ended up hysterical, to the point that he prescribed me valium so I could sleep." Since the abortion, Heaton has continued to struggle mentally, desperately trying to put the traumatic incident behind her.

Around the same time, Manning Rural Referral Hospital's head of obstetrics, Dr Nigel Roberts, was

BELOW Gynaecologist Dr Emil Gayed left more than 50 women's lives destroyed with shocking surgeries during the past two decades.



ABOVE, FROM LEFT Justine Anderson, Jacquelyn Kennett, Kelly Smith, Keisha Green, and Lyndsay Heaton, some of the newspaper articles detailing investigations into Gayed's work.

alerted by the Health Care Complaints Commission [HCCC] that it was investigating a complaint against Gayed. By then, Gayed had been working at the hospital in Taree for 15 years.

Roberts interviewed the complainant, who said her friend, Lyndsay Heaton, had an abortion paid for by Gayed. Roberts had no idea the incident had occurred, despite the protocol that meant it should have been reported to hospital management.

The information triggered a wider investigation by the HCCC, who examined the cases of seven women. It resulted in Gayed being banned in June 2018 from practising medicine for three years. But an investigation by the *Guardian Australia*, which uncovered the HCCC inquiry, also revealed that Gayed's harm spanned decades, in multiple hospitals, and was more far-reaching than authorities knew.

The stories of these women are graphic and horrific. Women who had surgeries performed on them that they did not consent to, or which they later discovered were unnecessary. Major surgeries, including hysterectomies and fallopian tube removal. They would wake up from surgery with infections, their reproductive organs gone.

For many of the women, Gayed's temporary striking off is a gross injustice. Some want him jailed for life.

While NSW police told *marie claire* they are now assessing reports on Gayed to decide whether or not to launch an investigation, criminal prosecution of doctors is rare because it can be difficult to prove behaviour was deliberate, rather than just incompetent. Meanwhile, the women of the town of Taree, where most of Gayed's work occurred, have been left utterly devastated.

NSW Health to investigate hospitals of disgraced surgeon

The NSW health department has launched an inquiry into four NSW hospitals where patients were treated by disgraced gynaecologist Emil Gayed, after a tribunal found him guilty of professional misconduct. Dr Gayed was banned from practising medicine for three years by the NSW Civil and Adminis-

Banned doctor to be examined

Former patients urged to contact authorities

By Joe O'Rourke

THE NSW Government is investigating the work of a banned gynaecologist who treated patients at Mena Vale Hospital. Health authorities said the independent inquiry would also examine how complaints against Dr Gayed (pictured) were handled. Dr Gayed worked as a gynaecologist and obstetrician at Manning Hospital between 2002 and 2007. In his 2018 report from the Health Care Complaints Commission, Dr Gayed was found guilty of professional misconduct while working at Taree, including removing women's reproductive organs without their consent. Other complaints included a patient who had cervical cancer when she was 19, a patient who was 19 weeks pregnant and unnecessarily entering a patient's right ovary and fallopian tube, which had ap-



proved normal. Dr Gayed also failed to identify a six-week pregnancy when performing a procedure on a patient. NSW Health deputy secretary Nigel Lewis said Mena Vale Hospital would contact patients who previously raised issues or complaints about Dr Gayed. Dr Lewis encouraged any women with concerns about treatment they may have received to call a dedicated telephone line. "Ensuring our patients receive quality care is our priority and I am very sorry that this case has come to the attention of the Health Care Complaints Commission," he said. "We will continue to work with the NSW Civil and Administrative Tribunal to ensure that patients who have been referred to police for investigation and consideration of prosecution, the department said in a statement. Dr Gayed was found guilty of

doctor referred to police

Dominica Sanda

The conduct of now-banned gynaecologist Emil Gayed at several NSW hospitals will be referred to police.

The findings of an independent review conducted by Gail Furness SC were released by NSW Health yesterday and will be passed on to police for investigation and consideration of prosecution, the department said in a statement.

