

Jasmine is remembered because the Inquiry was public, but what about the numerous other child victims? In Brent, the Law and the Professions appeared to turn aside from reality and instead embraced accustomed formulae, bureaucratic procedures and flawed ideologies, thereby permitting great cruelty to their most helpless citizens. This will continue to happen<sup>2</sup> until children at risk in their own homes are perceived as having the same rights as the rest of us.

J. E. OLIVER

*Burderop Hospital  
Wroughton, Swindon*

#### REFERENCES

- <sup>1</sup> *A Child in Trust: The Report of the Panel of Inquiry into the circumstances surrounding the death of Jasmine Beckford-1985*. Chairman: L. Blom-Cooper. Wembley: London Borough of Brent.
- <sup>2</sup> Compare also Tyra Henry Death Inquiry (Lambeth) (1987): *Daily Telegraph*, p 2, Friday, 18 December 1987.
- <sup>3</sup> BRITISH PAEDIATRIC ASSOCIATION AND BRITISH ASSOCIATION OF PAEDIATRIC SURGEONS (1973) Introductory comment from BPA & BAPS, *British Medical Journal*, 4, 656-660.
- <sup>4</sup> OLIVER, J. E. (1976) Chapter 3 (ps 33 and 34). In *The Challenge of Child Abuse* Ed. A. W. Franklin (from Proceedings of Conference of 2-4 June 1976 sponsored by the Royal Society of Medicine) London: Academic Press and New York: Grune & Stratton.
- <sup>5</sup> — & GRAHAM, W. (1985) *Generations of Maltreated Children in NE Wils.* Oxford University Unit of Clinical Epidemiology/Oxford Record Linkage Study. Oxford RHA.

### *The Council of the College and sanctions against South Africa*

DEAR SIRS

In the 1987 sessions Council endorsed what it said was the Nassau Accord of 1985, and officially adopted a resolution for sanctions against South Africa. Collegiate training and directives for 'members considering a visit to South Africa' were appended.<sup>1</sup> The original resolution was passed at the Quarterly Business Meeting on 28 January by 72 votes to 4 with about 1.3% of all members present.<sup>2</sup> Members of the College, the Governments of Britain, the Commonwealth countries, the Royal Colleges and other institutions concerned were not consulted. Apart from the agenda notices, no information was circulated, and the affair was not shown in the Annual Report, nor the minutes of the Annual General Meeting. It was kept as secret as possible.

Governments could not propose restrictions in health and medicine without violating universal principles and interfering with international agreements, and accepted arrangements between countries.

I submit that the Council's resolution is invalid, the procedure unconstitutional and, worse, the version of the Accord is different from the official text and misrepresents the intentions of the signatories.

'The objects and purposes for which this College was constituted' (and for which the Royal Charter was granted) 'were to advance the science and practice of psychiatry; to further public education therein, and to promote study and research in psychiatry'.<sup>3</sup> Proposals that are outside or in conflict with them, for example about economics, atomic power, finance, trade, would be ultra vires. The College must not engage in, or allow its services to be used for, party or foreign politics. To do so would compromise the Royal Assent. Members must observe the highest standard of professional ethics. They must not discriminate professionally against anyone on grounds of race, nationality, religion, sex, politics, or anything else, and must not do anything that would lessen their professional standards of practice.

These are implicit in the Royal Charter. Proposals for boycotts or sanctions intended to deny the College's services to any country would be unethical and in conflict with the Royal Charter. The stated aim of the resolution is to do just that, in respect of South Africans.

At the Business Meeting, with the President, Dr Bewley, in the chair, Dr D. Hollander, seconded by Dr Richman and Professor Levy, proposed 'We condemn racism everywhere, in particular the state-institutionalised racism of apartheid in South Africa with its associated gross inequities in the provision of health care, including mental health care, and we urge all members of the College to give every support to the Commonwealth Nassau Accord of October 1985, which agreed upon and commended "discouragement of all cultural and scientific events except where these contribute towards the ending of apartheid or have no possible role in promoting it"'. The proposal made it appear that the British Government as a signatory had agreed on sanctions and commended them to the College for action. The proposal might then not be ultra vires the Charter. Since Dr Bewley, as Chairman, must have read the Accord and approved the proposal, no one should suspect that it might have been altered. The official text kindly supplied to me by the British Embassy in South Africa shows that the measures were specifically *economic*, of which 'discouragement etc' was 'already adopted by some members' and 'commended to other Governments', not to the College. There can be no possible doubt that the measures were 'economic'; Hollander, Richman and Levy, with the approval of the Chairman, introduced a version with a different meaning. It was subsequently accepted and endorsed by Council.

