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British Medical Association



## Memo

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**To:** Dr E M Armstrong

**From:** Sean Cusack, IRO Bristol

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**Date:** 8 March 1996

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 cc. Mr W Mayers, Mr J Deval

### PAEDIATRIC CARDIAC SURGERY, BRISTOL

Given the previous interest from the President in events at Bristol concerning Paediatric Cardiac Surgery, I thought you might like to be forewarned of impending events.

My previous memo's to you on this subject are attached for ease of reference.

Dr Stephen Bolsin, the Anaesthetist who was instrumental in bringing the previously high mortality rate for paediatric cardiac surgery in Bristol to light, finally emigrated to Australia last week. In November, he produced a confidential report, giving his version of events from 1988 to 1995 which was sent to the Chairman of UBHT and was made available on a strictly limited basis to Dr Gabriel Scally the South West RDPH and to the NHSE and Department of Health. In January the new Chief Executive, Hugh Ross held a press conference at which he expressed confidence in the present high standard in Paediatric Cardiac Surgery and he regretted there had not been an earlier investigation into the concerns raised by the senior staff. It became clear at this point that the Trust is facing legal action from the families of some of the children who died during or after surgery.

Dr Bolsin has been trying to mount a claim for Constructive Unfair Dismissal against the Trust for a significant sum of money, but the advice from both myself and the Legal Department is that he is unlikely to succeed and that he should not proceed. However, Dr Bolsin has been using the threat of such action to try and extract from the Trust financial compensation. Dr Bolsin has also recorded an interview for Channel 4, Dispatches Programme which is scheduled to be screened on the 26 or 27 March. I do not know the substance of the interview but I understand there may be further allegations about the mortality rate of survivors of the switch operations which would be damaging to the Trust and in particular to Mr James Wisheart the Medical Director who was one of the two Surgeons involved. Dr Bolsin has told me that he has not yet authorised the interview for broadcast, and that whether he does or not depends upon the reactions of the Trust Board to his request. In short if Dr Bolsin can be convinced that there is no further risk to patients safety and that he feels he has been properly compensated for the damage done to his career, he will not feel the need to go public. The Trust Board have yet to decide their reaction but the Chief Executive takes the view that Dr Bolsin will broadcast the interview in any event, so the Trust will be bracing itself for media attention towards the end of this month.

A separate development is also coming to a head. The mortality rate for Paediatric Cardiac Surgery has been brought down to 2% by the concerted efforts of the ITU Consultants. You may recall that Paediatric Cardiac Surgery was switched from the BRI to brand new theatres at the Children's Hospital last summer following the arrival of Ash Pawade the new Surgeon. Since then the new