Dr Gayed was found guilty of

While there are question marks over Gayed's medical background, it appears he graduated from Egypt's Ain Shams University in 1976. By 1993, he'd moved to Australia, where he trained to become a specialist gynecologist and obstetrician. Within several years, complaints arose about his work and in 2000, an investigation was first launched relating to his time working in Cooma, NSW, where nurses had complained about his uncaring treatment of women. While the Royal Australian and New Zealand College of Obstetricians and Gynaecologists has confirmed it was subpoenaed for details about Gayed at the time, it no longer has records of what information was requested, or the outcome of any investigation.

The bulk of Gayed's career was spent in regional communities, especially in Taree, where he would consult female patients in private rooms and perform surgeries in the public hospital.

"I think about the other women every day," says Taree resident Kelly Smith. "I feel like we all have our own journey, and mine has been a really long one. But I think about the others, all the time."

In 2013, Smith consulted Gayed due to ongoing complications relating to fibroids. Then 35, she underwent a hysterectomy at Manning Hospital. She asked to keep her ovaries, as she and her husband wanted to have children. Knowing she was going to have a hysterectomy, Smith had asked her sister to be her surrogate, and she had agreed.

Before the operation, Gayed told Smith words to the effect of "if they [the ovaries] look like they are cancerous, they will be removed". However, Smith did not have cancer, nor did pathology reports suggest any reason to remove her ovaries. After the surgery, a nurse came into her room and asked her if she was OK, because she was suffering symptoms of early menopause. "That's when I realised ... he'd taken my ovaries," Smith explains, breaking down.

Smith was discharged from the hospital unwell and in pain. She returned to see Gayed days later,

complaining that her surgical site was foul-smelling. He dismissed her, but a few days later her pain increased and the odour was getting worse. She was rushed by ambulance back to Manning Hospital with a significant post-operative infection.

But the aspect of the trauma she will never be able to overcome is the loss of her ovaries, which means she can't have her own children. "I feel like I've let my husband down," Smith says through tears. "I feel like I was born to be a mother, and I live with my situation every day. It's the first thing that I think of in the morning, I'm depressed and on sleeping tablets. Before all this I was happy. I had a normal life."

Many of Gayed's victims tried to complain – to other doctors, to law firms and to complaint bodies such as the HCCC. The local law firm turned women away, saying it could be a conflict of interest to take on their cases when Gayed lived in the same small town. Other doctors refused to believe their harm could be anything more than a rare and unfortunate complication. Some doctors even defended Gayed.

"No-one wanted to hear my story. No-one," explains another of Gayed's victims, Keisha Green. "I approached people and no-one wanted to know. I was told he'd never do anything like that. I moved from one doctor to another because I didn't feel supported."

Green saw Gayed in 2008 when she was pregnant, confirmed by blood tests done by her doctor. When Green told her doctor she had experienced some spot bleeding, she was referred to see Gayed. He examined her, telling her she'd undergone an incomplete miscarriage and needed a dilation and curettage (commonly known as a D&C) to remove the remaining tissue from her uterus. He said he could not detect a foetal heartbeat.

Weeks after the procedure, Green discovered she was still pregnant. Her doctor referred her back to Gayed, who said she must have been pregnant ▸

"THAT'S WHEN I REALISED ... HE'D TAKEN MY OVARIES"

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Carroll & O’Dea lawyer Justine Anderson. The firm is now representing more than 30 of Gayed’s victims.

with twins and carrying dual embryos, and that he had only removed one of the embryos. Green decided to continue with the pregnancy, believing that the embryo was the survivor of a set of twins. As a twin herself, Green was devastated. While she gave birth to a boy, she remains unsure if she was ever carrying twins, and is seeking legal advice about whether the D&C was ever necessary.

While for years, dozens of medical professionals refused to consider the claims against Gayed could be accurate, the women finally found an advocate in Justine Anderson, a lawyer with Carroll & O’Dea.

