

**PUBLIC RECORD****Dates:** 04/08/2025 - 18/08/2025

**Doctor:** Dr Muhammad RAFIQ

**GMC reference number:** 6068448

**Primary medical qualification:** MB BS 2002 University of Karachi

Type of case	Outcome on facts	Outcome on impairment
New - Misconduct	Facts relevant to impairment found proved	Impaired

**Summary of outcome**  
Suspension, 3 months.

**Tribunal:**

Legally Qualified Chair	Mrs Nessa Sharkett
Lay Tribunal Member:	Mrs Jane Johnson
Registrant Tribunal Member:	Dr Deborah Brooke

  

Tribunal Clerk:	Ms Ciara Fogarty (04-08 August 2025) Mr Laurence Millea (11-18 August 2025)
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**Attendance and Representation:**

Doctor:	Present, represented
Doctor's Representative:	Mr Kevin McCartney , Counsel, instructed by MDDUS
GMC Representative:	Mr Robin Kitching, Counsel

**Attendance of Press / Public**

In accordance with Rule 41 of the General Medical Council (Fitness to Practise) Rules 2004 the hearing was held partly in public and partly in private.

## Overarching Objective

Throughout the decision making process the tribunal has borne in mind the statutory overarching objective as set out in s1 Medical Act 1983 (the 1983 Act) to protect, promote and maintain the health, safety and well-being of the public, to promote and maintain public confidence in the medical profession, and to promote and maintain proper professional standards and conduct for members of that profession.

## Determination on Facts - 12/08/2025

### Background

1. Dr Muhammad Rafiq qualified in 2002 from the University of Karachi in Pakistan. He worked in Pakistan until 2010 when he came to work in the UK. At the time of the alleged events he was employed by East Suffolk and North Essex NHS Trust ('the Trust'), as a Locum Consultant Urologist and was based at Ipswich hospital. He commenced this employment on 30 December 2020 and the contract expired on 31 October 2023.

2. The allegation that has led to Dr Rafiq's hearing can be summarised as, between XXX 2020 and XXX 2023, Dr Rafiq sent inappropriate text and email messages to his colleague, Ms A and, on more than one occasion, behaved inappropriately towards her. It is further alleged that Dr Rafiq's behaviour constituted sexual harassment, was sexually motivated and continued after Ms A indicated on more than one occasion that she found his behaviour to be inappropriate.

3. On 19 July 2023, Ms A who was employed XXX at Ipswich hospital raised concerns with her line manager and the Clinical Director for Vascular and Urology.

### The Outcome of Applications Made during the Facts Stage

4. The Tribunal granted the GMC's application, that any information in the hearing which could identify Ms A be anonymised in the public record. Mr Kitching submitted that due to the nature of the allegations the measure was necessary to ensure she was able to give her best evidence and to protect Ms A's privacy.

5. The Tribunal granted the application, noting its duty to avoid the risk of jigsaw identification. It determined that any information which could lead to Ms A being identified

would be redacted from the public record, and that Ms A would be referred to in anonymised form throughout the hearing and in any published determination.

### The Allegation and the Doctor's Response

6. The Allegation made against Dr Rafiq is as follows:

That being registered under the Medical Act 1983 (as amended):

1. Between XXX 2020 and XXX 2023, you:
  - a. sent one or more WhatsApp/text and email messages to your colleague, Ms A, including, but not limited to, those set out in schedule 1, the contents of which were inappropriate; *Admitted and found proved*
  - b. on one or more occasion:
    - i. verbally expressed a desire to be in a relationship with Ms A; *Admitted and found proved*
    - ii. asked Ms A about her relationship status; *Admitted and found proved*
    - iii. offered to give Ms A expensive gifts, including, but not limited to:
      1. a flat; *Admitted and found proved*
      2. use of two of your credit cards; *Admitted and found proved*
    - iv. whilst in Ms A's office, moved your chair to position yourself closer to Ms A; *To be determined*
    - v. said to Ms A words to the effect of:

1. 'In my culture it is normal to have more than one wife'; *Admitted and found proved*
2. 'if you want, I can leave Ipswich hospital and work somewhere else;'; *Admitted and found proved*
3. 'I can't help how I feel, and I have only felt this way about two people before'. *Admitted and found proved*

2. Your conduct as described at paragraph 1:

- a. constituted sexual harassment as defined in Section 26 (2) of the Equality Act 2010, in that you engaged in unwanted conduct of a sexual nature which had the purpose or effect of violating the dignity of Ms A, or creating an intimidating, hostile, degrading, humiliating or offensive environment for Ms A; *To be determined*
- b. were sexually motivated; *Admitted and found proved*
- c. continued after Ms A on one or more occasion indicated that they found your behaviour to be inappropriate. *Admitted and found proved*

And that by reason of the matters set out above your fitness to practise is impaired because of your misconduct. *To be determined*

### The Admitted Facts

7. At the outset of these proceedings, through his counsel, Mr McCartney, Dr Rafiq made admissions to some paragraphs and sub-paragraphs of the Allegation, as set out above, in accordance with Rule 17(2)(d) of the General Medical Council (GMC) (Fitness to Practise) Rules 2004, as amended ('the Rules'). In accordance with Rule 17(2)(e) of the Rules, the Tribunal announced these paragraphs and sub-paragraphs of the Allegation as admitted and found proved.

8. In respect of paragraph 2(b) of the Allegation Dr Rafiq admitted that his conduct was motivated by a desire to develop a future relationship with Ms A but stressed that this was only if Ms A was agreeable to the same and that if she had agreed the relationship would become an intimate one.

### **The Facts to be Determined**

9. The Tribunal is required to determine the remaining paragraphs of the Allegation.

### **Evidence**

#### Witness evidence

10. The Tribunal received written and oral evidence on behalf of the GMC from Ms A in person.

11. The Tribunal also received evidence on behalf of the GMC in the form of witness statements from the following witnesses who were not called to give oral evidence as the statements had been agreed between the parties:

- Dr B, dated 23 January 2025
- Dr C, dated 11 March 2025

12. Dr Rafiq provided his own written statement, dated 17 July 2025, and gave oral evidence at the hearing.

#### Documentary Evidence

13. The Tribunal had regard to the documentary evidence provided by the parties. This evidence included but was not limited to:

- Note of meeting between Ms A and Dr B, dated 7 September 2023
- Emails between Ms A and Dr Muhammad Rafiq, dated between 2020 – 2023
- Text/Whatsapp messages between Dr Muhammad Rafiq and Ms A dated between 2020- 2023
- Emails between Ms A and Ms D (HR), dated 6-7 September 2023
- Emails between Ms A and Ms D (HR), dated 27 September 2023

- Trust investigation report, with appendices including:
  - Terms of reference, dated 30 October 2023
  - Dr Muhammad Rafiq’s written personal statement, dated 13 September 2023
  - Note of meeting between Ms A and Dr B, dated 7 September 2023
  - Summary of meeting between Ms E & Dr B, dated 11 September 2023
  - Summary of meeting between Dr Muhammad Rafiq & Dr B, dated 18 September 2023
- Letter from Dr Rafiq to Ms D and Mr F, dated 21 November 2023.
- Testimonials from colleagues of Dr Rafiq

### The Tribunal’s Approach

14. In reaching its decision on facts, the Tribunal has borne in mind that the burden of proof rests on the GMC and it is for the GMC to prove the Allegation. Dr Rafiq does not need to prove anything. The standard of proof is that applicable to civil proceedings, namely the balance of probabilities, i.e., whether it is more likely than not that the events occurred.

15. The Tribunal was advised on the burden and standard of proof required. The Tribunal was also informed that Dr Rafiq is of previous good character and there have been no concerns raised either before or since the allegation about his fitness to practise. In *Roach v GMC*, the court agreed that this is a factor that can be considered when weighing the inherent probability or improbability of an event, but it does not change the standard of proof that is required to prove a fact. There is no sliding scale, and it is the evidence, and the quality of the same that the Tribunal must rely upon in reaching its findings.

16. The Tribunal was advised on the two types of misconduct to be considered in this case. All alleged acts are said to be sexually motivated. In determining whether or not the alleged conduct was sexually motivated the Tribunal must consider whether on the balance of probabilities and in light of the evidence before it, each alleged event occurred. If found proven, it must then go on to decide whether the actions of Dr Rafiq were sexually motivated i.e. whether they were (a) for sexual gratification and/or (b) with a view to a future sexual relationship.

17. In addition the allegation is that Dr Rafiq’s conduct amounted to harassment under s26 (2) Equality Act 2010 (‘the Act’). In respect of the charges of harassment under s26 of the Act, the legislation provides:

*S26(1) A person (A) harasses another (B) if-*

- (a) A engages in unwanted conduct related to a relevant protected characteristic, and*
- (b) The conduct has the purpose or effect of –*
  - (i) Violating B’s dignity, or*
  - (ii) Creating an intimidating, hostile, degrading, humiliating or offensive environment for B*

*(2) A also harasses B if –*

- (a) A engages in unwanted conduct of a sexual nature, and*
- (b) the conduct has the purposes of effect referred to in subsection (1)(b)*

*(3).....*

*(4) In deciding whether conduct has the effect referred to in subsection*

*(1)(b) each of the following must be taken into account –*

- (a) the perception of B*
- (b) the other circumstances of the case*
- (c) whether it is reasonable for the conduct to have that effect*

18. The Tribunal was advised on the general nature of harassment under s26(1) and s26(2) of the Act and the test to be applied which is:

- (a) that the conduct is unwanted, and,*
- (b) That the conduct complained of relates to a protected characteristic, or in respect of a complaint under s26(2) of the Act, is conduct of a sexual nature and*
- (c) It has either the purpose or effect of*
  - (i) violating the victim’s dignity or,*
  - (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment (often referred to as the prohibited effect)*

19. It is only when all parts of this test are met that the Tribunal would then go on to decide whether under s26(4) it was reasonable for the conduct to have had the prohibited effect on Ms A.

20. The Tribunal was advised that whilst sexually motivated conduct may amount to sexual harassment, the test for sexual harassment is a specific legal test as set out above and does not need to be sexually motivated.

21. It is alleged that the conduct of Dr Rafiq amounted to conduct of a sexual nature in accordance with s26(2) of the Act. The Tribunal noted that this type of conduct is distinct from sex related harassment under s26(1) of the Act, which is because of the person's gender or non-gender.

22. The Tribunal was advised that what amounts to conduct of a sexual nature is not defined in the Act, but case law has identified guidance to assist decision makers in determining what amounts to the same. It considers that sexual harassment should be defined on a common-sense basis having regard to the facts and circumstances of each case.

