Doctor charged with misconduct over murder claim

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Professor David Southall, one of Britain's best known paediatricians, was this week charged with serious professional misconduct by the General Medical Council.

The case against him centres on the allegation that he accused a father of murdering his child on the basis of only having seen the father interviewed in a television documentary.

As the *BMJ* went to press on Tuesday, the case against Professor Southall had been spelt out, but Professor Southall's lawyer had not yet presented his defence.

The GMC said that Professor Southall had accused Steve Clark, the husband of Sally Clark, who was then in prison for the murder of two of her children, of killing his son after he had seen Channel 4's documentary *Dispatches* in April 2000. In the interview, Mr Clark described a nose bleed that his son Christopher had had in a London hotel room in December 1996, while Mrs Clark was absent.

After watching the programme, Professor Southall telephoned the child protection unit to say he believed that Mr Clark, and not his wife, was responsible for the deaths of Christopher and his younger brother Harry, who died 14 months later. Mrs Clark was convicted of murdering both children, but this January her murder convictions were quashed on appeal.

Professor Southall told the GMC's Professional Conduct Committee: "I was stunned when I watched this TV programme since it appeared extremely likely, if not certain, that Mr Clark must have suffocated Christopher in the hotel room."

Nine days after the hotel incident, Christopher died at home. His mother was at an office party. Professor Southall told police that

Professor David Southall admits he acted on limited information

Mr Clark could have suffocated the child before going out that day. The police, conversely, believed that Christopher's previous nose bleed had been caused by Mrs Clark suffocating the child before leaving the hotel room. But Professor Southall told the GMC: "In my experience the blood always occurs simultaneously."

In August 2000, Professor Southall wrote a report stating that it was "beyond reasonable doubt" that Mr Clark had murdered both children. He added that his testimony could be used in a court of law. When given an opportunity to place a caveat in his report that it was based on limited information he declined to do so. This week he told the GMC that he had never interviewed any of the Clarks or seen their medical records.

Aware that the Clarks had a third son, Professor Southall said he should be taken into care. This child, who is unnamed for legal reasons, was briefly taken into care at the time of

Sally Clark's conviction but was later returned to Mr Clark.

Professor Southall made his accusations while he was suspended from his duties as a consultant at North Staffordshire Hospital after complaints from parents. He was later cleared by an investigation and reinstated. During his suspension, he was barred from doing child protection work.

Richard Tyson, representing the GMC, said that owing to Professor Southall's eminence and stature, taking the surviving child into care was seriously considered by the local authority, but on the basis of a second opinion from another paediatrician, they chose not to act.

Calling the facts of the case "astonishing and extremely serious," Mr Tyson added: "This case is about Professor Southall's dogmatic belief in his own expertise, which he brought to bear on a case in which he had no professional involvement but in which he intervened in a high handed fashion largely

on the basis of watching a programme on TV."

After his accusation, Professor Southall was interviewed by Detective Inspector John Gardner of Cheshire Constabulary. But the detective concluded there was no case, writing in his report: "It illustrates how a well-meaning but scantily informed person can theorise about what actually happened."

Mr Gardner told the GMC that Professor Southall "thought Steve Clark came over as insincere and an attention seeker." He said that Professor Southall had been "adamant" that a nose bleed was concurrent with an attack. Under questioning from Kieran Coonan, representing Professor Southall, Mr Gardner acknowledged that the paediatrician had told him of his suspension and that Professor Southall had been open about the fact that he had not seen most of the evidence. He had no recollection, however, of Professor Southall mentioning that the conditions of his suspension barred him from child protection work.

Mr Clark described his feelings on hearing of the accusations against him: "I was quite stunned... initially I thought, is this some sort of sick joke? Then I realised it was not—it was deadly serious."

Professor Southall acknowledges that he acted on limited information, but denies that he sought to present his theory about the case as scientific fact. He denies that his behaviour was irresponsible or an abuse of his professional position, and he denies that his actions amounted to serious professional misconduct.

The case is expected to last until 15 June. But unless Professor Southall is struck off the medical register, he will face further GMC hearings relating to seven other complaints against him. □