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TRANSCRIPT OF "FILE ON 4" - MISCARRIAGE OF JUSTICE

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REPORTER: John Sweeney

PRODUCER: Ian Muir-Cochrane

EDITOR: David Ross

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THE ATTACHED TRANSCRIPT WAS TYPED FROM A RECORDING AND NOT COPIED FROM AN ORIGINAL SCRIPT. BECAUSE OF THE RISK OF MISHEARING AND THE DIFFICULTY IN SOME CASES OF IDENTIFYING INDIVIDUAL SPEAKERS, THE BBC CANNOT VOUCH FOR ITS COMPLETE ACCURACY.

“FILE ON 4”

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SWEENEY: They were the poison parents. They called him a vegetable and a zombie. To punish him, they force-fed him salt. And they were convicted of killing toddler Christian Blewitt. Or did they? File on 4 reveals disturbing evidence that casts doubt on the safety of the salt poisoning convictions against Ian and Angela Gay, and we tell the story of another couple who have lost all of their children after they were accused of breaking their son's bones. We ask: do the courts still favour expert evidence – even if it may be wrong - over the word of parents who say they have been falsely accused?

SIGNATURE TUNE

EXTRACT FROM FILM

CHILD: Mummy.

MOTHER: Yeah, hang on. Let me tie your shoelace. Good boy. What's Daddy doing?

JACKIE GAY: Ian absolutely loved those kids, and Christian, I think, especially because of his age.

SWEENEY: Jackie Gay is Ian's mother. Christian, aged three and a half, was the oldest of three children the Gays were adopting.

JACKIE GAY: The other two used to have a little afternoon nap, and that was a special time with Christian in the afternoon, when he would sit down with him and read, play stories. The week before he died, he actually helped Ian decorate the Christmas tree.

SWEENEY: The couple were rich and gifted – the one thing they lacked was children of their own. At the age of sixteen, Angela's womb had been removed because of fears of cancer. They set out to adopt and were delighted when, in November 2002, they got a whole new family: Christian, his brother aged two, and his sister, nine months. Carl Swain is Angela's brother.

SWAIN: They came round here with the children and they were, they just looked at the children in awe. They were, you know, so proud, and it reminded me of when my kids were born. And, you know, you look at the children and nobody's ever going to hurt you, I'll protect you, nothing's ever going to harm you. And it was that look, you know, she was just so so proud and so pleased.

JACKIE GAY: I saw them at least a couple of times a week and they were always absolutely brilliant with them. Christian was the eldest.

SWEENEY: What was he like?

JACKIE GAY: Shy at first and cheeky. Afterwards, once you got to know him a little bit, he just wanted to do things for you, he'd carry things, go and get things and bring them to you, show you his cars. He always had a car in his hand, he absolutely loved that, both him and his little brother.

SWEENEY: The Gays had only five weeks with their new family. But even in that short time something wasn't right. Ian phoned up social services and said that Christian was a vegetable, a zombie. The zombie remark was later held to be powerful evidence of Ian's cruelty. Then, on Sunday December 8th 2002, their world collapsed.

JACKIE GAY: Ian phoned me from the hospital to say that Christian was in a coma and he had rushed him to the hospital and they were working on him and probably were going to transfer him to Birmingham Children's Hospital.

SWEENEY: How did Ian sound on the phone?

JACKIE GAY: Very upset, very upset.

SWEENEY: Almost immediately after Christian entered hospital, the doctors carried out tests that showed he was suffering from a massive overload of salt. The Gays were arrested for salt poisoning on the Tuesday. Christian was gravely ill. Two days later, Jackie Gay got the worst possible news.

JACKIE GAY: I got a phone call from Ian here, and all he said was, 'Can you come? I need you,' and that was it. That was the only words he said. So I just said, 'Where are you?' Just went to him.

SWEENEY: And did you know then?

JACKIE GAY: Yes.

SWEENEY: And how was he then?