23. The Tribunal was advised that previous legislation defined it as unwanted verbal, non-verbal or physical conduct of a sexual nature and the courts have continued to adopt this approach even though there is no definition within the Act. Whilst it is very similar to the definition of general harassment under s26(1), s26(2) requires the conduct to be of a sexual nature. Such conduct includes a wide range of behaviours and examples listed in the EHRC non statutory guidance includes:

- Sexual comments and jokes
- Displaying sexually graphic pictures, posters or photos
- Suggestive looks staring or leering
- Propositions and sexual advances
- Making promises in return for sexual favours
- Sexual gestures
- Intrusive questions about a person's private or sex life or a person discussing their own sex life
- Sexual posts or contact on social media
- Spreading sexual rumours about a person
- Sending sexually explicit emails or text messages, and
- Unwelcome touching, hugging massaging or kissing



24. The Tribunal noted that not all contact will amount to sexual harassment, but in determining whether it does the Tribunal should have regard to factors such as:

- The nature of the contact
- The circumstances or the context in which the contact takes place
- The relationship between the two individuals
- Whether the conduct is unwanted and the recipient had made it clear that it is unwanted (or it is obvious that it would be)
- The intentions of the person making the contact
- The perception of the recipient of the conduct
- How a reasonable person would view or perceive the conduct

25. The Tribunal was advised that conduct that does have the relevant effect will be unlawful even if that was not the intention. If the purpose of the conduct was to have the relevant effect, it will be unlawful even if it did not have the relevant effect.

### **The Tribunal's Analysis of the Evidence and Findings**

26. The Tribunal has considered each outstanding paragraph of the Allegation separately and has evaluated the evidence in order to make its findings on the facts.

#### **Paragraph 1(b)(iv)**

27. This paragraph of the Allegation is that whilst in XXX office Dr Rafiq moved his chair to position himself closer to Ms A. The Tribunal was not provided with the date when this was alleged to have occurred and neither Ms A nor Dr Rafiq could recall the date. It is not disputed that both were in the office and that Dr Rafiq was sat on a chair with wheels. It is also not disputed that Dr Rafiq became tearful during this conversation when Ms A told him they were nothing more than work colleagues. As a result he left the office and went home; he was due in clinic but his secretary notified Ms A that he was unable to attend and the clinic had to be cancelled. The only issue to be determined by the Tribunal for the purposes of this paragraph, is whether or not Dr Rafiq moved his chair closer to Ms A whilst in her office. Dr Rafiq denies the allegation and told the Tribunal that if his chair had moved it was because it was on wheels and would have moved when he did. He denies that any movement was because he was trying to move closer to Ms A.

28. The Tribunal considered the oral and documentary evidence, including Ms A's witness statement, her interview with the Trust and her oral evidence. The Tribunal noted that whilst Ms A did raise the occasion when Dr Rafiq was upset and his clinic had to be cancelled, as a particular matter during her interview with the Trust, she did not make any reference to Dr Rafiq moving his chair closer to her. The concern Ms A expressed in the Trust meeting about this incident was about the way in which she was being treated by Dr Rafiq, her having to deal with the feelings of a man crying in the office and the effect of his behaviour on the workplace. The first time there is any reference to the moving of the chair is in Ms A's witness statement of 18 March 2025. Ms A told the Tribunal that she had referred to the notes, emails and text/whatsapp messages when preparing her statement, to refresh her memory. The Tribunal noted that there is no reference to this incident in any of those documents and nor do they help with identifying the year in which this occurred. In oral evidence Ms A said that she felt very awkward during the meeting and that may have affected her recollection of events.

29. Dr Rafiq accepts everything else about this event save for the moving of the chair. In oral evidence Dr Rafiq explained how he had become upset during this discussion because he did not want to lose Ms A. He explained that the chair he was sitting on had wheels and that it may have moved if he moved; which he did to stand up to hide his tears from Ms A. He had then left the office shortly after. He strongly denies that he was moving closer to Ms A.

30. The Tribunal reminded itself that the burden of proof rests with the GMC, and the standard of proof is the balance of probabilities. The Tribunal reminded itself of the fluidity of memory even when there has not been a lapse of time before recounting an event. Both Mr Kitching and Mr McCartney are agreed that there is no suggestion that either witness is dishonest in their recollections and their credibility overall is not called into question.

31. In reaching its decision that the GMC have failed to discharge the burden of proving this paragraph to the required standard, the Tribunal had regard to the absence of any reference to this incident prior to the preparation of Ms A's witness statement. Given that it is also alleged to be an act of unlawful harassment under s26(2) Equality Act 2010 the Tribunal would have expected it to have been recorded at the time of the Trust interview or sometime close after. In the event it was not mentioned until some two years later. The Tribunal also had regard to Ms A's acceptance under cross examination that her recollection may have been affected by the awkwardness she felt during that discussion with Dr Rafiq and although she believed it was intentional she conceded that the movement of the chair could have been accidental.

32. The Tribunal determined that the GMC had not discharged the burden of proving this allegation. Accordingly, the Tribunal found paragraph 1(b)(iv) of the Allegation not proved.

**Paragraph 2(a) in respect of 1(a)**

33. The Tribunal considered whether the conduct found proved in each sub-paragraph of Allegation 1 amounted to sexual harassment within the meaning of section 26(2) of the Act. It reminded itself that sexual harassment involves unwanted conduct of a sexual nature which has the purpose or effect of violating the dignity of another person, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them. It is only when all limbs of this test are met that the Tribunal should consider whether it was reasonable for the conduct to have the prohibited effect, having regard to the perception of Ms A, all the circumstances of the case and whether it was reasonable for it to have had that effect.

34. Before reaching its determination in respect of the remaining paragraphs the Tribunal reminded itself of the admitted facts and the background to the same which spanned a period of almost three years.

35. Dr Rafiq had started to work for the Trust in early 2020 as a Locum Consultant Urologist. Ms A started work at the Trust in XXX. She realised quite soon after she had started that Dr Rafiq would go out of his way to see her and interact with her. Initially this did not concern Ms A too much and it was only when Dr Rafiq started to send her personal messages that she started to feel uncomfortable. From that time Ms A saved any personal messages she received from Dr Rafiq along with any responses she sent to him.

36. In oral evidence Dr Rafiq explained that he had been impressed with Ms A's personality and kindness and wanted to get to know her better outside of work. To this end in XXX, he asked Ms A if he could contact her out of work. Her email response to him was that she had already told him that she did not mix her personal life with her professional life. Dr Rafiq explained to the Tribunal that his intentions towards Ms A were to get to know her better with a view to her being his second wife. By the end of XXX, Ms A had told Dr Rafiq that she was in a relationship and he appeared to accept this saying that he was closing the chapter and he was sure that they would work together as good colleagues. Ms A thought that this response was really nice and acknowledged that they could still have a good working relationship. However, she became uncomfortable when he brought cashew nuts for her and

told her in an email that he missed her. Ms A did not reply to these emails or one from Dr Rafiq on XXX, asking whether there was something wrong. In her witness statement Ms A explained that she didn't initially think too much of his behaviour as she had made it clear where she stood and had clarified her boundaries. However, she had felt really uncomfortable with the number of emails he had sent and she spoke to him about this. For a period of time after this Ms A confirmed that the relationship was strictly professional.

37. That Christmas Ms A went to visit her family XXX. Prior to her going in December XXX Dr Rafiq had given her a Christmas card which he told her not to open until Christmas. There was inconsistency about whether the card contained money or a gift voucher, which for these purposes the Tribunal believed was irrelevant. In her witness statement Ms A explained that she opened the card and discovered it contained a gift. She did not think much of the gift from Dr Rafiq because a lot of the Consultants at the Trust would give gifts to their secretaries and/or a bottle of wine for the team.

38. Having regard to the nature of the conduct up to this stage the Tribunal find that notwithstanding the intentions of Dr Rafiq his conduct did not amount to conduct of a sexual nature and nor was it perceived as such by Ms A as, at this time, she was unaware of Dr Rafiq's intentions. Ms A had made it clear that his conduct was inappropriate and unwelcome, and she considered that she had made her position clear. The effect on her did not violate her dignity or create the prohibited environment. In oral evidence Ms A confirmed that had Dr Rafiq's unwanted behaviour stopped at this stage she would have forgotten it and moved on.

39. After the email of XXX there are no further emails until XXX when Dr Rafiq wrote:

[XXX]: *"I thought you were working from home. I shouldn't come to your office... you were looking very... oh my goodness"*

40. In response Ms A made it clear that his comment was unwelcome and she told Dr Rafiq she did not find it appropriate for him to make comments about her appearance. In her witness statement Ms A says that looking back she sees this incident as a real turning point in how she viewed her relationship with Dr Rafiq. She explained that it was at that moment that she realised how inappropriately Dr Rafiq had been viewing their interactions. It was following this incident that she discussed the matter with her partner who encouraged her to speak to HR. However, Ms A did not feel that she could speak to anyone about it because she wanted to do well at work and she did not want to be seen as causing trouble. Ms A

confirmed that she did not receive any further inappropriate emails from Dr Rafiq until XXX XXX. In this email Dr Rafiq informed her that he had deleted all their previous emails and correspondence. Ms A thanked him for this and expressed the view that it would be good to have a fresh start.

41. XXX Ms A had increased contact with Dr Rafiq as she was responsible for XXX. By XXX Dr Rafiq was offering to buy Ms A gifts and sending inappropriate emails. In particular:

*[XXX]: "Oh dear xxx, I was sure you will say No... I don't want to upset you but want to make you a very close one...Please for me... 😊."*

*"I am willing to do anything for you. Not sure what to offer but could I ask you what I should do for you to make you my close one? Looking for the day when you call me or agree for sit together and a lot of chit chat."*

*[XXX] "Seems I am seeing you more often in my dreams – had a terrible dream. You strongly reject my gift for your birthday (don't do it)"*

*[XXX] "..... I am working on this Saturday and would like to visit you after my list. We can sit and have coffee together or maybe we can order some food."*

42. In response to this email only, Ms A, who the Tribunal noted always addressed hers to 'Dr Rafiq', told him:

*[XXX] "As I keep saying, this is not appropriate and will not happen as I see our relationship as work colleagues."*

Dr Rafiq's response was:

*[XXX] "Whatever I did or offered you was with good intention. I wanted to know each other with the hope of long term relations. This is something that happened which I didn't know how did happen but honestly it was totally unexpected. I did try many times to avoid you to ignore you and forget you but honestly unable to stop myself and that's why I keep asking you in the hope that you will agree....."*

43. A further email from Dr Rafiq followed on the morning of XXX in which he told her how much he missed her and how he thought about her most of the time. He told her that

he wished he could stop himself but that it was too difficult. Later that day he sent another email as follows:

*“To be honest the way looked at me earlier with partially closed eye almost killed me. Please give me your mobile number so that I can text you and communicate with you. Trust me and I promise you that I will maintain your dignity.”*

44. There were frequent and multiple emails from Dr Rafiq to Ms A in which he expressed his feelings for her and his desire to see her on her own and have a long-term relationship with her. The Tribunal noted that these emails persisted notwithstanding that she had repeatedly rejected his verbal and written advances.

