

Mr Creighton Should Professor Allain be found guilty I suggest there is no alternative to his suspension until the Region have had opportunity to consider the report of the panel proposed in Paragraph 6. I also question the propriety of expressing regret at

1 Dr Meyters Acting CMO

From William Paton CAIU

2 Mr Creighton PS/Sofs

Date 20 October 1992

Copy Ms Copeland PS/CE

Ms Ing PS/M(H)

Ms Smith PS/PS(H)

Ms White PS/PS(C)

Ms Burnett PS/PS(L)

Dr McGovern PS/CMO

Dr Walford HCD/MD

Mr Thompson Solicitor

Mr Heppell HSSG

Mr Malone-Lee ME

Mr Shaw ME

Mr Hale HP(A)

Dr Bourdillon HCD-MME

Dr Rejman HC(M)2

Mr Podger IRU

Mr Tyrell AIDS Unit

Mr Caslake CAIU

Mr Murphy ID(H)

a French Court's decision see X. below

GRO-C

20.10.92

# EAST ANGLIA'S DIRECTOR OF BLOOD TRANSFUSION SERVICE: PROFESSOR JEAN-PIERRE ALLAIN

- 1 Professor Allain is the full-time Professor of Transfusion Medicine at the University of Cambridge. He has an honorary NHS post as the Director of East Anglian Region's Blood Transfusion Service and although there are three other Consultants in blood transfusion running the service, there is no doubt that Prof. Allain is a director with full responsibility for all its services.
- 2 Professor Allain has been on trial in Paris for seven weeks for allegedly delaying the large scale importation into France of heat-treated plasma and for the delay in commencing HIV testing of blood donors in France in 1984/85. A background note is attached together with a press cutting from the Sunday Times.
- 3 The Judge's verdict is to be announced on Friday 23 October and if Prof. Allain is found guilty he faces the prospect of a suspended prison sentence.
- 4 The question arises as to what action the EARHA should take when they learn of the verdict. Alasdair Liddell has agreed a line with the Vice-Chancellor of Cambridge University to:

X | 1) express regret at the decision;

- 2) express strong endorsement of his scientific and professional qualities;
- 3) announce an enquiry to review the case evidence by way of a three person enquiry or a more formal disciplinary process; and
- 4) subject to further discussions today (20 October) and tomorrow suspend Prof Allain from his post as Director of East Anglia's BTS.

- 5 It is clear that EARHA recognise they will have to institute a review of the case evidence to see whether Prof Allain's continuing in his post would:
- a) be represented by some as posing a risk to the health of patients receiving blood supplies from the organisation he heads; and
  - b) so undermine patients' confidence as to threaten the usefulness of the BTS in East Anglia.

The enquiry panel is likely to be chaired by Professor Sir Raymond Hoffenberg, past President of the Royal College of Physicians; and include Dr Cash' Director of the Scottish National Blood Transfusion Service. Any more formal body would be under the terms of HM51/112, covering the Consultant disciplinary process.

- 6 There is considerable doubt among officials as to whether it will be enough to reassure public opinion unless Professor Allain is removed from his responsibilities for East Anglian's BTS including testing for HIV and the supply of blood products to haemophiliacs.
- 7 Dr Metters as Acting CMO believes that, in the event of a guilty verdict, it will not be possible to defend leaving Prof Allain in post as the de facto director of the B.T.S.. What is more, if the Professor's continued practising in England is referred to the General Medical Council, even greater pressure will arise for his suspension. It might be better to suspend him from the outset and that the RHA will await the outcome of its enquiry before deciding whether permanently to terminate the honorary contract.
- 8 There will be renewed and heightened media interest when the verdict is announced. The EARHA would appear much more decisive and sensitive to patient concerns if they were prepared on Friday if the verdict is that Prof Allain is guilty to:

- 1) announce the enquiry ; and
- 2 suspend Prof. Allain's honorary contract pending an urgent review of the judge's summary of the case.



- 9 Alasdair Liddell recognises how important it is to reassure public opinion. He will discuss the next steps urgently with the Vice-Chancellor who may be reluctant to agree to Allain's suspension because he will regard it as condemning Prof Allain - unfairly in his view, because he considers Prof. Allain has been made a scapegoat.
- 10 The question for Secretary of State is whether she is content to leave EARHA to agree a line with the Vice-Chancellor and await the public response, or whether she believes EARHA have to be urged to act on the lines of para 8. Alasdair Liddell is aware of officials' concerns lest Prof. Allain is not suspended and the media go into overdrive on the risk to patients. He is also extremely conscious of the need not to be panicked into sacrificing unnecessarily an eminent and able senior professional.

GRO-C

William Paton  
5/E/60 QH  
GTN

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