

Eddie Hernon and Dr Moira Woods, The End of a 25 Year Saga:

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Wrongful sex abuse diagnosis case settled:

A MAN, his wife and their daughter have settled a High Court action against a doctor and the State arising from a conclusion by the doctor that the man had sexually abused his daughter. The man denied any such abuse.

A Medical Council inquiry subsequently found professional misconduct on the part of Dr Maura Woods in assessing the then seven-year-old girl at the sexual assault unit at Dublin's Rotunda Hospital in 1986 as having been sexually abused and physically assaulted by her father.

That 1986 assessment was requested by the girl's mother to prove that claims made by another relative that the man had abused his daughter were unfounded, it was claimed. The family brought proceedings seeking damages for slander, libel, negligence, breach of duty and breach of their constitutional rights.

They also claimed aggravated damages arising from alleged defamatory statements made about the man by Dr Woods; a psychologist who also examined the child and concluded she was sexually abused, and by social workers.

The man said the statements were made falsely and maliciously and he had refused to forgo access to his daughter as was sought. He applied to the District Court and was granted supervised access in early 1989.

Yesterday, Liam Reidy, for the plaintiffs, told Mr Justice John Quirke the cases had been settled and could be struck out. No details were revealed in court.

The proceedings were against Dr Woods, described as employed by the HSE at the time, the State and the Attorney General, the Minister for Health and the HSE. Mr Reidy said the man's daughter was now in her twenties and the case related to an examination carried out by Dr Woods in 1986 at the Rotunda Sexual Assault Unit.

As a result of the examination, the Medical Council made an inquiry and found there was professional misconduct on the part of Dr Woods in her assessment in which she found the child had been sexually abused by her father, he said.

Counsel said the defendants acknowledged the council's decision and also said it was regrettable there was no system in place at the time to review the finding. The defendants all recognised and acknowledged the hurt experienced by the plaintiffs, he added.

In the man's claim, it was claimed Dr Woods had interviewed the child a number of times and a video recording of interviews was also made. Dr Woods had informed the child's mother her finding was the child had been sexually abused by her father and he had also physically assaulted her.

The child was later referred to a psychologist who also identified the father as having sexually abused his daughter. As a result the child was referred to various social workers and the mother was warned not to allow any further contact between the father and his daughter.

In the District Court in 1989, the father was granted supervised access to his daughter. The parents applied to have the child independently reassessed but the health authority objected on grounds that a reassessment would be "absolutely pointless at this stage".

It was claimed the effects of the defendant's actions led directly to the loss by the father of his family and entailed living in his neighbourhood under a cloud of suspicion.

<http://www.irishtimes.com/newspaper/ireland/2011/0218/1224290140139.html>

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Comments

The Irish Times report is about the case of Eddie Herson whose name is not mentioned in the article. This saga has been going on for a quarter of a century.

Eddie Herson was first accused by Doctor Moira Woods in 1986/87. After many years of struggle he lodged a formal complaint against Dr Woods to the Medical Council in 1992. Although delayed for years by legal obstructions, in January 2002 the Medical Council found Dr Moira Woods guilty of professional misconduct in relation to the diagnosis of sexual abuse of 11 children during the 1980s. She failed to apply necessary standards of judgement and competence, and acted in a manner derogatory to the reputation of the medical profession, it said.

It has taken a further decade to get the case into the High Court. (It is almost impossible for a falsely accused parent to sue the doctor or social worker who slandered him. In this case the fact that the former child also sued, probably made it possible.)

There was an article about Eddie Herson in the Irish Catholic on 19 February 2004 by then editor Hermann Kelly and I quote:

Asked how such a deplorable scenario could come about, and why such an exceedingly high rate of child abuse was reported from the Rotunda SATU [Sexual Assault Treatment Unit], Mr Herson puts the blame firmly on the shoulders of what he calls "the small clique of radical feminist ideologues who wish to paint all men as potential child abusers and rapists. Their attack is on the biological father and the family."

<http://www.irishsalem.com/individuals/accused/eddie-herson/EddieHerson-IrCatholic.php>