45. On XXX, Dr Rafiq wrote:

*“I don’t know how to explain and convince you. I tried burying the feelings I have for you but honestly it hurts me a lot and very hard for me to forget you. All the time you were with me, when I go for a walk, when I drive, when I go for shopping and even you’re in my brain at workplace. I am struggling too much and thinking how to convince you. I believe I didn’t ask for anything inappropriate and didn’t ask for any indecent proposal. What I only want to understand each other. I will keep you very happy and will do anything that makes you relax and happy. I am willing to pay your [XXX] or any other financial support you needed (I am sure you don’t needed any financial help but as a courtesy I can offer you anything that make you happy) I don’t know what else to you offer you. I am not a type of person to disrespect you or let you down.. Even if you say NO I will have a huge respect to you forever. Please think seriously just for once about me.”*

46. Emails in a similar vein continued. In XXX Dr Rafiq told Ms A that he wanted to XXX to meet her when she visited her family at Christmas. He told her that he could book a hotel near to where she would be. He wrote about his visit in these terms:

*“.....Oh Ms A seems you are my life. I want [XXX] to meet you in [XXX]...I can come for 2-3 nights soon after Christmas and I can book a hotel near to your place. We can meet and sit together. I will hide you from every single person and if you want I can leave Ipswich hospital and work somewhere else. In this way you won’t feel anything inappropriate.. trust me Ms A I am very honest and very loyal to you and will do what’s best for you. (smiley face) I haven’t thought anything negative about you and will*

*never touch you unless you do. I am sure that you are thinking Rafiq is crazy, it's true without any doubt I am crazy about you."*

47. Ms A did not respond to these emails and by the end of XXX Dr Rafiq's email requests decreased. However the day before Valentine's Day he asked Ms A to have dinner with him the following day and when she did not respond, sent her a picture of a red rose in a clear perspex box. In this email Dr Rafiq appears to have accepted that his love is unrequited and has no hope of success, but by XXX he is once again offering her gifts and explaining that he cannot stop himself. He again offers to buy her anything that suits her:

*"from clothes to perfumes, food to drinks, give you cash money to credit card/debit cards or anything you want. I don't think this approach towards you is inappropriate, but its just my attachment with you that I can do anything for you".*

Ms A subsequently did not respond to this email or any emails that were inappropriate and not work related.

48. The Tribunal first considered whether the conduct complained of was unwanted conduct. The Tribunal had regard to the clear documentary evidence that Dr Rafiq's actions were unwanted. Whilst Ms A had on occasions accepted a coffee or food from Dr Rafiq, the Tribunal accepted that she was trying to foster a good working relationship with Dr Rafiq so that he would not negatively respond to her to the extent that he had in the past where as a result of his distress at her rejection he was unable to honour his clinic commitment. His conduct was unwanted and Ms A communicated this to Dr Rafiq in the clearest of terms and reinforced this a number of times.

49. The Tribunal then considered whether the conduct complained of amounted to conduct of a sexual nature as opposed to sex related harassment. The Tribunal had regard to the advice of the LQC which had been accepted by both representatives. The Tribunal has adopted a common sense approach having regard to the facts and circumstances of this case. The conduct complained of does not involve physical contact or publications of a sexual nature. It does however, involve repeated proposition of wanting a long term relationship and offers of expensive gifts as an incentive to progressing such a relationship. It also involves conduct which asks for time alone with Ms A and expressions of despair about her unwillingness to accept his advances. Whilst the motive of the doctor is not relevant to whether or not his actions amount to harassment for the purposes of the Act, his intentions are relevant for the purposes of establishing whether his conduct amounted to conduct of a

sexual nature. What is also relevant is the perception of Ms A and how the conduct would be viewed by a reasonable person.

50. Dr Rafiq has been quite open about his intentions towards Ms A. The Tribunal accepted that Dr Rafiq had genuine, albeit misplaced feelings for Ms A. He was a married man in a much senior position to Ms A and these differences in both age and seniority together constitute a significant power imbalance. It was Dr Rafiq's hope that he would be able to convince Ms A to become his second wife – albeit this could have been in name only given that bigamy is illegal in the UK. In oral evidence he indicated that if she had agreed to have a relationship with him this, with her consent, would have become an intimate relationship. The tone and language of the emails referred to make clear the intentions of Dr Rafiq, and the perception of Ms A was that he wanted a relationship with her. She explained to the Tribunal that she felt worried about her personal safety and made sure, as far as she was able, that she was not alone with Dr Rafiq. To this end, Ms A used a different office XXX where more people were present. She also altered her work pattern to avoid having to see him at the end of the day when he frequently asked for time alone with her.

51. The Tribunal was satisfied that there is email correspondence after XXX that amounted to conduct of a sexual nature for the reasons set out above. The Tribunal accepts that there were some emails that were work related and others that were not of a sexual nature. However, those emails that were clearly in pursuit of seeking her company and/or developing a long-term relationship formed part of a course of conduct of a sexual nature.

52. The Tribunal then considered whether the effect of Dr Rafiq's actions on Ms A, whether individually or cumulatively, amounted to the prohibited conduct set out in s26 (1)(b) of the Act.

53. In reaching its decision on this point, the Tribunal first considered the documentary evidence. It noted that during her interview with the Trust Ms A explained that she had been worried about saying anything against Dr Rafiq because everybody liked him. She was concerned that people would think that it was somehow her fault and even questioned this herself. She thought that people would think that she was making trouble. Because of this she did not raise the matter and sought to manage it herself. She expressed in oral evidence how exhausting this was for her. In her Trust interview she explained that she felt she had to carefully manage her rejection of Dr Rafiq's advances so that he would not react adversely and fail to carry out his clinics which would affect the workplace and patients. In her interview with the Trust she also spoke about the power imbalance and questioned whether



Dr Rafiq felt that he was entitled to treat her in that way because he was a consultant or because of his culture. She also explained how she had felt that she was just viewed as an object that Dr Rafiq could try to get whatever he wanted out of, or give whatever he wanted to make him feel better. She expressed that she felt that there was absolutely no regard for her and that she felt like her voice did not matter. Ms A had also explained how she had felt ‘cornered’ in her XXX office and changed her work pattern to avoid Dr Rafiq as she was worried about being alone with him. She explained to the Tribunal that she had to think about where she was, where Dr Rafiq might be and what time she would need to leave to avoid him. She told the Tribunal that even in those periods where they had a purely professional relationship she felt guarded and anxious for fear of his conduct returning, which it always did. She had thought that she could deal with it herself but ultimately it was completely overwhelming for her.

54. The Tribunal considered that the concept of “violating dignity” encompasses actions or behaviours which, when viewed objectively, undermine or disrespect a person’s inherent worth and value as a human being. Such conduct may cause the person to feel humiliated, degraded, or diminished in the eyes of others or in their own self-perception. The Tribunal recognised that the assessment is both subjective and objective: it must take into account Ms A’s own perception of the conduct, as well as whether it would be reasonably regarded as having that effect.

55. The Tribunal noted that a person’s dignity can be violated in subtle ways, not solely through overtly sexual or explicit behaviour. Repeated unwanted advances, intrusive personal comments, and offers of significant financial or personal benefit in a workplace context can cumulatively create a working environment in which the recipient feels disrespected, objectified, and unsafe. Such an environment, even without physical contact, can erode a person’s confidence, sense of professional security, and ability to enjoy their work.

56. The Tribunal had regard to the difference between the violation of a person’s dignity and the creation of an adverse environment. It further had regard to the difference between an incident and an environment which is a state of affairs which results in a longer adverse effect upon an individual. It requires more than a transient feeling of offence or humiliation.

57. The Tribunal found that having had regard to the oral and documentary evidence of Ms A, the conduct of Dr Rafiq had a significant impact on her and amounted to a violation of her dignity. In oral evidence she explained how the conduct impacted on her working

environment. The Tribunal determined that his actions, although not intentional, had the effect of creating an intimidating, degrading and offensive environment for her.

58. The Tribunal was satisfied that in all the circumstances of this case and the period of time she was subjected to the conduct, it was reasonable for Ms A to perceive the conduct in the manner in which she did. The Tribunal further found that looked at objectively it was reasonable for the conduct to have that effect on her.

59. The Tribunal determined that Allegation 2(a) is proved in respect of Allegation 1(a).

#### **2(a) in respect of Allegation 1(b)(i)**

60. Dr Rafiq has admitted that he verbally expressed a desire to be in a relationship with Ms A. Dr Rafiq further admitted that he wanted to pursue this relationship with an intention to marry Ms A as a second wife. The Tribunal considered that a proposal of marriage anticipates that this will include an intimate relationship. Dr Rafiq accepted that if Ms A had agreed to marry him, he would assume the marriage would include a consensual intimate relationship with Ms A. This proposal in the context of this case does amount to conduct of a sexual nature. Ms A made clear on multiple occasions that she was not interested in anything other than a professional relationship with Dr Rafiq. Despite this he persisted in his pursuit. The Tribunal found that this was clearly unwanted conduct of a sexual nature. Having regard to all the circumstances of this case, including that these acts took place in the workplace, the cumulative effect of the conduct of Dr Rafiq on Ms A was that his actions violated her dignity to the extent that she felt her voice did not matter and that she felt treated as an object that could be treated in whatever way to make Dr Rafiq feel better, with no regard for her. In the circumstances the Tribunal found that it was reasonable for Ms A to feel the way that she did about this treatment and that looked at objectively it was reasonable to have had that effect.

61. The Tribunal determined that Allegation 2(a) is proved in respect of Allegation 1(b)(i).

#### **2(a) in respect of Allegation 1(b)(ii)**

62. The Tribunal considered that it is inappropriate to ask such questions of a work colleague unless it was clear that both colleagues were content to enter into such a discussion. In the circumstances of this case, it is clear why Dr Rafiq asked Ms A that question. It was because he wanted to pursue a long-term relationship with her in the terms already

set out above. Ms A did not invite the question and on the contrary she made clear on multiple occasions that she was not interested in a personal relationship with him. The question was intrusive and an invasion of her privacy. The Tribunal considered that in the context of the course of conduct set out above, the question was of a sexual nature. Dr Rafiq should have known that this question would have been unwanted because Ms A repeatedly told Dr Rafiq that she was interested only in a professional relationship with him. Again the cumulative effect of Dr Rafiq's conduct which are all interrelated to the question asked, violated her dignity and the right to private life. Indeed, Ms A felt that she had to disclose the fact that she was in a relationship to deter Dr Rafiq from pursuing her. Taken in isolation it may not have created an adverse environment or met the threshold of violating her dignity, but having regard to all the circumstances of this case, the Tribunal found that it did and that it was reasonable for her to perceive it in that way.