JACKIE GAY: Terribly upset. Terribly upset. Angela actually collapsed. We actually had to take her to A&E, hospital, that night.

SWEENEY: Christian's death meant that Ian and Angela were now facing a charge of murder. Two years later, the trial began. The case lasted seven weeks, with the jury hearing from a battery of expert witnesses. The prosecution argued that Ian and Angela had committed two separate acts of violence: they had caused the boy massive head injuries - murder - and they had poisoned him with salt - manslaughter. The jury returned its verdicts in January this year. They found the Gays not guilty of murder, but guilty of manslaughter. They had poisoned Christian.

JACKIE GAY: They just collapsed in a heap. It just came as such a big shock. I know one of Angela's brothers was crying and we just, so much stress, and of course we never saw Ian and Angela again, because they were led away, so that was the last we saw of them.

SWEENEY: The papers had a field day.

READER IN STUDIO: The poison parents. They called him a vegetable and zombie. They fed him salt as punishment.

READER 2 IN STUDIO: Wealthy couple killed adopted boy with salt for ruining their luxury lifestyle.

READER IN STUDIO: Child killers on £200,000 a year. Tot poisoned with salt.

READER 2 IN STUDIO: The boy killed for not being perfect.

SWEENEY: No-one saw the poisoning happen. The doctors worked backwards from the huge amount of salt in his blood and deduced poisoning. There was no sign of a drip, so they must have force-fed Christian. Or did they? The Crown assumed that you can force a lethal dose of salt into someone's mouth. It was a given. To test that, I set up a little experiment in my kitchen.

ACTUALITY IN KITCHEN

SWEENEY: The court heard that Christian was poisoned with four and a half teaspoons of salt. This is my laboratory. Let's put that to the test. Here's the salt. Here we go. [Vomits]

The salt made me throw up. I tried to drink it five times, and I vomited five times. I couldn't do it – so how on earth could Ian and Angela? And that is just the first of a series of grave questions which cast doubt on whether Christian was poisoned at all. A second assumption by the Crown was that Christian's death had nothing to do with natural causes. Mr Justice Pitchers was quite clear in his summing-up to the jury:

READER IN STUDIO: Two of the possible causes of such a high level of sodium have been ruled out: (1) severe dehydration, (2) known pre-existing metabolic disorders or other diseases. Very sophisticated testing was done to rule out all known existing disorders which might have caused that high level of salt.

SWEENEY: But were they right to assume natural causes had no part to play? Ashley Grossman is Professor of Neuro-Endocrinology at Barts Hospital in London.

GROSSMAN: There were two possibilities, two major ones that need to be considered. Either he was being force-fed huge amounts of salt and that would overload his system, or he was losing large amounts of water, and that's why his blood was concentrated. And there was not enough evidence in my mind to have excluded the possibility that he was losing more water than he should have done, and that was putting the salt up to very high levels in his blood.

SWEENEY: You're talking about some kind of organic disease?

GROSSMAN: I'm talking in this case of some form of organic disease that may have pre-existed to a certain extent and became worse for one reason or another. This is certainly something one would have seriously considered at that time, sometimes a difficult diagnosis, but in this case, however improbable, it does seem to me on the basis of the evidence I've seen as the most likely.

SWEENEY: Do you think it's more likely than salt poisoning?

GROSSMAN: I think in this case diabetes insipidus, albeit improbable, is still more likely than the even more outlandish diagnosis, which is of salt poisoning, salt intoxication. I think the experts in this case managed the case as well as possible, looked at a number of possibilities which they haven't entirely excluded. They also excluded diabetes insipidus, which I believe was a mistake.

