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News

GMC is tougher on child protection doctors than on those who access child porn, conference hears

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The consultant paediatrician David Southall has called for an inquiry into the General Medical Council's treatment of doctors who work in child protection, as he faces a return bout before a GMC fitness to practise panel.

Dr Southall, who has had three GMC investigations into his work, made the call at an expert witness conference in central London on 12 November.

He contrasted the GMC's treatment of doctors who aim to protect children with those who abet children's abuse by accessing child pornography. Dr Southall and Roy Meadow, both leading experts in fabricated or induced illness, were ordered to be struck off the medical register by the GMC before being reinstated by the courts, while the council has allowed doctors who downloaded pornographic images of children to continue in practice.

He said a consultant radiologist who possessed hardcore pictures of children as young as 5 years old being abused by adults was suspended for nine months and then banned from treating under 18s. A GP described as a "sexual deviant with an interest in children" who downloaded pornographic material between 2003 and 2007 was also suspended.

Dr Southall told the audience of doctors and other professionals who act as experts for the courts that the GMC's appointment of the controversial parents' advocate Penny Mellor to its expert group on child protection was the "last straw." Mrs Mellor, who served a prison sentence for conspiracy to abduct a child to keep her out of the hands of social services, stepped down from the group last month after Dr Southall lodged court papers for a judicial review of the decision to appoint her (*BMJ* 2010;341:c6248 doi:10.1136/bmj.c6248).

Mrs Mellor, who says she has played a role in around 50 complaints about doctors to the GMC, was involved in an orchestrated campaign against child protection doctors, Dr Southall said. This also included public meetings denigrating the doctor and accusations to the media, police, employers, and research bodies.

The GMC was aware from 2000 that it was an orchestrated campaign, because representatives from the council attended a meeting of several police forces convened by the Metropolitan Police that year, and another in 2003, to discuss investigations, he said.

Dr Southall is due back at the GMC on 23 November, when a fitness to practise panel will consider whether two findings against him amount to serious professional misconduct and, if so, what sanction to impose. No decision needed to be taken on these two lesser findings when the panel ordered him to be struck off after finding that he accused a mother of murdering her son.

That finding was quashed by the Court of Appeal last May (*BMJ* 2010;340:c2195, doi:10.1136/bmj.c2195), and the case was sent back to the GMC, which has still not said whether it intends to run the accusation again before a new panel.

Delegates to the conference heard that expert witnesses may lose their immunity from being sued for negligence or have it cut back when the UK Supreme Court hears a test case in January. The case, *Jones versus Kaney*, concerns a psychologist, but the judgment will apply to all professionals who act as expert witnesses.

Niall Dickson, the GMC's chief executive, said, "We entirely reject any suggestion that the GMC has been complicit in a campaign against paediatricians involved in child protection. It is rare for a paediatrician to appear before a fitness to practise panel at the GMC in connection with child protection work.

"Since April 2006 panels have considered more than 1000 cases. Only three could be said to have been about paediatricians involved in child protection. We have established a working group to develop guidance on child protection that will help doctors involved in this complex and challenging area of practice to interpret and apply the standards expected by the GMC."

Notes

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