

Surgeons top the number of referrals to assessment authority

Caroline White *London*

One in three referrals from NHS hospitals and community trusts to the newly established advisory body on doctors' performance is about a surgeon, preliminary figures have shown.

Of the 187 referrals made by chief executives and medical directors to the National Clinical Assessment Authority since it was set up in April 2001, 65 have been surgeons.

The authority, which covers England only, was established as part of the government's drive to ensure quality standards in the NHS. Its aim is to provide a support service to health authorities and hospital and community trusts that have concerns over the performance of an individual doctor. The authority is now

receiving about 80 referrals a quarter, including doctors working in primary care.

In total, the authority received 279 referrals from 1 April 2001 to 30 June 2002. However, most (67%) have come from hospitals and community trusts, which cover mental health and acute trusts.

When the referrals from hospital and community trusts were broken down by specialty, surgery made up 35% (65 cases) of the total, obstetrics and gynaecology 15% (28), and general medicine 11% (21).

The lowest numbers of referrals came from emergency medicine, anaesthetics, and pathology.

A spokesperson for the authority said that it had not yet correlated the statistics against

the total number of doctors working in those specialties in the NHS: "The next stage of our work is to investigate the figures and see what they really mean."

The spokesperson said that most of the referrals had simply required that advice be given to employers to resolve the difficulty locally. The authority was looking at the option of following these up at a later date, he said.

Twenty referrals, however, needed a full assessment, with formal recommendations and an action plan agreed by both parties.

The spokesperson said that many of the cases involved communication issues with other members of the medical team or patients. But assessments also

involved looking at clinical capability, occupational health, and how the doctor behaved in the workplace.

Colorectal surgeon Mr Charles Collins, who chairs the Patient Liaison Group for the Royal College of Surgeons, said that surgeons were under a tremendous amount of pressure. Their work was much more easily measured and so open to greater scrutiny than other specialties.

But he said: "Surgeons are strong minded. They have to be able to make decisions and live by them; otherwise they couldn't practise. It makes it much more difficult for them to be team players than other specialties."

The full report will be published later this year. □

Judge criticises paediatrician for "overstating" sex abuse allegations

Clare Dyer *legal correspondent, BMJ*

A senior consultant paediatrician from the north of England was strongly criticised this week by a High Court judge when he awarded a total of £400 000 (\$625 000; €636 000) in libel damages to two former day nursery workers who were accused of sexually abusing their charges.

In a case that carries echoes of the Cleveland child abuse scandal 15 years ago, when dozens of children were removed from their families, Mr Justice Eady said he was "entirely satisfied" that Dawn Reed and Christopher Lillie were innocent and awarded them £200 000 damages each.

The damages were awarded against the four members of a review team set up by Newcastle City Council to hold an inquiry after the two were prosecuted

but acquitted after a judge ruled that the children were too young to give evidence.

Mr Justice Eady said the review team, which found that the pair had sexually, physically, and emotionally abused children in their care at Shieldfield nursery and were part of a paedophile ring, had been influenced by the paediatrician Camille San Lazaro and "clearly fell under her spell."

Dr San Lazaro, a consultant paediatrician at the Royal Victoria Infirmary in Newcastle and senior lecturer in paediatric forensic medicine at Newcastle University, was a witness of fact rather than an expert witness in the libel proceedings. She examined 53 children from the Shieldfield nursery for suspected sexual abuse.



Christopher Lillie (left) and Dawn Reed with their solicitor, Richard Osbourne, outside the High Court, London

Mr Justice Eady said, "The truth is that, where physical findings were negative or equivocal, Dr San Lazaro was prepared to make up the deficiencies by throwing objectivity and scientific rigour to the winds in a highly emotional misrepresentation of the facts."

Dr San Lazaro admitted in the witness box that she had "deliberately overstated and exaggerated her findings" when making reports to the criminal injuries compensation board for

children seeking compensation for sex abuse, the judge said.

"Many thousands of pounds of public money were paid out at least in part as a result of her assertions," he added.

The judge said he did not believe that Dr San Lazaro had set out "mischievously to misrepresent everything." Rather, she was "unbalanced, obsessive, and lacking in judgment."

Dr San Lazaro was abroad this week and could not be contacted. □