

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON REGISTRATION OF OVERSEAS-TRAINED MEDICAL PRACTITIONERS MET IN THE CONFERENCE ROOM, GOVERNMENT OFFICES, 68 ROOKE MALL, DEVONPORT ON THURSDAY 16 APRIL 1998.

Mr REGINALD THOMAS HOPE WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIRMAN (Mr Wilkinson) - Reg, thanks for coming along, it is good to see you. Could I ask you your full state name and address and the capacity in which you are before us please?

Mr HOPE - My full name is Reginald Thomas Hope, I live at 16 Oakwood Drive, East Devonport. I am here as a retired member of the State Parliament and I am here as the person who originally had the bill drafted that you are now considering by way of a committee.

As I mentioned, I originally had the bill drafted and I just want to, at this stage, say that I am very grateful to the man who drafted it, Mr Gray in the Parliamentary Counsel. I read the script of the debate in *Hansard* and I would like to congratulate the member for Mersey. I believe that he handled the bill very, very well - probably far better than I could have - and I think that he stuck with it and stuck with it to the end, so after having read the script I offer my congratulations to him.

I want to say, Mr Chairman - pull me up if you feel that I am getting off the track at all, you know I can do that - I had the bill drafted because there had been no action by the Government or the Medical Council to have this man as I consider, what I believe and I will refer to that in a moment from experts in the field who clearly stated of his high standard of not only qualifications but his high standard of work.

I could see that this area here will certainly lose Dr Iastrebov, I believe, if he does not gain registration. I want to make it abundantly clear that I was not out to just please Dr Iastrebov or gain something for a particular person but I do believe that it was necessary for this area to have some consideration. I think it has gone on long enough when this Tasmanian Medical Council have been able to overlook the qualifications of people coming from overseas - and I will refer to another in a moment - and just been able to pass them by and I am sorry to say that the government of the day did not seem to be at all interested. So, as a last resource I thought I will get a bill drafted.

When I read the debate in the Parliament I believe the Parliament dealt with it very well but I was a little sad when I felt that Dr Iastrebov was belittled in some ways by certain members and that is not good enough for a parliament of our State. I felt he was belittled and a man of his standard to have things said that were said in that debate, I am sorry to think that that was done.

Mr Chairman, when I first sought to have the bill drafted I contacted the Leader's office and I received a message back through his secretary that he was not going to permit me to go to Parliamentary Counsel, but I soon put him right on that one. When I went to see him he certainly did not encourage me and in fact he was a little critical and he used the terms, 'Well, if you open this gate here and register this fellow there are a lot of others wanting to be registered too. What about this man working with my son?', that is what he said.

Now this morning I hear from a specialist that this man, Dr Hanusiewicz, has now been registered and he says, 'Yes, he should be eternally thankful to Dr Scott Fletcher for having him registered'. I believe that Dr Hanusiewicz is a very outstanding man, I think it is good that he is registered but this morning before this committee I query the method of him being registered or how he was registered when

another man, who probably has equally as high a qualification, has been put before not only some doctor but before the State Parliament.

CHAIRMAN - That was brought up yesterday and it would seem that the colleges themselves differ in the way they recognise specialists and the orthopaedic colleges may be more realistic in the way that they recognise specialities.

Mr HOPE - Well, Mr Chairman, I wish that that had existed a few years ago. If you will permit me - the honourable member for Mersey would know what I was going to talk about and I believe Mr Loone has heard this too - if I could go back about ten years ago I, as a member of parliament for this area used to be writing and writing and writing about people requiring orthopaedic surgery and there was no doubt about it that some of these people suffered great pain. I used to write to the minister of the day and he would write back and he would say, 'Oh yes, there's no beds in Launceston or doctor so and so is so busy it looks like it is a twelve or eighteen months waiting list' and one morning I received a letter from Mr Roger Groom, then minister, with some ray of hope and he said, 'Dr Sundrum, a qualified orthopaedic surgeon, will be commencing operations at the Mersey General Hospital'.

