Medical practitioner struck off for providing misleading and dishonest expert evidence

Key Points

Waney Squier, a consultant neuropathologist at the John Radcliffe hospital in Oxford, has been struck off the medical register after being found to have given misleading expert evidence in six court cases where infants died.

The case has caused some controversy as Ms Squier was not struck off for the way in which she practised medicine or treated patients, but rather for her behaviour at the trials for which she was a witness. Ms Squier was found to have only used scientific information which supported her theories, rather than being honest and open about all theories in court.

Background

Ms Squier graduated from the University of Leeds in 1972 and specialised in neuropathology from the start of her career. In 1984 she took on the position as a Consultant Neuropathologist at the John Radcliffe Hospital in Oxford. She remained in this position until 2016, when she was struck off the register.

Ms Squier was called as an expert witness in infant brain pathology in a number of court cases. Initially, Ms Squier’s involvement was on the prosecuting side against parents accused of causing Shaken Baby Syndrome. She was an advocate of the widely accepted notion that a combination of three brain injuries in a baby (known as ‘the triad’), was sufficient evidence to prove the baby had been shaken.

Dr Squier began to develop doubts about the scientific basis of the syndrome, slowly becoming convinced that Shaken Baby Syndrome might not exist, and that the triad could actually occur naturally in children.

As a result, she appeared as a witness for the defence in six trials between 2007 and 2010. A number of judges and practitioners made allegations that Dr Squier misled courts and acted dishonestly and irresponsibly by “cherry picking” research and evidence. This formed the basis of the General Medical Council’s initial complaint with her, and why she was called before the Medical Practitioners Tribunal Service.

Findings

The Medical Practitioners Tribunal Service, the disciplinary arm of the General Medical Council, found that it had no option but to end Squier’s medical career given her serial dishonesty.
It was found that Ms Squier provided deliberately misleading and dishonest evidence in court, which had the potential to subvert the course of justice. The GMC held that Dr Squier conducted herself in a way that was demonstrative of her clinging to a theory so that in fact her evidence was misleading and biased, and the GMC say that when analysed, the evidence demonstrates that she must have known that what she was doing was misleading and thus it was dishonest.” The MPTS found that Dr Squier’s conduct was incompatible with continued registration as a medical practitioner and that erasure was the only appropriate sanction which would maintain public confidence in the profession. The finding has caused division.

Dr Squier’s supporters state that the scientific protocol for her theories is sound and that she has been the victim of a witch hunt because she has challenged the theories of the medical establishment. On the other side, the GMC and its supporters state that this case has nothing to do with the science of SBS, but rather is to do with Squier’s behaviour at the trials for which she was a witness, where she is condemned as having only used scientific information which supported her theories, rather than being honest and open about all theories in court.

Dr Squier is expected to appeal the decision over the coming months.

**Conclusion**

This case acts as a stern reminder for expert witnesses in legal proceedings that they have an overriding duty to assist the Court on matters relevant to the expert’s area of expertise and are not an advocate for a party or a particular position.

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