

# NEWS

## Case reopens against cardiologist facing charges of sexual abuse

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BMJ

The General Medical Council is to reopen a hearing into sexual abuse allegations against Philipp Bonhoeffer, former head of cardiology at Great Ormond Street Hospital in London, nearly two years after the original hearing was stayed.

The case, alleging misconduct by Bonhoeffer with boys in Kenya, which he visited often while doing humanitarian work for the Circle of Hope charity, was halted in October 2010 pending an application by the cardiologist to the High Court.

Bonhoeffer objected to the GMC's decision to rely on hearsay evidence from the main witness, "Witness A"—transcripts of police interviews, mobile phone calls, and texts—instead of calling him to appear in person to face cross examination.<sup>1</sup> The regulator had been told by police that A's safety could be put at risk by homophobic attitudes in Kenya, or by reprisals from Bonhoeffer's supporters, even though A was willing to come to the UK to testify in person.

The High Court ruled last June that the decision to rely on hearsay evidence was "irrational" and a breach of Bonhoeffer's right to a fair trial under the European Convention on Human Rights.<sup>2</sup>

The hearing will begin again on 18 July before the Medical Practitioners Tribunal Service in Manchester, with a new panel hearing the case from the beginning and witness A giving evidence in person. After preliminary legal matters have been dealt with on that day, it will be adjourned till 3 September with an estimated finishing date of 5 October.

The GMC alleges that Bonhoeffer "abused his position of trust when he behaved in a way which was sexually motivated, inappropriate, and misleading towards several boys under the

age of 16." The regulator says he "provided gifts and financial support to other children and young adults and arranged for them to stay with him."

A further allegation is that he contacted witness A, whose claims were investigated by the Metropolitan Police, and asked him to withdraw his statement. A, now in his late 20s, alleges that the abuse took place when he was in his early teens.

Police from London travelled to Kenya to investigate in 2008 after being alerted to the claims but Bonhoeffer was not interviewed and no prosecution was brought. UK residents or nationals can be prosecuted for offences against children abroad but only for those committed after 1 May 2004.

Bonhoeffer, who strongly denies the allegations, has been suspended from the UK medical register pending the hearing and stopped working at Great Ormond Street in 2009.

Chain of Hope, set up by the heart transplant pioneer Magdi Yacoub, brings children from the developing world to the UK for surgery and provides treatment by UK doctors in developing countries. Bonhoeffer, described by the GMC as "an internationally renowned paediatric cardiologist," sponsored a number of boys and youths in Kenya and paid for their education.

1 Dyer C. Defence questions validity of evidence against cardiologist facing charges of sex abuse. *BMJ* 2011;342:d2350.

2 Dyer C. Cardiologist wins right to exclude hearsay evidence against him. *BMJ* 2011;342:d2900.

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