

# PAXIL ON TRIAL

## Evidence Supporting the Claim that Paxil Caused My Homicidal Psychotic Episode

David Carmichael

I have been physically and mentally healthy most of my life. The first time I experienced mental distress was in July 2003 when, at the age of 45, I started taking 40mg of the selective serotonin reuptake inhibitor (SSRI) antidepressant Paxil a day to help me deal with cash flow worries. I was falsely told I was depressed because of a chemical imbalance in my brain, and that Paxil would correct it. By September, I was feeling mentally healthy again. I tapered off Paxil from late February to the end of March 2004. By July, I was sleep deprived from preparing for the opening of a new summer day camp in Toronto, Canada, as its first director, and was dealing with increased anxiety, rapid weight loss, low concentration, and a lack of energy. On July 8, I started taking 40mg of Paxil a day.

A few days after I started taking Paxil again, I was having suicidal thoughts. I thought I could get rid of the thoughts and recover more quickly if I consumed the maximum recommended dosage in 2004. On July 16, I started taking 60mg of Paxil a day. Three days later, I planned my suicide. I went from planning my suicide to planning a murder-suicide to planning a murder. On July 31, 2004, I took the life of my 11-year-old son Ian in a London, Canada hotel room. I was charged with first-degree murder.

In November 2004, I was diagnosed by Dr. John Bradford, head of forensic psychiatry at the Royal Ottawa Mental Health Centre, as being in a "major depression" with "psychotic episodes" when I killed Ian. In May 2005, his assessment was supported by Dr. Stephen Hucker, a forensic psychiatrist from the Centre for Addiction and Mental Health in Toronto that the crown attorney in London hired. On September 30, 2005, I was judged to be "not criminally responsible on account of a mental disorder" for murdering Ian and sent to Brockville Mental Health Centre. I received an absolute discharge from the Ontario Review Board on December 4, 2009.

**In October 2011, I filed a lawsuit against GlaxoSmithKline (GSK), the manufacturer of Paxil, claiming that my homicidal psychotic episode was Paxil-induced and not caused by a mental illness, and that they were negligent for fraudulently concealing the truth about the suicidal and homicidal side effects of Paxil, which prevented me from making informed choices about use. My lawsuit was ultimately dismissed in April 2021 by the Supreme Court of Canada based on a statute of limitations argument by GSK.**

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### **GSK HAS DENIED THE POSSIBILITY THAT PAXIL CAUSED MY HOMICIDAL PSYCHOTIC EPISODE IN THE FOLLOWING MEDIA STATEMENTS**

- GSK Canada - "David Carmichael's case is certainly a terrible tragedy, however, we do not believe that Paxil played any part in this situation. Paxil did not trigger Carmichael's actions." (London Free Press, August 2006)
- GSK UK - "David Carmichael's case is clearly a tragedy but medicines like Paroxetine (Paxil) have helped many people. Patient safety is our priority and there is no scientific evidence that Paroxetine causes homicidal, psychotic, or violent behaviour." (BBC Panorama, July 2017)
- GSK USA - "Mr. Carmichael's case is clearly a tragedy but medicines like this are an important option for treating depression. Patient safety is our priority and there is no scientific evidence that this medication causes homicidal, psychotic, or violent behavior. We continue to monitor its safety and make our research available." (The Dr. Oz Show, April 2018)
- GSK Canada – "The tragic circumstances of this case serve as an important reminder that depression and other mental illnesses are serious disorders. The scientific evidence does not establish that Paxil causes homicidal, psychotic, or violent behavior." (CTV W5, October 2021)

### **GSK DATA FROM CLINICAL TRIALS AND POST-MARKETING REPORTS WHICH CONTRADICT ITS MEDIA STATEMENTS**

#### GSK USA:

- "May increase suicidal thoughts or actions in some children, teenagers or young adults within the first few months of treatment or when the dose is changed. Anxiety, agitation, panic irritability, aggressiveness, impulsivity, akathisia (psychomotor restlessness), hypomania, mania, and hostility have been reported in adult and pediatric patients." In 2017, homicidal ideation was added to the prescribing information for Paxil as an adverse reaction based on postmarketing experiences. (2017 Medication Guide and Prescribing Information for Paxil)

*According to external analyses of clinical trial data by medical researchers for lawsuits against GSK, "hostility" includes violent and homicidal behaviour.*

#### GSK Canada:

- "There are clinical trial and post-marketing reports with SSRIs and other newer antidepressants, in both pediatrics and adults, of severe agitation-type adverse events coupled with self-harm or harm to others. The agitation-type events include: akathisia, agitation, disinhibition, emotional lability, hostility, aggression, and depersonalization. In some cases, the events took place within several weeks of starting treatment." (May 2004 letter to healthcare professionals)