SWEENEY: So there are two possible causes of a potentially lethal amount of salt in your blood: salt poisoning and diabetes insipidus or salt diabetes. We all know about classic diabetes or diabetes mellitus, when the blood sugar level goes haywire. It can be fatal. Salt diabetes is when the salt level in the blood goes haywire. It too can kill. But this was ruled out. That seems fair enough because it's the textbook answer. The question is, who wrote the textbook? All of the experts in the Gay case started from the premise set out in what the judge called the seminal paper on non-accidental salt poisoning. Jean Golding has read it. She is Professor of Epidemiology at Bristol University.

GOLDING: This is a paper that was published in 1993, which purports to comment on twelve children who had been poisoned. The evidence that it was salt poisoning I think is very flimsy, and we don't know how these children were identified. It's very difficult from the paper as it is to say, well this must be salt poisoning. The children certainly had high levels of salt in the blood, but that doesn't mean that they've been poisoned.

SWEENEY: Who is the author of the paper?

GOLDING: Roy Meadow.

SWEENEY: Professor Sir Roy Meadow was once the greatest child abuse expert in the land. He gave evidence against a series of cot death mothers, saying that they had murdered their babies. The mothers included Angela Cannings, Donna Anthony and Sally Clark. In Sally's case, he told the jury that the chances of a middle class mum like Sally having two cot deaths were 73 million to one. In 2002,

SWEENEY cont: File on 4 raised doubts about Sir Roy's expertise in statistics, genetics and his own field, paediatrics. In July this year Sir Roy was struck off, although he is appealing that decision. Professor Meadow did not give evidence in the Gay case, but his 1993 paper on salt poisoning provided the intellectual framework on which the couple were convicted. Meadow's paper was cited throughout the trial and by the judge in his summing up five times. Meadow on cot death is no longer respected. But Meadow is still the number one authority on salt poisoning. Or is he? So, Professor Golding, how does this paper by Professor Meadow help us understand the difference between salt poisoning and, for example, natural causes?

GOLDING: I don't think it helps at all. I think, if you were going to have a paper that was saying, 'These are the criteria to look for in salt poisoning,' you would take a load of children who had high levels of salt but weren't suspected of being poisoned by anyone, and compare those with children who were suspected of being poisoned, to see whether there were any differences or whether indeed the presumed natural causes in the other children could not be attributed to these children.

SWEENEY: In layman's English, you need a control group?

GOLDING: You need a control group, yes.

SWEENEY: Is there a control group in this paper?

GOLDING: No.

SWEENEY: How reliable is it?

GOLDING: Well, I think it's not reliable without more information at least.

SWEENEY: Having read it, do you think that any conviction which is in part based upon the thinking in this paper is safe?

GOLDING: Personally I wouldn't think it was safe if weight is being put on the evidence in this paper.

SWEENEY: Another problem with Meadow's paper is that you could be forgiven for getting the impression that salt poisoning and natural causes are equally likely. Professor Ashley Grossman.

How long have you been in practice, and in that time how many cases of salt poisoning have you come across against how many cases of diabetes insipidus?

GROSSMAN: I have been in practice in endocrinology for just over 25 years and I have seen tens, dozens, possible hundreds of patients with diabetes insipidus - mainly adults, occasional children. I've never seen a case of salt intoxication.

SWEENEY: Statistics can mislead – ask Sir Roy - but here are two numbers worth thinking about: Meadow cites twelve cases of salt poisoning. At any one time, there are about 2,400 people in Britain who have got diabetes insipidus or salt diabetes. We asked Professor Meadow to take part in this programme but, citing legal reasons, he declined. Some scientists even question the validity of Meadow's claimed twelve poisonings. We showed the paper to Ashley Grossman.

GROSSMAN: As an endocrinologist, all I can tell from the paper is that he reports that they had a normal endocrine function, but no data are actually given, so it is difficult for me to make any sort of firm conclusion as to whether it is possible that any of these children also had diabetes insipidus.

SWEENEY: Are you saying that it's possible that some of these children, Meadow identified as suffering salt poisoning actually had something naturally wrong with them - diabetes insipidus?

