

Brief on Dr John Rolleston

1. Current Practice Condition

Dr Rolleston currently has conditions on his registration after a s 66 Inquiry was held on 23 June 2009. These conditions include that he must not provide any medical service to any patient aged between 11-18 years of age (inclusive) and a third person chaperone must be present during any provision of medical services to patients aged from 0-10 years of age (inclusive). Dr Rolleston is currently working in Broken Hill as a GP.

2. Matters with Legal

Four complaints about Dr Rolleston masturbating young boys have already been referred to the Director of Proceedings. All victims allege inappropriate touching and boundary issues and relate to the time when Dr Rolleston worked at a medical practice located at 1 Stuart Place St Ives and at the Royal North Shore Hospital Accident and Emergency in the 1970's.

Investigation file 07/00070 in relation to Mr AWC [redacted] was referred to DoP on 29 April 2008. Investigation file 03/01056 in relation to Mr AWH [redacted] and Mr AWO [redacted] was referred to the DoP on 29 April 2008. Investigation files 09/01047 and 09/01529 that relate to Mr AWB [redacted] were referred on 28 October 2009.

3. NSW Police

The NSW Police on 3 July 2009 charged Dr Rolleston with 11 counts of indecent assault upon four victims and he was released on bail. These four victims are AWC [redacted], AWO [redacted], REDA [redacted], AWH [redacted] and AWB [redacted]. This matter is ongoing before the Court. As a result of press articles in regard to this matter a number of further victims contacted the NSW Police. As the police have obtained additional statements more charges are likely to occur. On 10 August 2009 the Commission was advised of the names of the additional victims.

I contacted the NSW Police on 17 November 2009 and was advised that Detective Arron Ferguson was on leave until 30 November 2009. I will contact him upon his return to chase the statements from the 6 other additional victims and any other information he has.

4. Matters in Assessment

There are currently 8 new additional victims who have provided statements to the NSW Police about the conduct of Dr Rolleston. These new victims are outlined below.

REDACTED

- Statement of Mr REDACTED [redacted] of 23 July 2009

AWG [redacted]

- Statement of Mr AWG [redacted] of 23 July 2009
- Statement of Mr REDACTED [redacted] of 31 August 2009
- Statement of Ms REDACTED [redacted] of 28 August 2009

REDACTED

- Statement of Mr REDACTED [redacted] 10 August 2009

REDACTED

- Statement of Mr REDACTED of 5 August 2009
- Statement of Ms REDACTED of 14 August 2009

REDACTED

- Statement of Mr REDACTED of 5 August 2009
- Statement of Ms REDACTED of 31 August 2009

REDACTED

- Statement of Mr REDACTED of 11 August 2009
- Statement of Ms REDACTED of 14 August 2009
- Statement of Ms REDACTED of 27 August 2009

REDACTED

- Statement of Mr REDACTED of 14 August 2009
- Statement of Ms REDACTED of 14 August 2009

REDACTED

- Statement of Mr REDACTED of 18 August 2009

5. Information Provided by Dr Rolleston

In early complaints, relating to Mr AWC, Mr AWH and Mr AWO, Dr Rolleston denied all allegations relating to the masturbation of young boys. No further information was provided other than a denial and that he could not recall all of his patients.

It is my understanding that Dr Rolleston has declined to participate in a police interview. Dr Rolleston did not provide any evidence to the s 66 Inquiry about the allegations.

On 25 August 2009 the Commission wrote to Dr Rolleston's legal representative advising of our proposal to refer this matter to the Director of Proceedings under s 39(1)(a) of the Act. The Commission was advised by Dr Rolleston's legal representative that Dr Rolleston was not going to make any s 40 submissions.

6. Proposed Actions

Upon receipt of the new complaint files, I will;

1. Determine if any further statements need to be obtained.
2. Determine if I would be able to obtain any medical records from hospital facilities. Dr Rolleston has advised the Commission that he has no medical records from the practice located at 1 Stuart Place St Ives.
3. Determine if I need to obtain an expert report – to establish whether there would be any clinical justification.

4. If no medical records could be obtained and no expert report needed I propose to send the s 40 letters in the first week in December 2009 so the matter can be consulted on in February 2009.
5. Contact Detective Arron Ferguson on the week commencing 30 November 2009 about obtaining the further statements and an update on the Court matters.
6. When the additional statements are received a 20A brief will be drafted to add the additional subjects.

Sacha Keady
Sacha Keady 17/11/09
Investigation Officer

Lovaine Inman
Manager Investigations

*Forwarded. Copy of Dr Rolleston's practice
conditions attached. *[Signature]*
18/11/09*

Robbie Wilson
Director of Investigations