## HEALTH CANADA APPROVAL OF NEW WARNING LABEL FOR PAXIL WHICH CONTRADICTS GSK MEDIA STATEMENTS

- Health Canada approved a new warning label for Paxil that stated: "A small number of patients taking drugs of this type may feel worse instead of better. For example, they may experience unusual feelings of agitation, hostility or anxiety, or have impulsive or disturbing thoughts, such as thoughts of self-harm or harm to others." Health Canada required Paxil's product information to detail a list of "rare" side effects including delusions, hostility, psychosis, and psychotic depression. (February 2006)

## EVIDENCE SUPPORTING CLAIM PAXIL CAUSED MY HOMICIDAL PSYCHOTIC EPISODE

No mental disorder/illness during educational years:

- In 1977, I graduated from Newtonbrook Secondary School in Toronto and was Athlete of the Year. I spent my summer holidays during high school and university working with children at Swallowdale Camp in Huntsville, Ontario. I was a counsellor from 1975 to 1977 and program director from 1978 to 1984.
- In 1982, I completed an undergraduate degree in physical education with an advanced coaching certificate from York University in Toronto. I competed on varsity track and field and wrestling teams in 1977 and 1978 and was president of the Men's Interuniversity Athletic Council from 1980 to 1982.
- In 1985, I completed a masters degree in physical education with a specialization in the physiology and psychology of coaching, with my thesis on long-term athlete development, from York University.
- No mental disorder/illness during the first 19 years of my career:
- After I graduated from York University in 1985, I spent six years developing wrestling in Western Australia and Ontario, and created Sportability, a multi-skill development program for children.
- From 1989 to 1998, I worked with the Ontario Physical and Health Education Association (Ophea) in the area of research and program development for elementary and high school teachers.
- In 1998, I was hired as director of national projects at ParticipACTION, a national fitness organization in Canada. I was involved with several projects and delivered workshops on Building Self-Esteem Through Sport until the charitable organization closed its doors in January 2001.
- In January 2001, I started pursuing contract work with sport, recreation and fitness organizations. I had a few contracts by 2003 and several contracts in 2004.

**I was first prescribed the SSRI antidepressant Paxil by my family doctor in July 2003 when I was mentally distressed from worrying about not having enough contract work to support my family:** The financial pressures started shortly after ParticipACTION closed its doors in January 2001. In March 2001, a recession started, followed by inflation and higher interest rates. I started to cash and leverage assets to pay bills. In early 2003, I started having cash flow worries and, with only a few contracts, eventually became mentally distressed.

**My only psychotic episode ever was shortly after I started taking Paxil again in July 2004 when I was sleep deprived from preparing for the opening of a new summer day camp in Toronto.**

No mental disorder/illness since 2005:

- There was no indication of psychosis when I was assessed by forensic psychiatrists in November 2004 at Royal Ottawa Mental Health Centre for my criminal trial.
- I was not diagnosed with major depression or any other mental disorder/illness when I arrived at Brockville Mental Health Centre (BMHC) in October 2005 after my criminal trial.
- I was not diagnosed with a mental disorder/illness by forensic psychiatrists at BMHC between October 2005 and when I received an absolute discharge in December 2009.
- I have not been treated for a mental disorder/illness since September 2010; I have not taken any psychiatric drugs, participated in talk therapy, taken nutritional supplements, or exercised regularly.

Loving father:

- Daughter Gillian - "My dad spent a lot of time with Ian and I when we were young. He encouraged us when we tried new things and I always felt safe and protected when I was with him. There was never any indication that my dad could harm anyone. He is a loving and caring father who I really enjoy spending time with."
- Wife Elizabeth - "David was a loving and supportive father to Ian. One example of his support is when Ian and Gillian developed a strong interest in BMX bike riding, we built a half-pipe in our backyard which, along with a trampoline, climbing wall, and tetherball court, turned it into a popular neighbourhood playground."

Expert opinions:

- Dr. Peter Breggin, psychiatrist. New York, USA - "Carmichael started the drug again less than three weeks before he kills his child. And what we find is that it's that initial few weeks when the drug has the most impact; when it's either increased in dose, decreased in dose or stopped. It looks (like David Carmichael's homicidal psychotic episode is) directly related (to Paxil)." (April 2007 interview on CTV W5)
- Dr. Selma Eikelenboom, forensic medical examiner. Colorado, USA - "It appears that the problems David Carmichael had metabolizing Paxil contributed to his akathisia-related homicide." (Based on June 2016 DNA metabolism test results)
- Dr. David Healy, psychiatrist, psychopharmacologist and professor. Wales, UK - "There was almost nothing to indicate the hazards to a person like David Carmichael or to his doctor. Quite the contrary, there was a vigorous campaign to hide the risks and avoid warning doctors of the need to monitor patients and to avoid alerting patients to the need to be monitored. My opinion is that Paxil can cause even perfectly normal people to become homicidal. It is also my opinion that but for his intake of Paxil Mr. Carmichael would not have killed his son, Ian." (June 2018 report on fraudulent concealment for my lawsuit against GSK)