



PO Box 104 . Gladesville NSW 1675
 DX: 22808 Gladesville
 Telephone: (02) 9879 2200
 Facsimile: (02) 9816 5307
 www.nswmb.org.au

Our Ref: 085512
 Your Ref: 03/01056 & 07/00070

FAXED
 14.4.08

14 April 2008

CONFIDENTIAL

Mr Kieran Pehm
 Commissioner
 Health Care Complaints Commission
 DX 11617
 SYDNEY DOWNTOWN

15 APR 2008
 103746

Attention: Angela O'Gorman

Dear Mr Pehm

Consultation – Complaint concerning Dr John Philip Rolleston

I refer to the Commission's letter dated 2 April 2008.

On 8 April 2008 the Conduct Committee considered the matter and concurred with the Commission's recommendation that Dr Rolleston be referred to the Director of Proceedings, to consider prosecution before a disciplinary body, pursuant to section 39(1)(a) of the *Health Care Complaints Act 1993*.

The Committee considered that on the basis of the information before it that the Medical Tribunal is the appropriate forum for hearing the matter.

The Committee also considered the possibility of taking action pursuant to section 66 of the MPA 1992 due to:

- the serious nature of the complaints.
- the detailed account of events provided by the complainants, even though the conduct occurred 30 years ago.
- the matter will be referred to the Director of Proceedings for consideration of prosecution of a complaint before a disciplinary body.

It was resolved that this matter would be discussed at the Consult meeting of 22 April 2008 as the Commission may be in possession of material corroborative of the complaints such as hospital records from RNSH or medical records from St Ives that would assist the Committee in deciding if action under section 66 is warranted and may be able to clarify whether the Police have been involved or been notified.

Yours sincerely


 Anthony Johnson
 Legal Director