I do not have to tell anyone in this area who had any dealings with Dr Sundrum of what his qualifications were. Dr Bell, who was previously the general superintendent at the Mersey Hospital for some years, came before a committee that I chaired and Mr Loone served on it and the member for Roland served on it. Dr Bell came and told the committee how he contacted, in his own words, 'his old Dean' in London and he said, 'We want an orthopaedic surgeon' and he said, 'Yes, we have one here, he'll go all right' and he said, 'He's an outstanding man'. Dr Bell said, 'If he's so outstanding why don't you keep there?' and he said, 'Well, of course, he is black'.

He came to Latrobe and he worked and worked and he did some outstanding work but because he had gained his primary degree in Sri Lanka and it is where you gain your primary degree, I understand - Dr Bell told me this last Sunday morning after church, I queried him, I was talking to him and I said, 'I am going to mention when I go before the committee about this man Sundrum', he said, 'Oh, he's an outstanding man' but because he had gained his primary degree in this area he failed to gain registration so this particular orthopaedic crowd were not too lenient then. So off went Sundrum to a provincial city in Victoria, if I can use that term, to a hospital there. I believe he would still be there.

I can honestly say, Mr Chairman, that there were people from here, from this area - and I could name a couple of them who wanted me to, because they are both now passed on - not the orthopaedic operation but there were other problems and they were elderly people, I am talking about ten years ago.

But these people went to Victoria -

Mr SQUIBB - That would have been at considerable expense, because he did not have a provider number.

Mr HOPE - At considerable expense - to have Sundrum operate on them and yet this registration board, that now has seen fit to apparently ease their registration -and I am very pleased that this man is registered, do not get me wrong, I am pleased he is - but the point I query before your committee is how is it that one man, as I heard here this morning in evidence, can be registered because a doctor says, 'He's a good man and he ought to be eternally thankful to him' when we have another man who comes with such qualifications and is not registered.

Mr Chairman, I made the point about Sundrum and it was reverted back. I as a member of parliament in this area again began my writing to the minister about these people requiring orthopaedic surgery and there were some sad cases. I remember a man who had been operated on by Dr Sundrum, he came into my office and said, 'The best advice you ever gave me. The pain is now gone'. I will leave it there.

But having drafted the bill I can realise, and having read the debate, that the Parliament had a difficult job.

CHAIRMAN - The real problem is, you have probably heard and prima facie it is my view, that it is difficult for a parliament to act as a de facto registration because we have not got the expertise to do

that. So what we are looking at is ways around that.

Mr HOPE - This is where I believe that your terms of reference - I thought this at the time, I reckon the honourable member for Mersey has to be commended that he got as far as he did through the second reading. I realise it was a mighty tough job but I thought out of this perhaps you set a match or a spark and something good might come out of it and out of this I believe something good can come because I believe that your terms of reference say exactly what ought to be said - I refer to (3):

'The established procedures utilised by the Australian Medical Council in the Medical Council of Tasmania of the recognition of medical qualifications, including specialist medical qualifications for medical registration, with particular emphasis on medical qualifications gained other than in Australia and New Zealand'.

Then it goes on to (4):

'The established procedures utilised by the Australian and New Zealand College of Anaesthetists for gaining a specialist recognition for a special anaesthetist to Australian and New Zealand-trained doctors and to overseas-trained doctors'.

Very good. I believe that if this committee puts forward the correct recommendations, it is a long road to achieve anything.

CHAIRMAN - What do you think the recommendation should be?

Mr HOPE - Can you just give me a little bit of time and I will come to that in a minute. You will have a lot of recommendations, it is impossible for me to sit here and say but I will give you an idea of what I am thinking about.

Mr Chairman, I believe that you also say in (5) something of the appropriate extent to which parliament should become involved in the detailed and individual applications of the established procedures referred to in the references (3) and (4).

Parliament is the highest court in the land and if the Parliament has registered Dr Iastrebov, if the Legislative Council had gone on and passed it in Committee and then the House of Assembly had passed it, he would have been registered because, as my mentor used to say who sat next to me for a long time, he used to say parliament is the highest court in the land and I believe he is right.