63. The Tribunal determined that Allegation 2(a) is proved in respect of Allegation 1(b)(ii).

**2(a) in respect of Allegation 1(b)(iii)(1) (2)**

64. Dr Rafiq has admitted that he offered to buy Ms A a flat. In oral evidence he told the Tribunal that he loved her so much that he wanted to persuade her to have a relationship with him. He told the Tribunal that he wanted and intended for her to be his wife. If she had agreed to a relationship with him he would have lived with her at the flat. It is clear to the Tribunal that this offer was made with a view to being able to spend time outside work with Ms A and in pursuit of a relationship that would become intimate if Dr Rafiq was able to persuade her to marry him. This offer of such a gift is much more significant than the offer to buy a coffee, nuts or perfume. Taken in the context of the intentions of Dr Rafiq it would fall within the definition of conduct of a sexual nature because it is offered in pursuit of such a relationship. Ms A described feeling 'really on edge' when such offers were made. Ms A had refused all offers of expensive gifts from Dr Rafiq and it should have been clear to him from her previous responses to offers of gifts that this would not be welcomed. The reasonable person would perceive such a gift as an incentive to enter into the relationship pursued and any acceptance of the same, an indication of a willingness to engage with the prospect of doing so.

65. The Tribunal considered that such an offer was unwanted conduct which in the circumstances of this case was of a sexual nature and had the effect of violating Ms A's dignity and created a degrading and humiliating environment.

66. The Tribunal then considered Dr Rafiq's offer to provide Ms A with use of two of his credit cards.

67. Dr Rafiq admitted that he had offered the use of two of his credit cards to Ms A. In oral evidence Dr Rafiq once again explained that he wanted to offer her anything as he loved her and wanted her to be his wife and agree to his proposal. When Dr Rafiq gave the envelope containing the cards to Ms A, she at first did not know what was in it. However, although her recollection of events was not complete, she did recall that as soon as she became aware of what they were she told Dr Rafiq she could not take them.

68. The act of offering these credit cards to Ms A forms part of the course of conduct adopted by Dr Rafiq in pursuance of his desired relationship with her. Ms A could have done little more to make it clear that she was not interested in a personal relationship with Dr Rafiq yet he persisted in his pursuit, offering her expensive gifts along now with the use of two credit cards to use as she wished. The offer of these credit cards was to persuade Ms A to have a relationship with him. She as usual rejected this offer which taken in the context of this case the Tribunal found to be of a sexual nature. The Tribunal accepted Ms A's evidence that the offer of the cards was unwelcome. The Tribunal had particular regard to Ms A's witness statement that read:

*"I do remember feeling really on edge when Dr Rafiq was trying to give me these credit cards as I was sat at my desk and he was stood up trying to forcefully give me the envelope. It felt like Dr Rafiq was towering over me during this interaction and I felt really uncomfortable."*

69. In oral evidence Ms A explained that she was not willing to accept the credit cards. She was sitting on a chair and Dr Rafiq was standing over her trying to convince her to take them. She explained that at the time she felt small and intimidated by his physical presence and resistance to her refusal of the credit cards. This made her feel once again as if her voice was not heard and that Dr Rafiq had no regard for her feelings in the matter. It had the effect of violating her dignity and making her feel degraded and intimidated. The Tribunal found that viewed objectively it was reasonable, in all the circumstances of this case, for the conduct to have had that effect.

70. Accordingly, the Tribunal determined that Allegation 2(a) is proved in respect of Allegation 1(b)(iii)(1) (2).

**2(a) in respect of Allegation 1(b)(iv)**

71. The Tribunal found Allegation 1(b)(iv) not proved. As the conduct was not proved, Allegation 2(a) does not arise in respect of this sub-paragraph.

**2(a) in respect of Allegation 1(b)(v)(1)**

72. Dr Rafiq admitted that he had told Ms A that in his culture it is normal to have more than one wife. In her witness statement Ms A explained that Dr Rafiq only mentioned this on one occasion and that was when he offered to buy her a flat. Given its findings in relation to Dr Rafiq offering to buy Ms A a flat, the Tribunal found that this was also conduct of a sexual nature because it was raised at the same time as the offer of the flat. The Tribunal found that it was clearly offered as an incentive for her to accept the flat and enter into a relationship with him as his wife and thereafter if she agreed a sexual relationship. Ms A had always made it clear that she was not interested in a personal relationship with Dr Rafiq and he was aware of this from as early as XXX 2020. The Tribunal found that this was unwanted conduct of a sexual nature that violated Ms A's dignity. The Tribunal made this finding because Ms A had explained how she felt like an object to be used by Dr Rafiq, who she believed felt he was entitled to treat her in that way. She felt that she had no voice as he did not listen to her when she rejected his advances and she felt that there was no regard for her at all. The Tribunal found that looked at objectively it was reasonable in all the circumstances of this case for the conduct to have had that effect upon her.

73. The Tribunal determined that Allegation 2(a) is proved in respect of Allegation 1(b)(v)(1).

**2(a) in respect of Allegation 1(b)(v)(2)**

74. Dr Rafiq admitted that he had told Ms A that if she wanted him to he could move to another hospital. This comment was made in an email to Ms A on XXX and is set out above. It was said in the context of Dr Rafiq saying to Ms A:

*"... oh Ms A seems you are my life. I want [XXX] to meet you in [XXX]. I can come for for 2-3 nights after Christmas and I can book a hotel near to your place. We can meet and sit together. I will hide you from every single person and if you want I can leave Ipswich hospital and work somewhere else, in this way you won't feel anything inappropriate...."*

75. The Tribunal accepted the evidence of Ms A that Dr Rafiq had previously spoken to her about travelling to XXX while she was there over Christmas as demonstrated in the email he sent on XXX. It accepted that she had made it known to him that he was not welcome and this is evidenced by her lack of a response to his email and his reminders. It is clear that Dr Rafiq was entirely infatuated with Ms A to the extent that it adversely affected his judgement about his prospects of having a relationship with her. His reference to leaving the hospital and hiding her from everyone suggested that he believed Ms A would agree to a long-term relationship with him. The tone and inference of the email is sexual in nature which is further enforced by the circumstances of this case and the course of conduct adopted by Dr Rafiq. Ms A had made clear her rejection of his proposals and as set out above explained the effect on her of the course of conduct. For the reasons set out above the Tribunal found that the conduct violated Ms A's dignity and created an offensive environment for her. It further found that it was reasonable for the conduct to have that effect.

76. The Tribunal determined that Allegation 2(a) is proved in respect of Allegation 1(b)(v)(2).

#### **2(a) in respect of Allegation 1(b)(v)(3)**

77. Reference to this comment is contained in Ms A's witness statement of 18 March 2025. Dr Rafiq admitted using these words but does not admit that his conduct amounted to sexual harassment under s26(2) of the Act. Whilst this may have been in the context of the pursuance of a relationship with Ms A, the Tribunal had not been provided with any date upon which these words were spoken. Clearly Ms A had made it clear from the outset that she saw Dr Rafiq only as a work colleague and was not interested in a personal relationship with him. To that extent the conduct would have been unwanted. The Tribunal noted that whilst this incident is contained in Ms A's witness statement it gives no further detail about the circumstances in which this conversation took place or the effect it had upon her. However, the Tribunal is satisfied that on the balance of probabilities it was part of Dr Rafiq's actions to persuade of Ms A to enter into a relationship with him. The Tribunal was not satisfied on the basis of the evidence placed before it in respect of this allegation that the unwanted conduct, whilst of a sexual nature, taken in the context of the circumstances of this case, had the effect of creating the prohibited environment. The GMC has not discharged the burden placed upon it to prove this part of the Allegation.

78. Accordingly, paragraph 1(b)(v)(3) in respect of paragraph 2(a) is determined and found not proved.

### Paragraph 2(b)

79. Dr Rafiq's admitted this part of the Allegation on the basis that his conduct was motivated with a view to the pursuance of a relationship with Ms A, which if reciprocated would have been with a view to the relationship being intimate. Mr Kitching confirmed that this was the basis upon which the GMC pursued this paragraph of the Allegation.

80. It is admitted and found proven that all the conduct set out in paragraph 1 save for paragraph 1(b)(iv) was sexually motivated. Accordingly the Tribunal found these sub-paragraphs as admitted and found proved. As paragraph 1(b)(iv) was found not proved, Allegation 2(b) does not arise in respect of this sub-paragraph.

### The Tribunal's Overall Determination on the Facts

81. The Tribunal has determined the facts as follows:

That being registered under the Medical Act 1983 (as amended):

1. Between XXX 2020 and XXX 2023, you:
  - a. sent one or more WhatsApp/text and email messages to your colleague, Ms A, including, but not limited to, those set out in schedule 1, the contents of which were inappropriate; ***Admitted and found proved***
  - b. on one or more occasion:
    - i. verbally expressed a desire to be in a relationship with Ms A; ***Admitted and found proved***
    - ii. asked Ms A about her relationship status; ***Admitted and found proved***

- iii. offered to give Ms A expensive gifts, including, but not limited to:
    - 1. a flat; *Admitted and found proved*
    - 2. use of two of your credit cards; *Admitted and found proved*
  - iv. whilst in Ms A's office, moved your chair to position yourself closer to Ms A; *Determined and found not proved*
  - v. said to Ms A words to the effect of:
    - 1. 'In my culture it is normal to have more than one wife'; *Admitted and found proved*
    - 2. 'If you want, I can leave Ipswich hospital and work somewhere else;'; *Admitted and found proved*
    - 3. 'I can't help how I feel and I have only felt this way about two people before'. *Admitted and found proved*
2. Your conduct as described at paragraph 1:
- a. constituted sexual harassment as defined in Section 26 (2) of the Equality Act 2010, in that you engaged in unwanted conduct of a sexual nature which had the purpose or effect of violating the dignity of Ms A, or creating an intimidating, hostile, degrading, humiliating or offensive environment for Ms A; *Determined and found proved for all sub-paragraphs except paragraph 1(b)(iv) and 1(v)(3)*
  - b. were sexually motivated; *Admitted and found proved for all sub-paragraphs except paragraph 1(b)(iv)*
  - c. continued after Ms A on one or more occasion indicated that they found your behaviour to be inappropriate. *Admitted and found proved*



And that by reason of the matters set out above your fitness to practise is impaired because of your misconduct. *To be determined*

### Determination on Impairment - 15/08/2025

82. The Tribunal now has to decide in accordance with Rule 17(2)(l) of the Rules whether, on the basis of the facts which it has found proved as set out before, Dr Rafiq's fitness to practise is impaired by reason of misconduct.

