PROTECTING THE PUBLIC?
AN ANALYSIS OF COMPLAINTS AND DISCIPLINARY PROCEEDINGS AGAINST DOCTORS IN AUSTRALIA AND NEW ZEALAND

Presented by Katie Elkin

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Time: 11.30am—1.30pm
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Melbourne School of Population Health.
Level 5, 207 Bouverie Street, Carlton

Katie Elkin is a PhD candidate in the School of Population and Global Health and the Melbourne Law School. She has a LLB (Hons) and BSc (neuroscience) from the University of Otago and a Graduate Diploma in Health and Medical Law from the University of Melbourne. Katie lives and works in Wellington, New Zealand, where she is a practising lawyer. Having spent some years as a Senior Associate at law firm Minter Ellison, Katie is now the Chief Legal Advisor at the Office of the Health and Disability Commissioner.

The professional regulation of doctors is commonly justified as necessary for the protection of the public. However, the degree to which regulatory decision-making is actually consistent with public protection considerations, is unclear. The impact of other influences, such as the wider public interest in ensuring an adequate supply of doctors in the workforce, is also unknown. This thesis uses two main empirical analyses of the complaints and disciplinary mechanisms of the Australian and New Zealand medical regulatory frameworks to explore these questions.

In the first empirical study, disciplinary sanctions imposed by the tribunals are explored in some detail, with removal from practice given special attention due to the unique role of that sanction in protecting the public. A focus of the second study is doctor country of training. Due to the regulatory response to doctor shortage in Australia, this doctor characteristic is of contemporary significance, including insofar as it reveals the tension between public protection and the wider public interest.

As well as being instructive as to the priorities and operation of the complaints and disciplinary system, the insights gained through the empirical studies may be useful to medical boards in furthering their public protection agendas.

These Seminars are free of charge. Visitors are most welcome to attend.

For more information please contact The Centre for Health Policy, Programs & Economics. Ph: (03) 8344 9111