GROSSMAN: I'm saying that on the data I've seen in the paper, I believe you cannot exclude that some at least of these children may have had diabetes insipidus.

SWEENEY: There is nothing to suggest that the Crown Prosecution Service or the police – still less the jury – ever realised that salt poisoning was much, much less common than diabetes insipidus, the number one cause of too much salt in humans. Diabetes insipidus was mentioned in the pre-trial conference of experts – only to be dismissed with very little discussion. One expert said:

SWEENEY: Underlying the case is a third assumption by the prosecution, that Christian - certainly up until the day of his admission to hospital - was a healthy little boy. No-one knows who Christian's natural father is, but even so, the prosecution have assumed that no family genetic illness is at play. At post mortem it was discovered Christian had scar tissue on his heart - he'd suffered a heart attack some time before he met the Gays - and that doesn't fit the prosecution narrative either. Salt diabetes is caused by things going wrong in two areas of the body: the brain and the kidney. The experts ran tests on the kidney and the adrenal gland and they were normal. But they assumed that that part of the brain which controls the kidney - the pituitary gland - was normal. Was that assumption right? Well, maybe not. Most of Christian's medical records have gone missing, but not all of them. File on 4 has seen paperwork that shows that Christian was diagnosed as suffering from hydrocephalus - water on the brain. Research has shown that hydrocephalus can damage the pituitary and trigger diabetes insipidus. So was Christian suffering from a diseased pituitary gland? It's a good question but according to Jackie Gay, a difficult one to answer.

JACKIE GAY: When the defence pathologists gathered two post mortems were carried out, both asked either for the pituitary gland or the results of the tests that were carried out on it, it was never tested and there was no pituitary gland, it was missing.

SWEENEY: When you say it was missing, he must have had a pituitary gland.

JACKIE GAY: Oh yes, yes.

SWEENEY: So where is it?

JACKIE GAY: Nobody knows what happened to it. The brain stem was there and it had been separated from the pituitary gland, but the pituitary gland itself is nowhere to be found.

SWEENEY: Do you think it's possible that Christian's pituitary gland carries the answer?

JACKIE GAY: I think it would answer everything.

SWEENEY: There is one part of the brain, next to the pituitary gland, that may hold the answer: the osmostat. It's a bit like the thermostat that controls your central heating, but it regulates the amount of salt in your body. If your house is way too hot, you don't first blame the plumber for breaking the boiler. You check the thermostat – and that is exactly what the experts failed to do. So did Christian's osmostat go crazy? Did it re-set too high? Professor Pankaj Vadgama is a chemical pathologist at Queen Mary University of London.

VADGAMA: It is possible to reset the osmostat for unknown reasons that the body simply decides that it wants to run at a higher surge. Now the interesting thing about that condition, when seen in adults, is the patients don't show evidence of dehydration. Assuming that his treatment was effective from the amount of fluid he was given, and the fact that it found it difficult to budge that sodium level, is an interesting observation. The fact that they couldn't re-correct this sudden catastrophic event, supposedly due to poisoning, couldn't be corrected by an equally aggressive form of fluid therapy, makes me wonder whether it is a reset osmostat that we're looking at here.

SWEENEY: Well the judge ruled out all known natural causes.

VADGAMA: That's factually incorrect. That is factually incorrect, because we are not in a position to rule out all natural causes. We can only do that if we've found a poison inside Christian which should not have been there. We have found sodium at a high level inside Christian, which is there in a higher concentration than it should be. It makes no greater sense to say if Christian had a very very low sodium level, that somebody had poisoned him by intoxicating him with water.

SWEENEY: Ian and Angela Gay are in prison for the salt poisoning of their child. Having seen the evidence and looked at the numbers, are you confident that their convictions are safe?

VADGAMA: No, not from my point of view.