### The Evidence

83. The Tribunal has taken into account all the evidence received during the facts stage of the hearing, both oral and documentary. In addition, the Tribunal received further evidence from Dr Rafiq who provided a written reflection dated 12 August 2025 and also gave further oral evidence.

84. The Tribunal also received a bundle of documents in support of Dr Rafiq which included, in addition to the reflection statement, nine testimonials from colleagues, and various documents setting out the CPD (Continuous Professional Development) activities undertaken by Dr Rafiq from March 2024. There was also evidence of four XXX sessions which Dr Rafiq had attended with a Business and Behavioural Coach and multisource feedback from patients and colleagues.

### Submissions

#### On behalf of the GMC

85. Mr Kitching submitted that Dr Rafiq's actions amounted to misconduct and that his fitness to practise is currently impaired.

86. Mr Kitching submitted that not all standards will be expressly set out in a document such as *Good Medical Practice (2013)* ('GMP'), particularly when the conduct in question arises in a non-clinical situation. He submitted that in respect of GMP, Dr Rafiq's actions breached paragraphs 1, 36 and 37, which state:

*1 Patients need good doctors. Good doctors make the care of their patients their first concern: they are competent, keep their knowledge and skills up to date, establish and maintain good relationships with patients and colleagues, are honest and trustworthy, and act with integrity and within the law.*

*36 You must treat colleagues fairly and with respect.*

*37 You must be aware of how your behaviour may influence others within and outside the team.*

87. Mr Kitching submitted that the Tribunal should also consider the GMC guidance document *Leadership and management for all doctors (2012)* and that paragraphs 2(d) and 2(e) are applicable in this case, namely that:

*2. The primary duty of all medical professionals is for the care and safety of patients. Whatever your role, you must do the following.*

...

*d. Demonstrate effective team working and leadership.*

*e. Promote a working environment free from unfair discrimination, bullying and harassment, bearing in mind that colleagues and patients come from diverse backgrounds.*

88. Mr Kitching submitted that when the Tribunal considers public confidence in the profession it should take into account that current public expectations have moved on since the 2013 edition of GMP was compiled and that it does not require specific guidance to state that doctors should not breach the terms of the Equality Act in their treatment of colleagues.

89. Mr Kitching submitted that Dr Rafiq's behaviour fell so far below the standards of behaviour to be expected of a doctor towards a junior XXXX colleague, that it was manifestly serious conduct constituting misconduct. He submitted that Dr Rafiq's behaviour was persistent, occurred over an extended period of time and had a significant impact on Ms A, who was an unwilling recipient.

90. Mr Kitching submitted that Dr Rafiq's conduct lacked the aggravating feature of a doctor acting in a sexually motivated way of the sort which falls within the first part of the definition of sexual motivation, namely purely for sexual gratification. He submitted that the Tribunal may wish to consider to what extent the conduct is mitigated by the fact that Dr Rafiq had developed genuine feelings for Ms A, but that it was the GMC's position that this is not a material piece of mitigation. He submitted that the power imbalance between Dr Rafiq and Ms A and the fact that, despite being told by her repeatedly that she was not interested in a personal relationship, Dr Rafiq continued anyway, are both aggravating features.

91. Mr Kitching submitted that Dr Rafiq's insight is far from complete and that his insight into why what he was doing was wrong and also the impact of his actions was slow to develop. This is evidenced by the documentary evidence and his oral evidence at this stage of proceedings. He submitted that Dr Rafiq has undoubtedly worked towards developing insight into his behaviour, but that those efforts have only been partially successful and therefore there is a risk of repetition in this case.

92. Mr Kitching submitted that a finding of current impairment was therefore necessary in order to uphold all three limbs of the overarching objective.

On behalf of Dr Rafiq

93. Mr McCartney submitted that, prior to the admissions he made at the outset of this hearing Dr Rafiq was a man of good character. He referred the Tribunal to the testimonial evidence that has been provided which he submits is particularly relevant at this stage. The testimonials, he submitted, address both his professionalism and his qualities as a person.

94. Mr McCartney stated that he did not have any submissions to make in respect of misconduct, and that his submissions would focus on the issue of current impairment. He submitted that in terms of insight he referred the Tribunal to the witness statement of Dr B. In this statement Dr B describes the interview she had with Dr Rafiq as part of the investigation into the complaint of Ms A. Dr B explained in the statement that Dr Rafiq did not realise that he was causing distress to Ms A. He told Dr B that he wanted to have a relationship with Ms A and that he was very remorseful about the distress that he had caused. She described his manner in the interview as very open and honest and that he appeared repentant and remorseful. Mr McCartney submitted that this demonstrates engagement and the timely development of insight, which has been ongoing since then. Mr McCartney invited the Tribunal to consider the factors set out in the *Sanctions Guidance*

(February 2024) ('SG') when considering Dr Rafiq's development and demonstration of insight. In particular he referred the Tribunal to paragraphs 45, 46 and 47, as set out below, all of which he submitted were evidenced by Dr Rafiq.

*45 Expressing insight involves demonstrating reflection and remediation.*

*46 A doctor is likely to have insight if they:*

*a accept they should have behaved differently (showing empathy and understanding)*

*b take timely steps to remediate and apologise at an early stage before the hearing*

*c demonstrate the timely development of insight during the investigation and hearing.*

*47 The tribunal should be aware that cultural differences and the doctor's circumstances (eg their ill health) could affect how they express insight. For example, how they frame and communicate an apology or regret.*

95. Mr McCartney submitted that the emails Dr Rafiq sent to Ms A were not lewd or overtly sexual, albeit they were with the intention of pursuing a reciprocal intimate relationship. He submitted that the Tribunal should consider the fact that cultural differences had an impact upon Dr Rafiq's thinking and these are matters which he addressed in remediation.

96. Mr McCartney submitted that the Tribunal has been provided with evidence to demonstrate that Dr Rafiq has remediated and understands where he went wrong, including CPD certificates, written reflections, testimonials, multi-source feedback and Dr Rafiq's oral evidence at this stage of proceedings. He submitted that given the evidence of remediation and insight, and Dr Rafiq's understanding of the impact on Ms A, there is not a risk of repetition and that a finding of impairment is not required on that basis.

97. Mr McCartney submitted that the focus of the Tribunal's decision should therefore be on the question of whether Dr Rafiq's actions themselves were sufficiently serious to require a finding of impairment in order to maintain public confidence.

## The Relevant Legal Principles

98. The Tribunal reminded itself that at this stage of proceedings, there is no burden or standard of proof and the decision of impairment is a matter for the Tribunal's judgement alone.

99. In approaching the decision, the Tribunal was mindful of the two stage process to be adopted: first whether the facts as found proved amounted to misconduct that was serious and then whether the finding of that serious misconduct could lead to a finding of impairment.

100. The Tribunal must determine whether Dr Rafiq's fitness to practise is impaired today, taking into account Dr Rafiq's conduct at the time of the events and any relevant factors since then such as whether the matters are remediable, have been remedied and any likelihood of repetition.

101. The LQC reminded the Tribunal that whilst there is no statutory definition of impairment, the Tribunal is assisted by the guidance provided by Dame Janet Smith in the Fifth Shipman Report, as adopted by the High Court in *CHRE v NMC and Paula Grant [2011] EWHC 297 Admin*. The Tribunal noted that any of the following features are likely to be present when a doctor's fitness to practise is found to be impaired:

- a. *'Has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b. *Has in the past and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c. *Has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d. *Has in the past acted dishonestly and/or is liable to act dishonestly in the future.'*

## The Tribunal's Determination on Impairment

### Misconduct

102. The Tribunal first considered whether the facts found proved amounted to misconduct.

103. In reaching its decision, the Tribunal had regard to the significant volume of emails sent to Ms A by Dr Rafiq, the content of which he accepted were inappropriate. Dr Rafiq also admitted his conduct was sexually motivated albeit he had hoped to develop a relationship of a sexual nature only if Ms A agreed to the same. There is no suggestion that his actions were for sexual gratification or overtly sexual or lewd. However, in pursuit of this relationship Dr Rafiq subjected Ms A to a campaign of unwanted behaviour that made her feel her dignity was violated, she felt degraded and it created an offensive and intimidating environment in which she had to work. Such conduct, however genuine or kind the intention, is recognised in law as not merely inappropriate but entirely unacceptable. For this reason laws have been passed to protect individuals from being subjected to such behaviour, which in the workplace would, if found proved, amount to acts of gross misconduct. To compound this Dr Rafiq then continued this conduct after Ms A had made it clear to him on numerous occasions that his advances were unwanted.

104. The Tribunal concluded that paragraphs 1, 36 and 37, as submitted by Mr Kitching and set out above, were applicable in this case. It also concluded that paragraph 2(e) of *Leadership and management for all doctors (2012)*, as set out above, was also applicable and that whilst harassment was not specifically referenced in the 2013 edition of GMP, treating people within the workplace with respect is an accepted and established principle.

105. The Tribunal considered that although Dr Rafiq's actions were not at the higher end of the scale in terms of sexual motivation, the duration, persistence and lack of self-awareness he demonstrated were aggravating factors which made his conduct more serious.

106. The Tribunal was satisfied that even without taking into account its finding that Dr Rafiq's actions constituted sexual harassment as defined in Section 26 (2) of the Equality Act 2010 ('the Act'), his sexually motivated behaviour towards Ms A, including the sending of numerous emotional and inappropriate emails, constituted misconduct and that public confidence would be undermined were such a finding not made.

107. The Tribunal also concluded that its finding that Dr Rafiq's actions constituted sexual harassment was significantly serious to amount to misconduct, particularly in light of the duration and persistence of his actions and that it occurred within the context of a power imbalance as Dr Rafiq held a senior, albeit locum, position at the Trust.

108. The Tribunal therefore concluded that Dr Rafiq's conduct fell so far short of the standards of conduct reasonably to be expected of a doctor as to amount to misconduct.

109. The Tribunal having found that the facts found proved amounted to misconduct, went on to consider whether, as a result of that misconduct, Dr Rafiq's fitness to practise is currently impaired.

#### Impairment

110. The Tribunal considered the nature of Dr Rafiq's conduct as set out above. It had regard to the fact that the sexually motivated conduct did not involve sexually overt or lewd conduct. However, his conduct did none-the-less amount to sexual harassment of Ms A under s26(2) of the Act which is an act of unlawful discrimination and is serious. The Tribunal considered that this conduct is remediable if an individual is willing to learn about acceptable standards of behaviour in today's workplace and in society overall, and to consistently apply that learning.