I believe here that Parliament can say something and this committee can recommend something whereby this Medical Council has to change its method, has to look at a different way of registering overseas specialist who come to fill a vacancy, an urgent vacancy in Tasmania, who come at great expense from, like, the Mersey Hospital at Latrobe have spent and you get him here and okay you will send him off like you did Sundrum and like we did this fellow.

But I believe that if your committee can make the satisfactory recommendations, strong recommendations, the Government have to sit up and think. They have to do something about it; they cannot go on this way letting the Medical Council of Tasmania dictate to them. The Parliament and the Government should be saying to these people, 'Look, if a person comes here at great expense, comes to fill a great need, comes with qualifications such as Iastrebov has' - and I am not denying the fact that the Medical Council should register them, but I believe that the Medical Council have to change its way. It is referred to in there as a closed shop or something, a closed club. I do not think that should continue ...

I believe you have a very great responsibility, Mr Chairman, and I think the committee could well serve the purpose of which perhaps I set out and Mr Squibb followed on. I think I have answered you to a point. I have answered your questions. What I am saying is that your recommendation ought to be,

one of them at least, that if you are going to bring that man to Tasmania to fill a need, it comes after great cost and great expense by the hospital concerned. He should not get it immediately he walks in the door, but this man has served for two years before this was mentioned, as I see it, January 1996. Then surely, if he has the qualifications that this man claims to have and as the orthopaedic surgeon that Mr Fletcher' son is working with has, then I do not think they should have to go back to kindergarten.

Mr Chairman, you have mentioned about Kehilia ... came to the Parliament in my time. He used to ring me up, cried openly in the committee room and claimed how badly he was treated. To come back to the point that you made earlier, I think that if a person is going to be registered, yes, they should have to serve. I know there is a disagreement in the council about that but I believe if they are coming to a State and they are going to settle here and they are satisfied and they seek registration, they should have to serve at least in that State for a certain number of years.

Mr SQUIBB - So what you are suggesting is that at the end of the two year temporary registration there ought to be provision made for a review, in order that that registration may be extended beyond the two year and certainly not reviewed annually?

Mr HOPE - Yes, I think if he is good enough to be registered then you should not have to review it.

MR SQUIBB - Would you see that as being a full registration or would you see that as being a registration which would enable some permanency, without it conflicting with the Mutual Recognition Act? Which is one of the problems that keeps being brought up from time to time, as you are probably aware from reading the *Hansard*.

MR HOPE - Yes, but if a doctor or a specialist comes to Tasmania with these qualifications, surely there ought to be, even perhaps outside the Medical Board, other than politicians - I admit that there is probably one man in the Legislative Council, with very great respect, who had passed through a medical school - but there ought to be someone, or say two or three, who could judge this man's qualifications. He is either a liar or he is telling the truth and as he sets out - and I will not read it, because time is going - where he was trained in Russia and he went to England and he taught in this area that he is involved in. He came and was in a hospital in Australia and, according to what Dr Crean related to the Legislative Council, I do not think anyone was able to prove that what the man was saying was not - he may have failed one exam because of language -

Mr SQUIBB - In Australia?

MR HOPE - In England I think it was because of language, was that right? I may be wrong there but -

CHAIRMAN - But the real problem is that I do not think the Government can properly argue that because the Government should have done their homework before he came out in the first place. If they bring him out in the first place, obviously they should have looked into his expertise and looked into his qualifications, otherwise you could not have had a butcher working as an anaesthetist ...

MR HOPE - Exactly, Mr Chairman. If I had been admitted to the Mersey Hospital two years ago or eighteen months ago, if this man is given temporary registration he ought to be worthy of temporary registration and the Government surely would have looked at this qualifications.

But you mention about these exams and I heard Ghali say the same thing; he felt that the exam was holding him back. He said, 'I'll never get it because there is only a limited number. I can go and I can take the exam but there is only a limited number'. I think, as the previous witness said, 'It's going to be your past'. And so, what I am trying to say to you, I have got a note here but I do not think that I need to go over them all because I believe that what has to really take place - look, Tasmania is not doing too well. Every day I talk to families who are saying, 'Yes, of my family two of them are on the mainland or three of them is on the mainland' and 'There is no satisfactory job here for them'. Even the population of our own city has gone down and the population of the north-west coast has gone down. Tasmania is not doing too well and perhaps when you get out of the ring, Mr Loone, the member for Rowland, and perhaps move around a little bit more freely without someone being able to continually

bash your ear about the problems of the Legislative Council and Parliament, perhaps you get a clearer view. And this is one area, I believe, where the Government has got to wake up.

