



Stawell & District Healthcare Watch Inc.

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21 January 2013

The Secretary
Legal and Social Issues Committee
Legislative Council
Parliament House
Spring Street
Melbourne 3002

Attention: Edward O'Donohue MLC, Chair Legal and Social Issues Committee

Dear Sir,

Ref: Inquiry into the Performance of the Australian Health Practitioner Regulation Agency

In putting a submission to the above Legislative Committee inquiry into the Performance of APHRA we would acknowledge the importance of such regulatory body and support its role.

However we do have an issue with its efficacy in responding to issues raised, especially those of a contentious nature concerning allegations against a practitioner which may see a practitioner unfairly treated.

One such contentious situation occurred involving a local GP/Obstetrician which led to his termination from the local hospital in early June 2011. The outcome was a 2000 signature petition (out of a total population of around 8000) addressed to the local hospital seeking a conciliation between all parties, this was followed by a full town hall public meeting in Feb 2012 resulting in the formation of our Healthcare Watch group.

An incident in September 2010 was initially reported to APHRA by another doctor. APHRA's initial enquiry into the matter found no apparent case to answer. However the woman patient involved was allegedly advised to report the matter to the police who some weeks later, charged the accused doctor. APHRA reopened the matter and whilst recognising that the doctor **posed no threat to his patients**, imposed chaperone conditions on him. The hospital where he was a Visiting Medical Officer was verbally advised by the doctor. Unfortunately it took three months for APHRA to formally advise the doctor and the hospital in writing of the conditions. The hospital terminated the doctor's services to the disadvantage of many of his patients especially his mid-wifery patients. He was totally cleared by a Judge and Jury of the County Court in December 2011.

The community expected that in light of this, the APHRA condition would have been lifted and that the doctor concerned, who in the meantime had developed the most respected practice in town, would be able to return to his obstetric duties at the hospital amongst other services to his patients. The APHRA condition was not lifted and unfortunately the ante

against the doctor was ramped up in the media by the hospital management in a most questionable matter. A mischievous article in the Herald Sun on 27 January 2012 accused APHRA of being "tardy" in not advising the hospital of the imposed condition. This was an unscrupulous cover to publicly repeat the charges against the cleared doctor. Other articles from hospital sources followed in local papers, again mentioning the charges against the doctor.

Yet another year has passed and APHRA has still to remove the unnecessary condition on the poor doctor who was innocent. His patients still do not have entitlement for him to visit them in hospital, his mid patients have had to travel up to 120 kms to have their babies delivered with all the added discomfort and extra risk which is involved.

Had APHRA processes been more efficient then this whole nasty affair may never have happened and the loss or the diminution of health services or added risks to the public would not have occurred.

We would be prepared to present further evidence at the Inquiry.

Yours sincerely

A handwritten signature in cursive script that reads "John Launder".

John Launder
Secretary
on behalf of S&DHCW.