

# Lawyer alleges foul play in D'Souza children case

Defence cites lidocaine toxicity found during autopsy of D'Souza children

- By Bassam Za'za', Senior Reporter
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Dubai: A lawyer said in court on Wednesday that two French children, who were thought to have died of food poisoning, may actually have died of foul play, thus eliminating the possibility of negligence by his client (a doctor).

"The forensic doctor who carried out the autopsy confirmed that there was Lidocaine toxicity in the children's (five-year-old Nathan D'Souza, and his sister Chelsea, aged seven) bodies. Lidocaine is a form of anaesthetic. The medical reports from the two hospitals where the children were admitted confirmed that they were not given Lidocaine," argued advocate Mohammad Al Suwaidi (defending a 46-year-old Iraqi woman doctor) before the Dubai Misdemeanour Court.

"There could have been foul play... between the times when the children were discharged from the first hospital until they were readmitted to the second hospital where they died; they were under the housemaid's supervision.

"Had they been murdered? I cannot implicate anyone but it is up to prosecutors to investigate whether there was any criminal act in this case," he added.

The accused doctor, a 25-year-old Nepalese cook and a 33-year-old Filipino supervisor had pleaded not guilty and denied the charges of negligence or mistakenly causing the deaths of Nathan and Chelsea last year.

Advocate Al Suwaidi contended before Presiding Judge Jamal Mohammad Al Jubaily that his client was not negligent and provided professional care to the children, their mother and housemaid. The lawyer questioned where the Lidocaine came from.

When asked whether Lidocaine is a drug or anaesthetic, the doctor said it was an anaesthetic which cannot be administered to children under 12 due to its effect on the heart.

Prosecutors charged the cook and the supervisor with violating the public health requirements of Dubai Municipality through unhygienic practices which led to bacterial contamination. The doctor was charged with negligence in treating the children.

## **Necessary treatment**

"It was obvious that my client rendered the necessary medical care to the children to treat their food poisoning. The children were discharged and allowed to go home ... on condition that if their health situation deteriorated, they would be brought back to hospital," the lawyer said.

"The investigating medical committee confirmed that the children did not die of medical negligence.

"My client rendered the proper medical care that any doctor would have rendered," defended Al Suwaidi.

Advocate Hussain Al Bannai, who represented the cook and the supervisor, said: "My clients are innocent. There is no connection between their food poisoning and what they ate from the restaurant. A Hamburg medical report confirmed that the children's blood didn't contain any bacterial poisoning." Judgment is expected on January 26.

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