

PRIVATE AND CONFIDENTIAL

publishing any information unfavourable to the Trust's position. This applied to an account of the events that attempted to redress the balance provided to Dr Smith by Dr Black. When Dr Roylance was questioned about the 'gagging' legal action and the inability of the BMJ to provide honest, scientific and open reporting of events he claimed that he was not interested in "the truth" only "the Trust's version of the truth".

Dr Roylance and a manslaughter investigation

I was invited to a meeting to discuss the issues relating to the paediatric cardiac surgical unit and the adverse publicity. The meeting took place at the request of Dr Roylance in his office at the UBHT HQ and there were no other people present.

The early part of the meeting had been spent discussing the background to the documentary programme and dealing with the Trust's position regarding authorised speakers for the programme. I had put forward the view that I would like to speak on the programme as my name was mentioned in the Hunter/Delaval report and there was some implicit criticism of my position. Dr Roylance had urged me, very strongly, against appearing on the programme but had insisted that the Trust was not in a position to prevent me from doing so.

Towards the end of the meeting Dr Roylance changed the subject and said how pleased he had been to hear that the manslaughter investigation of a case I had been involved in for the preceding 12 months (following an inquest in 1994) had been closed with a verdict of 'Death by Natural Causes'. He went on to insist that what he was about to say was "not a threat" but explained that the rules governing Medical Negligence had changed such that the NHS Trusts, as employers, now had to pay the bill for these claims under the new Crown Indemnity rules. He then went on to explain that my case would be the first such case to be put on the desk of the new Chairman of the UBHT Board. This Chairman was from the aerospace industry and Dr Roylance drew the analogy that if an employee is paid to put the blades on helicopters and a blade falls off resulting in peoples deaths the rules of the aerospace industry would be that "this person would never put helicopter blades on again".

Dr Roylance then went on to explain that it would then be up to the local medical advisers to the Trust, including Dr Roylance as Trust Chief Executive, to try to prevent the Chairman from applying the rules of the aerospace industry to my case.