

15 December 2011

In reply please quote: CH/2004/3139/02

**General
Medical
Council**

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Dear Mr Doherty

I refer to our previous correspondence concerning Dr Quinn's application to have his name removed from the Register.

Dr Quinn's application has been considered by a medical and a lay case examiner.

The case examiners have decided not to agree Dr Quinn's application to remove his name from the Register, because of the unresolved concerns regarding his fitness to practise. The reason(s) for this decision are as follows :

"It is alleged that Dr Quinn provided a deliberately misleading report into the death of child LC in 2000.

LC died from cerebral oedema. Dr Quinn was asked to provide an opinion for the Trust in respect of possible causes of the cerebral oedema. In 2004, a second child's death (RF) prompted the Coroner to open a belated inquest into LC's case. It then became apparent that, like the second child, LC died from complications related to the fluid resuscitation that she received: specifically, cerebral oedema due to low sodium caused by administration of a hypotonic fluid (0.18% saline). This solution was in common use at the time. Its use has subsequently been abandoned, due to its association with low sodium.

It was subsequently alleged that Dr Quinn deliberately failed to come to this conclusion in LC's case, and that an opportunity to disseminate important information, that could have prevented the death of RF and other children, was missed.

The conclusion of the GMC investigation was seriously delayed by police investigations and an ongoing public enquiry which has yet to conclude. Nonetheless, it was felt that there was a realistic prospect of establishing that Dr Quinn's fitness to practise was impaired, and so the case was referred to a Fitness to Practise Panel.

Dr Quinn has now applied for voluntary erasure. He is 65 years of age and retired in 2006.

The Case Examiners are aware that the doctor can apply for VE at any point in the investigation process and that they should be satisfied before any application is granted that it is right in all the circumstances to agree to voluntary erasure and not to proceed with the panel hearing. 'All the circumstances' can be divided into three categories:

- a. the public interest.
- b. the private interest of the complainant.
- c. the private interest of the doctor.

The public interest incorporates three elements:

- a. the protection of patients and the public generally from doctors whose fitness to practise is impaired.
- b. the maintenance and promotion of public confidence in the medical profession.
- c. the maintenance and promotion of public confidence in the GMC's performance of its statutory functions.

In the case of serious allegations, particularly where they concern probity issues, it would not be in the public interest to allow VE.

The Case Examiners have considered all of the evidence. The allegations against Dr Quinn are very serious and, if proven, would suggest that an important opportunity to modify the future treatment of other children was missed. There are serious probity allegations in this case. In addition, the public enquiry is still ongoing, and the conclusions that it might come to regarding the culpability of individuals or groups of doctors cannot be anticipated. Finally, it would seem that failure to proceed with a full investigation of the allegations against Dr Quinn could undermine the confidence of the public in the profession.

The Case Examiners have considered all of the evidence and the arguments in this case. Having fully considered the implications of the Public Interest Test, they believe that the VE application by Dr Quinn should not be allowed".

We will be in contact again in due course.

Yours sincerely



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