Anderson is the first person who has listened to their stories and committed to help them seek justice against the horrific malpractice carried out by Gayed, regularly travelling from Sydney to Taree to speak with the women face-to-face. And they keep coming forward: Carroll & O’Dea is now representing more than 30 of Gayed’s victims.

“These women are exhausted,” Anderson says. “You see them and you think, ‘I don’t know how you’ve done this alone for so long.’ I’ve said to them, ‘It’s time for me to take up the fight.’ Even saying that to them has given them some relief. Doctors have dismissed them and other lawyers have not helped them, but

they know now they are not alone and that they are believed.”

“MY LIFE HAS CHANGED FROM THE PERSON I WAS TO THE ANXIOUS AND EMBARRASSED PERSON I AM TODAY”

Jacquelyn Kennett still defines herself as an “emotional wreck”, seven years on from the hysterectomy she had at age 49. “I still get panic attacks. My life has changed from the person I was, to the anxious and

embarrassed person I am today.” Almost immediately after Gayed had completed the procedure, Kennett suffered from post-operative problems, including severe stomach pains. Days later she was found in her bed in a shocking condition by her housemate, who called an ambulance. She was worked on by paramedics for 40 minutes before being transported, unconscious, to hospital. Her lawyers believe bowel trauma was sustained during the surgery, and because Gayed failed to identify the problem, she developed a severe bowel infection.

After being rushed to hospital, Kennett spent a few weeks in an induced coma. She underwent emergency surgery and as a significant portion of her bowel was removed due to the infection, she is now dependent on a colostomy bag. She has since developed

a hernia and is still consulting doctors about her ongoing medical issues related to the complications that arose from her botched hysterectomy.

“It’s been a lonely road,” Kennett says, the emotion heavy in her voice. “My love life is now non-existent. I miss out on activities like swimming because I’m scared of infection, and going to birthday parties, because I’m embarrassed and self-conscious about having to empty my colostomy bag. My day-to-day life is ruled by this.”

One of the questions Taree is grappling with is: how did Gayed get away with it for so long? Surgery occurs as part of a team. How could staff not have noticed that his practice was so severely flawed and harmful? Or did they report it, but those reports ultimately went nowhere? The scathing 220-page Furness report, made public in February by Gail Furness SC, found a combination of factors at play.

Concerns about Gayed’s performance were raised yearly, and his actions may have contributed to the death of a baby boy, Furness found. “Of most concern is that a repeated theme has been the unnecessary removal of organs, unnecessary or wrong procedures and perforations of organs,” it said.

Required, regular performance reviews were not conducted for Gayed. The hospital had a tool for recording errors and concerns, yet doctors did not record any of his mistakes in this system. His performance was not reviewed on a regular basis and when it was, errors were not treated as serious.

The cases of 50 women spanning more than two decades have now been referred to the HCCC for a fresh investigation. “The health system failed each of these women,” Furness documented. Meanwhile, dedicated hotlines established at hospitals where Gayed worked have received hundreds of calls from women who suspect they may be among his victims.

“I think the most important thing is if there are other women still searching for answers, then they should pick up the phone,” Anderson says. “They must have access to answers as to what occurred. One of the most alarming things for many women is they didn’t know what had really happened to them until the Furness report finished earlier this year.”

As police trawl through the report to see if they can launch a criminal investigation, the women of Taree continue to live with trauma, pain and, in many cases, ongoing physical injuries requiring further surgeries. Gayed denies any wrongdoing, and he has refused to respond to requests for comment. There is nothing to stop him from returning to his home country of Egypt while police decide whether to investigate.

For Heaton, the woman who sparked the first investigation by the HCCC, the inquiries have proven a waste of time. She is currently pursuing legal action against the hospital, whose insurer is forcing her to undergo psychological assessments to prove her trauma. “I’m not coping well,” she says. “I feel like I’m being put on trial by the Crown solicitors and it’s not fair. I’m the one having to jump through hoops. Yet Gayed is off enjoying his life.”