SWEENEY: Other experts agree. If they're right, then Ian and Angela Gay are in prison for probably the worst offence of all – child-killing – for a crime that didn't happen. We've been here before. Solicitor Bill Bache now represents the Gays. He also acted for Angela Cannings, one of the cot death mothers falsely accused by Professor Sir Roy Meadow. After she was freed by the appeal court, the law was changed – so that no-one would go to prison on disputed expert evidence alone. Has this case got anything in common with Angela Cannings?

BACHE: I believe it has. I mean, the opinions were by no means unanimous and therefore I think that it was a case that really shouldn't have been allowed to proceed from the beginning, because if you start off with serious scientific differences which it is very difficult indeed to reconcile, I believe that those are conditions where the prosecution should not be brought in the first place. Unless, of course, there are other compelling or fairly compelling pieces of evidence other than scientific evidence which points to guilt, but I don't believe there were in this case.

SWEENEY: Other than the medical evidence, how good is the other evidence, the evidence for this couple are abusive?

BACHE: I think that any other evidence that this couple was abusive to my mind is virtually non-existent.

SWEENEY: Has the system of criminal and family court got it, have they understood what Cannings was about?

BACHE: I think that there are certainly, reason to believe that in a number of cases they haven't really taken the implications of the decision onboard.

SWEENEY: And in the case of Ian and Angela Gay?

BACHE: It doesn't seem to me that the Cannings lessons were properly learnt.

SWEENEY: But if the Cannings judgment doesn't appear to have made a difference in the open criminal courts, the picture is even bleaker in the secret world of the family courts. They have the power to take your child, on the balance of probability, for ever. It is hard to convey how profoundly the secrecy of the family courts affects parents accused of child abuse. For example, we are banned by law from using their real names. Let's call this couple Sandra and Tom. They had three children, but because they were accused of abusing the middle boy, all were taken by social workers into care. Slowly, but surely, they began to lose their family. You used to have three kids.

TOM: Yes.

SWEENEY: What was that like, being a dad?

TOM: Excellent. Top of the world.

SWEENEY: What did you do with the kids?

TOM: Whatever they wanted to do, they rang rings around us.

SWEENEY: With your middle boy, you used to play games with him?

TOM: Yes. Anything he wanted to do basically, he'd be running up, he used to love to run up my stomach, my legs and topple over. Swinging, he loved swinging.

SWEENEY: When was the last time you saw the kids?

TOM: About a year ago, last January sort of time.

SWEENEY: How was that?

TOM: Terrible, I couldn't go through it again. Basically it's just sitting there saying goodbye to your children.

SWEENEY: Could you explain to them what had happened?

TOM: No, you weren't allowed to.

SWEENEY: How did you see them? In what context?

SANDRA: We had to go and see them at the foster carer's. We had an hour's visit and we had to include in that my daughter's birthday, which was very difficult having to include time with the others as well as celebrating her birthday. When we had to go, because my daughter was old enough to understand these things, she knew that she weren't going to see us anymore after that. So she was hanging onto us, saying she didn't want us to go, asking when she was going to see us again or if she'd ever see us again. She was also asking if her brothers were going to stay with her, and how do you explain that to a child if you don't really know?

SWEENEY: Two years ago, Sandra and Tom were accused of hurting their son so much his bones chipped.

SANDRA: He woke up screaming in agony. When I took his pyjamas off, I realised that his left leg was swollen from the knee down, so I took him to the hospital. They then diagnosed him with osteomyelitis, which, from what I can gather from the research I've done, is inflammation and infection within the bone. Then they decided to keep him in hospital and put him on intravenous antibiotics. And it wasn't until he'd been in there a couple of days that they came to me and said that an expert had looked at his x-rays and found an unusual fracture in his left ankle, because he'd not shown any outward signs that he'd hurt himself, you know. I mean, children fall over all the time, they have a little cry and brush themselves down and they play again. And they said that it was unusual in the aspect that it was what they call a twisting and pulling fracture, and apparently these only come about through a child being pulled and twisted.