In letters to Dr Bewley, between January and June 1985, I said that the resolution interfered with the rights of South African members, broke the Hippocratic Oath, restricted freedom to practise, influenced members to discriminate against South Africans and give professional services only on condition they were used against the Government of South Africa, infringed the Royal Charter, and misrepresented the Accord and the intentions of the British Government. The procedures were unconstitutional and discreditable, and the resolution was ultra vires the Charter. I repeatedly asked the President to withdraw the resolution and to supply all members with the unedited Accord and an explanatory memorandum. The only positive replies were

that Council had seen my letters and that 'as supreme governing body, the College Council has the full management and control of the College and of its affairs'. The matter was closed when Dr Birley, the next President, wrote that 'the procedure concerning the Council's resolution was that followed by our Council in the conduct of its affairs. It does not require a plebiscite of its members. The resolution may not be so draconian as you feared'. So Dr Birley justified Council procedure, its disposing of a major policy decision at an ordinary business meeting attended by 80 members, and confirms that Council had imposed 'draconian' restrictions on South Africa without publishing a reason. Surely this is a confession of the abuse of psychiatry, and of the authority of a president, for political motives?

The resolution was put into effect when Professor Simpson, a South African member, was banned from giving his paper on 'AIDS in Africa' at the Autumn Quarterly Meeting. Dr Birley told the press that members had threatened violence otherwise, and that the decision was 'political'.<sup>4</sup> Who were these members? What action has been taken against them? However, a proposal for the British Psychological Society to follow the College resolution was ruled ultra vires the Royal Charter<sup>5</sup> by their Honorary General Secretary. I am a British subject, now resident and working in South Africa. I do not have the right to vote. I condemn utterly the resolution of the College, of which I am a Foundation Fellow, intended to hinder my work and teaching. The position of Fellows in South Africa in relation to other doctors and the Government may now be invidious because of the policy of the College.

For this reason I published a factual account of the affair in the *South African Medical Journal*.<sup>6</sup> As it may not be seen by members, I am now informing them in the *Bulletin*. The resolution is obviously ultra vires and its content incorrect. It should be rescinded. But the motivation for the resolution raises very serious questions. Although it is unethical, Council has said it had been approved by the British and Commonwealth Governments. Members are permitted to have professional relationships with South Africans, *only* if they serve Council's political aims. The resolution was passed without the consent or even the knowledge of 98% of Members.

There can be no confidence in the administration of the College until this irregular and confusing affair has been fully cleared up.

R. E. HEMPHILL

Groote Schuur Hospital,  
Cape Town, South Africa

#### REFERENCES

- <sup>1</sup>COUNCIL RESOLUTION ON APARTHEID (1987) *Bulletin of the Royal College of Psychiatrists*, 11, 246.
- <sup>2</sup>ROYAL COLLEGE OF PSYCHIATRISTS (1987) Quarterly Business Meeting, 28 January 1987 (no. 4)
- <sup>3</sup>BEWLEY, T. (1987) Appeal for Research Unit (Letter inserted in June 1987 issue). *Bulletin of the Royal College of Psychiatrists*, 11.

<sup>4</sup>THOMPSON, G. (1987) Stiffing a cry for freedom. *The Argus*, 9 November 1987.

<sup>5</sup>THE EDITOR'S NOTE (1987) *The Bulletin of the British Psychological Society*, 40, 379.

<sup>6</sup>HEMPHILL, R. E. (1987) The Royal College of Psychiatrists and medical sanctions against South Africa. *South African Medical Journal*, 72, 659-660.

#### Dr Birley replies

To take Dr Hemphill's points in order:

- (1) The adoption of the resolution was announced in the *Bulletin* in March 1987 and guidelines were published in the July 1987 edition. The correct procedures were followed and no secrecy was involved.
- (2) The text of the resolution is that published by the Commonwealth Secretariat in the book *Mission to South Africa* (1986). This followed the visit of 'eminent persons' to South Africa. Lord Barber was the British representative. The Prime Minister referred, with approval, to the Nassau Accord on her recent visit to Kenya and Nigeria.
- (3) Our action is not ultra vires. The College has commented on other situations, notably concerning the abuse of psychiatry in Russia. We were also accused then, by the Russians, of political interference.
- (4) Dr Hemphill refers to 'a boycott'. Council guidelines indicate clearly that no boycott is intended. I have already written in the *Bulletin* (February 1988 and below) and elsewhere concerning the matter of Professor Simpson. No members had ever threatened violence on this matter, nor did I ever say they had done so.

DR J. L. T. BIRLEY  
President

#### Professor Simpson writes

DEAR SIRS

I am writing to place on record an episode of disgraceful behaviour on the part of the College in October 1987. Having been denied academic freedom in this country, I did not expect a more stringent denial of my professional rights by my own College, in Britain.

Let me summarise what happened. I was invited, as the College's guest, to speak at the Autumn meeting, in a symposium on AIDS. I later submitted a short paper on a vitally important and sensitive psychiatric topic, which was accepted for presentation at the meeting. I have been a distinguished academic psychiatrist in Britain, Canada and America; a member of the College for some 15 years, a previous Examiner for the College.

After I came to South Africa, to this area of such great need, I suffered great persecution and personal harassment because of my opposition to apartheid, my work with black students and community groups, and my work in establishing that harsh political detentions without trial caused psychiatric damage, amongst other work. I was eventually forced out of my senior academic post by continuous harassment, including death threats.

In both of my invited addresses to the College meeting