111. In determining whether Dr Rafiq's misconduct had been remediated, the Tribunal considered the evidence of insight provided to it.

112. The Tribunal was mindful that English is not Dr Rafiq's first language. It further had regard to Dr Rafiq's XXX and how both may have impacted on his understanding of what was required in response to the questions put to him at stage two. Dr Rafiq was visibly distressed at times when asked about the impact of his actions on Ms A and the Tribunal respected his willingness to be subjected to further questioning at stage two. The Tribunal was greatly assisted by his evidence when reaching its decision.

113. The Tribunal noted the documentary evidence, including that relating to the initial Trust investigation. It found clear evidence of Dr Rafiq's responses that demonstrated he had engaged and expressed remorse from an early stage. In the summary of the meeting with Dr B on 18 September 2023, Dr Rafiq stated that in retrospect he should have stopped pursuing Ms A when she made it clear in her correspondence that she only wanted a professional relationship; that he had developed feelings for her; that he had not appreciated the impact his actions had on her, and that he agreed that his actions had been inappropriate.

114. The Tribunal concluded that Dr Rafiq had accepted that his actions were inappropriate, expressed genuine remorse and was open and honest from an early stage.

115. The Tribunal also considered the evidence of CPD undertaken by Dr Rafiq between March 2024 and July 2025. In particular it noted the interactive professional boundaries course in July 2025 which ran for three days. He had also decided that he would be assisted by XXX sessions to help him develop a greater understanding of why he had behaved as he had and to this end attended four sessions with a Business and Behavioural Coach.

116. In response to questions in oral evidence he was able to explain that he understood the risk factors, protective factors and the steps that he would take to avoid any repetition in the future.

117. The Tribunal was satisfied that, on the basis of the evidence before it, Dr Rafiq had developed good insight over the almost two-year period since the time of the Trust investigation. It considered that Dr Rafiq had now developed insight into the impact of his actions on Ms A, which he did not have at the time, and had worked to the best of his abilities to understand his motivations and the triggers for his behaviour. The Tribunal was also satisfied that Dr Rafiq had articulated how he would take steps in future to mitigate the risk of repetition.

118. The Tribunal considered that Dr Rafiq's insight had significantly increased since 2023. He was now aware of how his own perceptions of Ms A's responses had been distorted and had an improved understanding of his own thought processes and how to interact with colleagues appropriately. The Tribunal considered that this reduced the risk of repetition. Further, it considered that these proceedings have had a significant impact on Dr Rafiq and that he clearly understands the effects and repercussions of behaving in such a manner. In doing so it noted how Dr Rafiq was clearly upset by the oral evidence of Ms A about the distress that he had caused her.

119. The Tribunal determined that the overall risk of repetition was therefore low in this case.

120. The Tribunal then went on to consider the test set out in *Grant* above. It was satisfied that Dr Rafiq's actions had not put patients at unwarranted risk of harm. The Tribunal noted that on one occasion Dr Rafiq had cancelled a clinic because he felt that he was unable to carry it out due to his emotional state at the time. However, the Tribunal considered that this demonstrated that Dr Rafiq had recognised that he was unfit to carry out the clinic, as expected of all doctors who recognise a factor that may compromise their ability to safely perform their duties.



121. The Tribunal concluded that Dr Rafiq's actions had brought the profession into disrepute and that his actions, which were sexually motivated and constituted sexual harassment, had breached fundamental tenets of the profession. The Tribunal reiterated its findings that Dr Rafiq's misconduct occurred over an extended period of time even after Ms A had made it clear that his actions were unwanted and occurred within the context of a professional and personal imbalance of power.

122. For the reasons set out above, the Tribunal find that the risk of Dr Rafiq repeating his misconduct is low. The Tribunal find that he has developed good insight and has demonstrated his willingness to continue to monitor his actions and learn from these proceedings. Given its finding that the risk of repetition was low, the tribunal concluded that Dr Rafiq was not liable in the future to bring the profession into disrepute or to breach fundamental tenets of the profession.

123. The Tribunal also considered the overarching objective, and whilst it was of the opinion that Dr Rafiq had developed good insight and that the risk of repetition was low, his behaviour was serious and amounted to misconduct. The Tribunal considered that although Dr Rafiq's feelings were genuine and he had not intended to cause harm, his conduct not only caused ongoing and prolonged distress to a female colleague, but was unlawful and entirely unacceptable by the standards expected in society. The Tribunal concluded that public confidence in the medical profession and maintenance of proper professional standards and conduct for the members of the profession would be undermined were a finding of impairment not made.

124. Therefore, a finding of impairment was necessary to uphold the second and third limbs of the overarching objective.

125. The Tribunal has therefore determined that Dr Rafiq's fitness to practise is impaired by reason of misconduct.

#### **Determination on Sanction - 18/08/2025**

126. Having determined that Dr Rafiq's fitness to practise is impaired by reason of misconduct, the Tribunal now has to decide in accordance with Rule 17(2)(n) of the Rules on the appropriate sanction, if any, to impose.

## The Evidence

127. The Tribunal has taken into account evidence received during the earlier stages of the hearing, where relevant to reaching a decision on sanction.

## Submissions

### On behalf of the GMC

128. On behalf of the GMC, Mr Kitching submitted that the appropriate sanction in this case was one of suspension. He submitted that given the seriousness of the conduct found proved, the length of any suspension imposed should be at the upper end of that which the Tribunal has the power to impose. He submitted that this was the only sanction which would satisfactorily uphold the second and third limbs of the overarching objective.

129. Mr Kitching submitted that the following may be considered aggravating factors: the persistence and duration of Dr Rafiq's conduct towards Ms A and the power imbalance between them. He further submitted as aggravating factors the fact that Dr Rafiq's conduct was sexually motivated and amounted to sexual harassment under s26(2) of the Act.

130. In respect of mitigating factors, Mr Kitching submitted the following: Dr Rafiq has no previous findings against him; there has been no repetition of his conduct since the Trust investigation; he has expressed genuine remorse and apologised to Ms A, and has taken considerable steps to develop his insight and remediate his behaviour.

131. Mr Kitching submitted that to take no action would clearly not be appropriate and that this is not a case where conditions would be proportionate or workable.

132. Mr Kitching submitted that Dr Rafiq's misconduct approaches the threshold for erasure, but in the GMC's opinion falls just short of this and is not fundamentally incompatible with continued registration.

### On behalf of Dr Rafiq

133. On behalf of Dr Rafiq, Mr McCartney submitted that the context of the case is important in considering sanction. He reminded the Tribunal that Dr Rafiq did not intend to cause upset or distress to Ms A, and none of his emails contained overtly sexual or lewd

comments. He submitted that the Tribunal found at the impairment stage that Dr Rafiq's actions were not at the higher end of the scale of sexual motivation, and that the gravamen in this case is the duration, persistence and lack of self-awareness demonstrated by Dr Rafiq. He submitted that the misconduct must be considered as less serious as there was no intent on the part of Dr Rafiq to cause, nor did he recognise, the distress suffered by Ms A.

134. Mr McCartney submitted that the Tribunal should bear in mind the insight and remediation undertaken by Dr Rafiq. He reminded the Tribunal that he demonstrated early engagement and that he has expressed remorse and apologised for his actions, all of which he submitted are mitigating factors. He submitted that the power imbalance and the question of the duration of the communications are the aggravating features but reminded the Tribunal that there were periods during this time where Dr Rafiq's conduct towards Ms A was solely professional.

135. Mr McCartney submitted that the Tribunal should consider proportionality and which regulatory objective any sanction is designed to meet. He submitted that it is in the public interest to retain the services of an experienced urologist such as Dr Rafiq and that those who know him speak about his excellent professional skills, as demonstrated by the testimonial evidence.

136. Mr McCartney submitted that these proceedings have largely achieved the regulatory objectives in terms of insight and remediation and that the public interest is largely met by the finding of impairment itself.

137. Mr McCartney agreed that this was not a case that warranted taking no action and that conditions were not the right sanction for the particular misconduct in this case and would not achieve anything further. He submitted that therefore, in the absence of erasure, which nobody was seeking, the sanction of suspension is indicated.

138. Mr McCartney submitted that in light of the mitigating factors, the fact that the sexual misconduct in this case was at the lower end of the scale, and that there is a public interest in retaining good doctors, a suspension of a shorter duration would be the proportionate and appropriate sanction in this case.

### **The Tribunal's Determination on Sanction**

139. The Tribunal's decision as to the appropriate sanction to impose on Dr Rafiq's registration, if any, was a matter for the Tribunal exercising its independent judgment. In reaching its decision, the Tribunal has taken account of the Sanctions Guidance (February 2024) ('SG') and the overarching objective.

140. In reaching its decision, the Tribunal had regard to the principle of proportionality, balancing Dr Rafiq's interests with those of the public. Throughout its deliberations the Tribunal bore in mind that the purpose of sanctions is not to punish doctors, although they may have a punitive effect. It also took into account the overarching objective which is to protect the health, safety and wellbeing of the public, maintain public confidence in the profession, and promote and maintain proper professional standards and conduct for members of the profession.

141. The Tribunal has also borne in mind that in deciding what, if any, sanction to impose, it should consider all the sanctions available, starting with the least restrictive and consider each sanction in ascending order until the overarching objective is met.

#### Aggravating & Mitigating Factors

142. In reaching its decision, the Tribunal first considered the aggravating and mitigating factors present in this case.

143. It reminded itself of the power imbalance between Dr Rafiq and Ms A and that Dr Rafiq had been persistent in his pursuit of Ms A over an extended period of time. Ms A had made it clear to him a number of times that she objected to his advances but still he continued. The Tribunal find that these are aggravating factors in his sexually motivated and discriminatory conduct.

144. The Tribunal considered that the following paragraphs of the SG were engaged in this case:

*55 Aggravating factors that are likely to lead the tribunal to consider taking more serious action include:*

...

*ba failure to work collaboratively with colleagues*

...

*d* abuse of professional position...

*e* sexual misconduct

...

*56* Tribunals are also likely to take more serious action where certain conduct arises in a doctor's personal life, such as (this list is not exhaustive):

...

*b* discriminating in relation to characteristics protected by law: age, disability, gender reassignment, race, marriage and civil partnership, pregnancy and maternity, religion or belief, sex and sexual orientation

...

*138* More serious outcomes are likely to be appropriate if there are serious findings that involve:

...

*b* sexual harassment

...

145. The Tribunal considered the following features to be mitigating factors.

146. Dr Rafiq did not intend to cause harm or distress to Ms A and expressed genuine remorse when he was made aware of the consequences of his actions. He subsequently accepted that his actions were inappropriate and that he should not have continued to pursue Ms A when she told him not to. He made admissions at the outset of these proceedings, has developed insight into his conduct and has fully remediated.