SWEENEY: So that means that effectively, implicitly, either you or your husband had abused your child?

SANDRA: Yes, that's what they were saying.

SWEENEY: The critical evidence against them were x-rays. One expert, a radiologist, concluded that Sandra's boy had suffered multiple metaphyseal fractures – these are not breaks in the middle, but chips to the growing ends of the bones - caused by, he said, 'an unacceptable degree of rotary force, that is forceful twisting.' The radiologist described these injuries as high specificity for non-accidental injury. That - in plain English - means that the finger is pointed at someone deliberately hurting the child. The judge, in his summing-up, was a little bit critical of a second expert, a bone surgeon. He said that the surgeon had written that some of the x-rays indicated or could present a fracture, whereas in court he said there was a fracture. The judge described what he'd written as somewhat misleading. Sandra and Tom were, in the considered views of the experts, a real and present danger to their own children. You were an abuser or your wife's an abuser or you're both abusers. Is that true?

TOM: No. 100% no.

SANDRA: No.

SWEENEY: Are you sure?

SANDRA: Yes.

SWEENEY: To go to prison is one thing. But to lose your children forever is, for a mother like Sandra, far worse.

SANDRA: Behind closed doors I do what I feel like doing. You know, if I want to sit in the corner and cry for an hour, I'll do so, but I'm not going to do that in front of everybody else.

SWEENEY: And do you do that?

SANDRA: Yes I do. I sit in their bedrooms, hold their clothes, smell their toys, you know, usual things.

SWEENEY: When was the last time you did that?

SANDRA: Last night actually.

SWEENEY: Before you condemn a family as child abusers, you might care to rule out any genetic factors. The question 'do broken bones run in the family?' is worth asking. So we did.

MAN: I am the uncle and if you look at my hands, I have a knuckle missing. Throughout my whole life I've had breaks, fractures, all over really.

WOMAN: I'm the child's aunty. I've had so many breaks, I really can't remember how many I have really had. Ankles, legs, knees, fingers, toes, ribs, the bottom of my spine, coccyx.

MAN 2: I'm the child's other uncle. I'm 29, and in those 29 years I have fractured my skull, I have broken several fingers, broken my leg, also my elbow as well.

WOMAN 2: I'm the grandmother.

SWEENEY: How many breaks have you had?

WOMAN 2: In the first eight years of my life I had about eighteen. I suppose altogether I've possibly had about forty. I don't think there's anything I haven't broken, apart from my back. And I grew up with it. It was something which was always there. I knew if I had a fall, something was broken, and it was just how life was.

SWEENEY: Your daughter had three kids.

WOMAN 2: Yeah.

SWEENEY: And she hasn't got any kids anymore. What effect has that had on her and her partner?

WOMAN 2: Devastating. It's not only affected them, the whole family, even their younger members ask when they're coming back. Looking back over everything what's happened, it's incredible what they've done to us, and all they kept saying, even in the court, that they were working on probabilities and theories. How can they say that?

SWEENEY: Virtually all of Sandra's family suffer from brittle bone disease or osteogenesis imperfecta – OI - Type I. It's a genetic mutation, when the fibre of the bone doesn't grow properly, giving you bones like the inside of a Crunchie bar. As a result, your bones break easily. But Sandra hasn't got the tell-tale signs of OI: the whites of her eyes are white, not blue, she hasn't got a history of broken bones. But no matter. The court heard about the family illness, but concluded that Sandra and therefore her son did not suffer from the disease. They worked that out by a clinical examination only. That did not include doing a DNA blood test – which can tell you whether you've got brittle bone disease or not. It costs £6,000. But were they right to rule out the family disease on clinical grounds alone? Three years ago, Professor Peter Byers – a pathologist at the University of Washington in the United States - looked at this very question.

