

# NEW SOUTH WALES MEDICAL BOARD

**MINUTES** for the meeting of the Conduct Committee of the New South Wales Medical Board held on Tuesday 8 June 2010 at 3.00 pm, in the Boardroom, Medical Board Building 54A, Gladesville.

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## 1. MEMBERSHIP AND APOLOGIES

### Conduct Committee:

Dr G Kesby (Chair)  
 Professor B Bennett  
 Mr A Carpentieri  
 Assoc. Professor R McMahon  
 Dr R Napier  
 Assoc. Professor P Procopis (present from Item 8.4)  
 Dr D Smith  
 Dr K Sundquist (Ed.D)  
 Assoc. Professor R Walsh

### Apologies:

Dr D Smith  
 Assoc. Professor A Evers

### In Attendance:

Mr A Dix (present from Item 8.4)  
 Ms M St Hill  
 Dr A Reid  
 Ms P Ardino  
 Ms K Steer  
 Ms A Cavin  
 Ms M Watson (present to Item 12.1)

### Declaration of Conflict of Interests

Members were asked to declare any conflict of interests arising in relation to any of the business to be considered on the Agenda.

- Assoc. Professor R McMahon declared a conflict of interest in relation to item 10.3 ( [REDACTED] ) and did not participate during discussion of this item.
- Dr K Sundquist (Ed.D) declared a possible conflict of interest in relation to item 10.4 ( [REDACTED] ). The Committee determined that there was no conflict and that Dr Sundquist could participate in discussion of this item.

## 10. GENERAL BUSINESS

**10.10 Dr John Philip Rolleston (MPO 085512) MBBS (Sydney) 1967 DOB: [REDACTED] 1938**

**Noted:** 1. Board file note dated 9 April 2010.

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2. Minute of the Conduct Committee meeting held on 13 April 2010.
3. Board file note dated 14 April 2010.
4. Board file note dated 4 May 2010.
5. Email to Dr Nachiappan and reply dated 14 May 2010.
6. Section 66 decision dated 16 April 2010.
7. Board History:
  - (i) Complaint History Summary dated 1 June 2010.
  - (ii) Hearing Summary dated 1 June 2010.

**Registration  
Category:**

General (suspended).

**Area of Practice:**

General Practice.

**Board History:**

See attached.

**Background:**

The Board has received 4 complaints and 10 victim statements from male patients alleging they were indecently assaulted by Dr Rolleston in St Ives in the 1970's. Dr Rolleston was suspended on 25 March 2010 for breach of section 66 imposed chaperone conditions and in the public interest. Dr Rolleston is appealing the Board's decision to suspend him in the Medical Tribunal. Dr Rolleston has been charged with 40 sexual offences under the *Crimes Act NSW 1900*.

**Issue(s)**

**for consideration:**

The Board has received further information from Dr Nachiappan, a general practitioner in Broken Hill, which indicates Dr Rolleston may have engaged in sexual misconduct in the course of the practise of medicine in Broken Hill. Dr Nachiappan declined to make a written complaint on the basis that he has received advice that the matter does not fall into the category of reportable misconduct (Tab 5).

The Board has also received information indicating that whilst suspended Dr Rolleston applied for a volunteer medical practitioner position screening men for health problems at a rural agricultural fair (Tab 4). His application was unsuccessful after the RAHS contacted the Board and was informed Dr Rolleston could not undertake this work whilst suspended.

The complaint arising out of section 66 proceedings on 23 June 2009 is currently before the DP. The Board agreed with the DP's recommendation that the matter be referred to the Medical Tribunal (Tab 2). The DP has advised it will not formally refer a complaint until the criminal proceedings are disposed of. The HCCC has a memorandum of understanding with NSW Police and may refer information obtained from the Board to NSW Police.

**Outcome:**

A complaint be referred to the Health Care Complaints Commission.