147. Dr Rafiq is a person of previous good character and has not previously appeared before his regulator. He is held in high regard by colleagues and patients, as demonstrated by the testimonials and feedback provided and there has been no repetition since the events.

148. The Tribunal considered that the following paragraphs of the SG were engaged in this case:

*25 The following are examples of mitigating factors.*

*a Evidence that the doctor understands the problem and has insight, and of their attempts to address or remediate it. This could include the doctor admitting facts relating to the case, apologising to the patient, making efforts to prevent behaviour recurring...*

*b Evidence that the doctor is adhering to important principles of good practice (ie keeping up to date, working within their area of competence), and of the doctor's character and previous history. This could include evidence that the doctor has not previously been found to have impaired fitness to practise by a tribunal, a previous MPTS panel or by the GMC's previous panels or committees.*

...

## No action

149. In reaching its decision as to the appropriate sanction, if any, to impose in this case, the Tribunal first considered whether to take no action.

150. The Tribunal considered that there were no exceptional circumstances in this case which could justify it taking no action.

151. Given the serious findings against Dr Rafiq, the Tribunal determined that to take no action would be neither appropriate nor proportionate given its earlier findings. This outcome would not uphold the statutory overarching objective.

## Conditions

152. The Tribunal next considered whether it would be appropriate to impose conditions on Dr Rafiq's registration. It bore in mind that any conditions imposed should be appropriate, proportionate, workable and measurable.

153. The Tribunal concluded that there were no workable conditions that could be formulated to address Dr Rafiq's behaviour, and that a period of conditional registration would fail to mark the seriousness of its findings, uphold the statutory overarching objective or maintain public confidence.

### Suspension

154. The Tribunal then went on to consider whether to impose a period of suspension on Dr Rafiq's registration. In doing so it bore in mind paragraphs 91, 92 and 93 of the SG, which state:

*91 Suspension has a deterrent effect and can be used to send out a signal to the doctor, the profession and public about what is regarded as behaviour unbefitting a registered doctor. Suspension from the medical register also has a punitive effect, in that it prevents the doctor from practising (and therefore from earning a living as a doctor) during the suspension, although this is not its intention.*

*92 Suspension will be an appropriate response to misconduct that is so serious that action must be taken to protect members of the public and maintain public confidence in the profession. A period of suspension will be appropriate for conduct that is serious but falls short of being fundamentally incompatible with continued registration (ie for which erasure is more likely to be the appropriate sanction because the tribunal considers that the doctor should not practise again either for public safety reasons or to protect the reputation of the profession).*

*93 Suspension may be appropriate, for example, where there may have been acknowledgement of fault and where the tribunal is satisfied that the behaviour or incident is unlikely to be repeated. The tribunal may wish to see evidence that the doctor has taken steps to mitigate their actions*

155. The Tribunal considered that Dr Rafiq's behaviour, whilst serious, was not fundamentally incompatible with continued registration. It was of the opinion that given Dr Rafiq's insight and remediation, the main purpose of a sanction in this case was to maintain

public confidence in the profession by sending a signal to the public and members of the profession that such behaviour is unacceptable.

156. The Tribunal also considered paragraphs 97(a), (e), (f) and (g) of the SG, which state:

*97 Some or all of the following factors being present (this list is not exhaustive) would indicate suspension may be appropriate.*

*a A serious departure from Good medical practice, but where the misconduct is not so difficult to remediate that complete removal from the register is in the public interest. However, the departure is serious enough that a sanction lower than a suspension would not be sufficient to protect the public.*

...

*e No evidence that demonstrates remediation is unlikely to be successful, eg because of previous unsuccessful attempts or a doctor's unwillingness to engage.*

*f No evidence of repetition of similar behaviour since incident.*

*g The tribunal is satisfied the doctor has insight and does not pose a significant risk of repeating behaviour.*

157. The Tribunal considered that these paragraphs were applicable in the circumstances and reiterated its earlier findings that Dr Rafiq had developed sufficient insight, remediated his behaviour and that the risk of repetition was low. The Tribunal was also of the opinion that it was not in the public interest to completely remove an otherwise competent doctor from the register.

158. The Tribunal determined that, in light of the relevant paragraphs of the SG and its findings at the impairment stage of proceedings, a period of suspension was the appropriate and proportionate sanction to impose and would satisfactorily uphold the second and third limbs of the overarching objective.

#### Duration



159. The Tribunal then went on to consider the appropriate length of suspension to impose. In doing so it bore in mind paragraph 100 of the SG, which states:

*100 The following factors will be relevant when determining the length of suspension:*

*a the risk to patient safety/public protection*

*b the seriousness of the findings and any mitigating or aggravating factors*

*c ensuring the doctor has adequate time to remediate.*

160. The Tribunal, having found that there were no patient safety concerns and that Dr Rafiq had remediated, determined that sub-paragraph 100(b) of the SG was applicable.

161. Whilst the Tribunal had found at the impairment stage that Dr Rafiq's conduct was at the lower end of sexually motivated conduct it did not agree that this lessened the seriousness of its finding that his conduct amounted to acts of sexual harassment as defined by legislation. Whilst an intent to cause harm and distress to Ms A would have increased the seriousness of the sexual harassment, the lack of intent in this case does not diminish the fact that Dr Rafiq's conduct amounted to unlawful acts of sexual harassment of Ms A. However, it had regard to the fact that his conduct did not involve any physical contact of a sexual nature and his communications with her were not overtly sexual nor lewd.

162. The Tribunal determined that a period of three months' suspension would mark the seriousness of the misconduct and send a clear signal to the public and members of the profession. It was satisfied that this was the proportionate and appropriate sanction in all the circumstances of the case and would adequately uphold the second and third limbs of the overarching objective, namely: to promote and maintain public confidence in the medical profession, and to promote and maintain proper professional standards and conduct for members of that profession.

163. The Tribunal concluded that a review hearing would not be necessary in light of its findings that Dr Rafiq has developed adequate insight into his behaviour and satisfactorily remediated.

**Determination on Immediate Order - 18/08/2025**

164. Having determined that Dr Rafiq's registration should be suspended, the Tribunal has considered, in accordance with Rule 17(2)(o) of the Rules, whether Dr Rafiq's registration should be subject to an immediate order.

### Submissions

165. On behalf of the GMC, Mr Kitching informed the Tribunal that the GMC had no submissions to make in respect of an immediate order, which he said was a decision for the Tribunal.

166. On behalf of Dr Rafiq, Mr McCartney submitted that in light of the decision on impairment, there was no issue of protection of the public and that in the circumstances of the case there was no basis for saying it would be in the public interest for an immediate order of suspension to be made pending the substantive order of suspension taking effect.

### The Tribunal's Determination

167. The Tribunal has taken account of the relevant paragraphs of the Sanctions Guidance (February 2024) ('SG'), in particular paragraphs 172, 173 and 178 as set out below:

*172 The tribunal may impose an immediate order if it determines that it is necessary to protect members of the public, or is otherwise in the public interest, or is in the best interests of the doctor. The interests of the doctor include avoiding putting them in a position where they may come under pressure from patients, and/or may repeat the misconduct, particularly where this may also put them at risk of committing a criminal offence. Tribunals should balance these factors against other interests of the doctor, which may be to return to work pending the appeal, and against the wider public interest, which may require an immediate order.*

*173 An immediate order might be particularly appropriate in cases where the doctor poses a risk to patient safety. For example, where they have provided poor clinical care or abused a doctor's special position of trust, or where immediate action must be taken to protect public confidence in the medical profession.*

*178 Having considered the matter, the decision whether to impose an immediate order will be at the discretion of the tribunal based on the facts of each case. The tribunal should consider the seriousness of the matter that led to the substantive direction being made*

*and whether it is appropriate for the doctor to continue in unrestricted practice before the substantive order takes effect.*

168. The Tribunal considered that given its findings that there was no risk to patient safety and that the risk of repetition was low, an immediate order was not necessary in the circumstances of this case.

169. In summary, the Tribunal was of the opinion that there were no factors which would require the imposition of an immediate order.

170. Consequently, Dr Rafiq's registration will be suspended 28 days from the date on which written notification of this decision is deemed to have been served, unless he lodges an appeal. If Dr Rafiq does lodge an appeal he will remain free to practise unrestricted until the outcome of any appeal is known.

171. That concludes this case.

SCHEDULE 1

Date	Type of communication	Content
XXX 2020	Email	<ul style="list-style-type: none"> <li>• It was nice to see you. I hope you are doing well. Could I contact you out of work?</li> <li>• I have bought something very simple for you so I thought I could contact you out of work and deliver it to you. I don't wanted to contact you in the hospital or when you are at work. I can posted it to you but not sure whether you will accept it or not but my simple gift is full of respect and love.</li> </ul>
XXX 2020	Email	<ul style="list-style-type: none"> <li>• The simple gift that I have bought for you will be with me for some time... I will never use it and will never give it to anybody. xxx, please don't be upset with this but honestly I offered you these with huge respect and dignity. If you don't want to accept it then don't worry I will never be upset. I highly respect your views and thoughts</li> <li>• Hmm...😊😊 if you are in relationship then you're absolutely right and to be honest it would be unfair to accept anything from someone else. I am happy for you for your relationship and I wish you have everlasting and healthy relationships. From now I have closed this chapter but I am sure we will work together as a good colleague.</li> </ul>
XXX 2020	Email	I am good, but over the last couple of days, for some reason, I miss you... I don't know why. I am glad all is good on your side.
XXX 2020	Email	Not sure what happened, you are very quiet after weekend. I thought you will be pleased with my emails so sent you on Sunday. I am honest with you and honestly whatever I offered I did as a friend. You didn't reply to my previous emails and even you didn't ask me about my

		weekend which you used to normally. As a friend, could you tell me what happened? Is something wrong? I will give you a smile 😊😊 with a hope to make you happy...
XXX 2021	Email	I thought you were working from home. I shouldn't come to your office...you were looking very...oh my goodness
XXX 2022	Email	<ul style="list-style-type: none"> <li>• Very nice to see you. I hope you will say YES to get something for you. I will be very happy to buy anything for you.</li> <li>• Oh dear xxx, I was sure you will say No. I agree it would be inappropriate if you were in a relationship. I don't want to upset you but want to make you a very close one. I want to get anything that suits you and will be glad if you accept it. Please for me... 😞</li> <li>• :) :)..... I am willing to do anything for you. Not sure what to offer but could I ask you what I should do for you to make you my close one? Looking for the day when you call me or agree for sit together and have a lot of chit chat.</li> </ul>
XXX 2022	Email	Seems I am seeing you more often in my dreams - had a terrible dream. You strongly reject my gift for your birthday (don't do it... 😊)
XXX 2022	Email	I am working on this Saturday and would like to visit you after my list. We can sit and have coffee together or maybe we can order some food.
XXX 2022	Email	Whatever I did or offered you was with good intention. I wanted to know each other with the hope of long term relations. This is something happened which I didn't know how did it happen but honestly it was totally unexpected. I did try many times to avoid you, to ignore you and forget you but honestly unable to stop myself and that's why I keep asking you with the hope that you might agree. xxx, if you don't want then I have to accept it and I respect your