BYERS: We were interested in how good clinical diagnosis was in the context of trying to evaluate children who came with a question of abuse. We looked at the cases of a couple of hundred children who had been referred to us for testing using cultured skin cells to look at the collagens that are made. The collagens are the proteins that are abnormal in children that have osteogenesis imperfecta, in about almost 90% of them. We had thought initially that the clinicians would be good enough and adept enough and experienced enough to evaluate these kids and that the clinical examination would usually identify the kids. What we found was that in fact there was a significant number of children that were being missed by the clinical examination, at a rate that was surprising to us.

SWEENEY: That means that it's entirely possible that Sandra and her son actually have brittle bone disease – even if the experts said she hasn't. At one point, the expert radiologist said that people with brittle bone disease do not suffer from metaphyseal fractures or, in layman's terms, chips on the corner of the bone. But Professor Byers says that in the United States that view is changing.

BYERS: Abuse-related injuries in this country were very prominent, leading to the idea that metaphyseal fractures were called metaphyseal chip fractures or bucket-handle fractures, which involve the very ends of the bone near the growing area, and initially these were proposed as being absolutely diagnostic of abuse. It's become apparent that certainly in some children with osteogenesis imperfecta it's possible to see these kinds of chip fractures that are probably not the consequence of abuse, although you always have to recognise that kids with underlying bone disease can experience the same kind of abuse that children can in other contexts.

SWEENEY: Some scientists go further and question whether metaphyseal – chip - fractures equals child abuse at all. George Hawks is Sandra's new solicitor.

HAWKS: There weren't enough investigations carried out. For a start off, even the two experts were disagreeing about the number of fractures. The first thing I would have done is to commission another radiological opinion, because that seemed to be absolutely fundamental. If an orthopaedic surgeon was doubting the validity of the finding of the radiologist, well you need to counter the radiologist opinion with another radiological opinion, because otherwise there could be a horrible mistake.

SWEENEY: So there are fractures. The radiologist looks at the x-rays and says these are fractures, this is child abuse?

HAWKS: Absolutely, because that's what the literature would have told him.

SWEENEY: How scientifically rigorous is that deduction - that's a fracture, metaphyseal fracture, it has to be child abuse?

HAWKS: I think it's an error, I don't think that is a conclusion you can draw, and the literature indicates that you have to be cautious about drawing these conclusions, because there have been miscarriages of justice where people have been accused of child abuse, and it's found out it was some other cause. The cause here that was possibly postulated by Tom and Sandra was brittle bone disease. That was dismissed and therefore you dismiss that possibility, so therefore it had to be child abuse. If you can't explain these injuries, you're guilty.

SWEENEY: Mr Hawks has written and asked for copies of the x-rays so that they can be examined afresh. There has been no reply to this request – crucial for Sandra and Tom to question the judgement against them. Sandra and Tom have been condemned as child abusers – but without the DNA blood test being carried out, and without the opportunity to challenge the allegedly damning x-rays – and all of this in the context of uncertain, fast-changing scientific opinion. They have lost their case, and their three children have been taken from them forever. But if you think that is bad... You're expecting what we normally call a happy event?

SANDRA: Yes.

SWEENEY: You're pregnant?

SANDRA: Yes.

SWEENEY: Are you afraid that when the baby's born they might take it away?

SANDRA: Yes.

TOM: You never know what's going to happen next. You don't know whether they're going to be knocking on the door saying, 'Right, we heard you're pregnant. We want it straightaway,' or whether they're going to be standing in the hospital.

SWEENEY: How are you going to cope, what are you going to do?

SANDRA: I don't know - hide maybe.

SWEENEY: On the evidence that we've presented in this programme, it seems that both the criminal and the family courts have not begun to ask the question not who harmed this child, but was there a crime? Public scrutiny may yet help free Ian and Angela Gay from a prison sentence for a poisoning that may never have happened. But it's the lack of public scrutiny in the secret family courts that means that Sandra and Tom will almost certainly lose all their children to the state, including the one not yet born.

SIGNATURE TUNE