Hospital doctors face rising threat of suspension

Many suspensions are wasteful or unjust.
So why is the health department opposing a bill to make suspension procedures fairer, asks Judy Jones

“Criminals who commit serious offences are treated better than suspended doctors,” declares the Conservative peer, Baroness Knight of Collingtree. “They can be locked out of their hospitals for years, without knowing what they are meant to have done wrong and without anyone speaking up for them.”

A bill being steered through the House of Lords by Lady Knight seeks to remedy the “grave injustices” that she and many others see in the majority of suspensions in England. Many welcome her attempts to reform the cumbersome and labyrinthine procedures that these suspensions often trigger.

Five years ago, the case of Dr Bridget O’Connell prompted a stinging reprimand of the NHS Executive by the Commons public accounts committee of MPs (BMJ 1995;311:527). The consultant paediatrician had been suspended for nearly 12 years on full pay, at a cost to the taxpayer of £600 000 ($900 000), when in May 1994 all allegations against her were withdrawn.

Alan Milburn, then a Labour backbencher and now health secretary, described the O’Connell affair as “an expensive shambles.”

In the wake of the case, the then Welsh health minister, John Owen Jones, the Welsh Office ordered an investigation to find out why “health service resources have been used to so little effect and for such a long period.”

In June last year that disciplinary action taken against him by the North Glamorgan NHS Trust was to be discontinued.

In the wake of the case, which was estimated to have cost £500 000, John Owen Jones, the then Welsh health minister, ordered an investigation to find out why “health service resources have been used to so little effect and for such a long period.” But the Welsh Office admitted last week that no such investigation had taken place.

Lady Knight is concerned at the scale of the situation. “I have come across cases of suicide. Even when doctors are found to be innocent, they find it almost impossible to get back into their professional work after such long absences,” she said.

Her measure, which has the support of the BMA, would attempt to speed up NHS trusts’ suspension procedures and subject them to external review.

A Department of Health spokesman described Lady Knight’s Suspension of Hospital Doctors Bill as “fundamentally flawed” as it states that a suspension would expire after one month had elapsed unless disciplinary action had been initiated. “This means that a doctor who poses a serious danger to the health of patients would have their suspension removed because of technicalities and be allowed to treat patients. Whilst we want to be fair to those doctors who are suspended, we don’t want to give opportunities to dangerous doctors to harm patients,” he said.

In Scotland, a newly introduced system of independent screening of complaints against hospital doctors has reduced suspensions by NHS trusts from around seven a year to just two.

“In England, the government’s stand is completely unsupported by the facts,” says Dr Tomlin. “We in England should be following Scotland’s lead to ensure that all suspensions are evidence based.”

Pathologist Bernard Charnley’s four year suspension cost £500 000

Baroness Knight: “Lives are wrecked”