		decision and believe you will do what's best for you. No doubt I will miss you deeply...
XXX 2022	Email	<ul style="list-style-type: none"> <li>• I miss you too much xxx I'm thinking most of the time about you. I wish I could stop myself but this is something difficult to do it. Please don't be upset with me but very difficult to stop myself - I am honest with you, your status and respect is my priority and will never ever compromise on your dignity.</li> <li>• I know you must be busy but I hope you're not upset with me. I know you seeing me as a colleague.</li> <li>• To be honest the way you looked me earlier with partially closed eye almost killed me. Please give me your mobile number so I can text you and communicate with you. Trust me and I promise you that I will maintain your dignity and confidentiality.</li> </ul>
XXX 2022	Email	I came to your office to see you and say hello before home, but I think you left earlier. I wish one day you call me or text me with a smile and hug from your mobile. I am loyal and honest with you and will keep you very happy.
XXX 2022	Email	Miss you too much, not sure where I am heading!! I want to come to your office before you go home - maybe for a little chat. Let me know
XXX 2022	Email	<ul style="list-style-type: none"> <li>• I dropped a small box in your pigeon hole - I hope you will accept this. I know you don't like anything from me but these more things when I offer you make me very happy. You know me very well and know my feelings but I also know your decision and I can't push or force you to change your decision. Obviously you will do what's best for you and I respect your decision. We can't have relationship as per your decision but please be my close friend so I can approach you and don't</li> </ul>

		<p>want you to be away from me. You are very important to me and looking forward day when you call me... maybe one day!!</p> <ul style="list-style-type: none"> <li>I want to bring you something from Pakistan and offer gifts as a friend. Please don't be upset whatever I offer you. Even I am thinking to give you my credit cards so you can do shopping or pay any other dues etc. I am sure you don't need any financial help but I treat you like part of my family. I am not trying to change your thoughts or decision about myself but want you to be my close friend unless you ask me for relations (which I believe you will never ask and we both clear and honest with each other that it will not happen)</li> </ul>
XXX 2022	Email	let me know if you are working from hospital - I can come and drop your favourite nuts (I don't want to come if someone is with you).
XXX 2022	Email	<p>I hope you like the cashew. One of my friend is coming via Dubai please let me know if you need anything from Dubai. Don't think I am offering this as a lover or to change your mind...😊 whatever I offer you it would be just as a friend as you are the only one I want to talk and sit and share my thoughts. No doubt I like and love you much but I will bury this in my heart and won't mention it you again. Obviously I have loving family so any type of relations between us is out of question and the only relation for, a pure and honest relation, I will be asking again to be my good friend - not good but the best friend.</p>
XXX 2022	Email	<ul style="list-style-type: none"> <li>But one thing for sure that I will never say no to you whenever you ask for. We know each other for almost [XXX] and I wish we have long term relations.</li> <li>Love you xxx...😊</li> </ul>
XXX 2022	Email	Wanted to have some chat for 5-10 mints but don't want to come to your office when there is

		someone. I know you're getting busy and busy and don't want to disturb you. When is good day for you to meet you.
XXX 2022	Email	<p>I don't know how to explain and convince you. I tried burying the feelings I have for you but honestly it hurts me a lot and very hard for me to forget you. All the time you were with me when I go for a walk, when I drive, when I go for shopping and even you're in my brain at workplace. I am struggling too much and thinking how to convince you. I believe I didn't say anything inappropriate and didn't ask for any indecent proposal. What I only want to understand each other with the hope of long term relations. I am serious and seriously thinking about you and want to sit together and talk to each other. I will keep you very happy and will do anything that makes you relax and happy. I am willing to pay your tuition fees or any other financial support you needed (I am sure you don't needed any financial help but as a courtesy I can offer anything that make you happy). I don't know what else to offer you. I am not a type of person to disrespect you or let you down. Even if you say NO I will have a huge respect to you forever. Please think seriously just for once about me.</p>
XXX 2022	Email	<ul style="list-style-type: none"> <li>• Probably I would have said 'NO' if someone else have asked me for this clinic but can't say 'NO' to you so I will do it.</li> <li>• Give me some time - I need you.</li> <li>• No you don't need to stay today but want to sit with you... miss you too much. I don't need others but I want to talk and sit with you. I did this clinic only for you.</li> <li>• If that's OK with you I will visit your home any day that is convenient to you and we can sit and talk openly. I miss you too much and love you much my xxx - please don't say NO</li> </ul>



XXX 2022	Email	I feel that you don't give any importance to my love and my feelings that I have for you (I might be wrong but find myself most of the time I am right). I have been trying over the last few months to convince you but seems it doesn't bother you. I presume that the loving xxx is no more for me. You gave me and left me with a deep wound and with a very heavy heart, I have to say that I will never come to your office and would like not to see you anymore.
XXX 2022	Text	As I said, I don't want to meet you in xxx office. If you didn't come, it will hurt me and will burn all those things I brought it for you. I won't ask you anymore but will wait in your office until 5:00 PM. If you don't want to come, it's up to you... but we both will be strangers to each other from now onwards
XXX 2022	Email	<ul style="list-style-type: none"> <li>I hope you are well and not upset with me. I haven't forgotten you a single day and don't think I will. I miss you too much xxx, not sure what to do. I thought I will not see you for some time but was very nice when I saw you the other day when you came down to the office for gathering... Honestly, I love you too much and will do anything for you. Let's sit together and try to understand my feelings. I will do whatever you prefer. I will keep you very happy and will do what's best for you.</li> <li>Please don't ignore my e-mail. Look forward to hearing from you.</li> </ul>
XXX 2022	Email	Please don't be disturbed with this morning - you are the only who I want to look after. I know very well that we will never have relationship as per your decision, which I accept and respect it, but don't stop me when I do a little bit for you.
XXX 2022	Email	You're very special for me, and I can do anything for you except (you 'tell me to stop doing this' - I don't think I will be able to stop). Your refusal gave me a little bit pain but it was

		xxx refusal so didn't want to upset you. xxx, please don't abandon me seems to me you are my healer, my remedy... your smile give me a new life... always stay happy.
XXX 2022	Email	<ul style="list-style-type: none"> <li>it was really very nice to see you and had a little chat with you. Oh xxx... seems you are my life. I want to [XXX] to meet you in xxx... I can come for 2-3 nights soon after Christmas and I can book hotel near to your place. We can meet and sit together. I will hide you from every single person and if you want I can leave xxx Hospital and work somewhere else, in this way you won't feel anything inappropriate... trust me xxx, I am very honest and very loyal to you and will do what's best for you. Don't scare of me bcz of my feelings towards you... 😊, I haven't thought anything negative about you and will never touch you unless you do. I am sure you are thinking Rafiq is crazy... 😊 it's true without any doubt I am crazy about you.</li> <li>You didn't reply to my e-mail - every 10 mints I am checking my e-mail to see if there is any e-mail from you. Don't go without replying to me without your smile otherwise it would be a very heavy evening and night for me</li> <li>I am writing these lines with a very heavy heart and eyes full of tears. I feel that it's all my fault - you are very nice, you always treated me with smile and replied to me politely without showing any anger. I think I am helpless and can't resist. Not sure what to do looks to you more acceptable and more appropriate... honestly, I don't know what I am doing and what to do for you... please forgive me if you think I am doing something inappropriate but for your reassurance I can't even think of doing something inappropriate to you.</li> </ul>
	Text	

		<ul style="list-style-type: none"> <li>Don't go without replying to my e-mail without your smile otherwise evening and night will be very heavy for me... want to come and see you before you go home</li> </ul>
XXX 2022	Email	I am not upset with you and will never be upset with xxx but I was upset with myself and was feeling very deep wound and helpless person. I love someone too much and was running behind her like a crazy person with the hope that one day I will make relationship with. But it's very hard and very painful if you lose your love.
XXX 2022	Email	I have noticed you didn't want to talk and were a bit reluctant staying in the office. I shouldn't push you for anything that I offer you such as food, coffee etc... I hope it didn't upset you. I already told you that I will never ask for relationship as it made you upset and I don't want to make you upset.
XXX 2023	Whatsapp	Dear xxx, I would like to offer you dinner tomorrow. I am staying tomorrow in xxx, due to road work can't come early for theatre on 15 <sup>th</sup> . We can go and eat outside or even I can order and bring it for you... I know your answer but please (praying emoji)
XXX 2023	Email  Whatsapp	<ul style="list-style-type: none"> <li>You naughty, clever xxx...</li> <li>Never mind... (photograph of a red rose in a clear perspex box) thought send it to you before I discard it forever... with a heavy heart bye (two waving emojis)</li> </ul>
XXX 2023	Whatsapp	<ul style="list-style-type: none"> <li>Do you like mangoes (mango emoji)? I have special mangoes from home. I am sure you never tried such mangoes in your life. I wanted to give you, but I don't want you to let me down by declining it. I will leave in next 30 mints. Let me know if you are willing to try and you could take them home (photograph of mangoes in a lunch bag). I wish you could take them... these are so nice and</li> </ul>

		<p>juicy and I didn't want to offer anyone except you. I know your answer but I like them so much they wanted you take them.</p> <ul style="list-style-type: none"> <li>• I just add those mangoes, and they were so sweet and juicy, but wish you had at least one. I know I did say a few times that I will not offer you anything, but to be honest, I can't stop myself. I wanted to get anything and buy anything that suits you. From clothes to perfume's, foods to drinks, give you cash money to credit/debit cards or anything you want. I don't think this approach towards you is inappropriate, but it's just my attachment with you that I can do anything for you.</li> <li>• Please don't be upset with my offers. You know me very well. It's just my honest, loyal, and pure feelings towards... looking for the day when I am free from yours. Pray for me, and I am praying too much for myself to give me patience from xxx</li> </ul>
XXX 2023	Email	<p>Was thinking of you. How are you and how are you feeling? You can't hide from me, I saw you and noticed you yesterday you were very tired and very stressful. I hope all is well with you. I know you don't want me to offer you anything but I can't ignore you or avoid you especially when I see you in stress or in pain... let me know if I can help. Don't think that I am doing this to make your heart soft towards me...</p>