If we are going to have good medical people, if you lose Dr Iastrebov from the Mersey Hospital, who do you get? Who do we get? That is the big question. So, they have to wake up and, as the Chairman has said, these people come and they must have certain qualifications, they get a temporary registration. If they prove what they are, if they are telling the truth, then surely they have got to be considered.

CHAIRMAN - Do you think it would open the floodgates? There are numerous people in Sydney knocking on the doors, going on starvation protests, saying they want to become fully registered. Do you think if Tasmania starts to do this - and I know a person who gave evidence yesterday said that what would happen is you would get all these people coming down to Tasmania, wanting to come in this back door way, and then immediately leaving. That is why I have got some sympathy for the point of view - and it is just me, I do not know what the others are thinking, but I think some are thinking the same - that if they do get this registration, it has got to be specified to be in a certain area.

MR HOPE - Yes, I would go along with that: where this area of need is. Dr Woolridge has produced this rural practice paper. I do not know whether you have seen it or not but just last week he launched it and really it is full of motherhood stuff. It is about making the wife feel at home and making sure the doctor is accepted into this and the next and so on. Okay, probably it is necessary, probably it is okay, but I am not sitting here and saying for one minute that you should open the floodgates and say, 'Come on down, all the doctors', but where there is a need and there must have been a need at the Mersey Hospital because Health Care of Australia spent a considerable amount of money to get this man. Advertised it -

MR SQUIBB - Just in advertising.

MR HOPE - Could not get one.

Mr LOONE - What you are saying is that after an initial two year period, if he is satisfactory, he be given extended registration to operate at Latrobe only in this case or a specified hospital, not that he has got open registration and he can move out and go to the mainland. We want to bring in a scheme which will retain doctors in Tasmania rather than have them move away, like the doctor from the west coast. Would you be happy to see a restriction put on that registration, that it be for a specific hospital or specifically for Tasmania?

Mr HOPE - I would be flexible there, but at the same time I think you are faced with a problem. The Chairman is a legal person and if he gained and passed the exams and had qualifications, I think he would he want to be free.

Mr SQUIBB - If you can pass your exams that is not a problem. See part of the problem here is - and it was confirmed again by the previous witness - in Dr Iastrebov's case it is not possible for him to study and sit for the exam while he remains at Latrobe. So he has got to leave. What we are saying is, because there is an area of need and because, after spending over \$100 000 in advertising, Mersey were not able to attract an Australasian-trained anaesthetist and so they have an overseas trained one.

At the end of December this year, as it currently stands, Dr Iastrebov will lose his conditional registration. He is no longer able to remain. What I think is being suggested is that at the end of that period of time there ought to be some mechanism whereby the Medical Council or somebody can pass a judgement. Forgetting the qualifications as to whether that person is competent enough, if the answer is in the positive, there ought to be a provision where he can be granted, instead of having to go for annual registration, be granted conditional registration for five, ten years or even longer if necessary, so that he does not have to apply for his job each year and each year that he applies for the job he runs the risk that even though he may be the most competent person, if there is an application put in by an Australasian-trained person who automatically has to have the job because he is fully registered. That is the mechanism we are looking at.

Mr HOPE - If Iastrebov came to Latrobe and he has the qualifications and apparently, by all understanding and all I hear that it is true and he is highly regarded, now at the end of Iastrebov's ... register him for five years at Latrobe - and he is only probably a man in his thirties, I think I would have to be fair enough to say that - and suppose Launceston or Hobart wanted this man, then I believe that for within the State of Tasmania he ought to be registered.

Mr SQUIBB - That is one of the problems we have struck, as you are probably aware from the *Hansard*, with the mutual recognition. If it is seen as being full registration within Tasmania, one of the legal opinions we have is that also means he has full registration within Australia.

I think what we are trying to do is circumvent that and if we were to say that, and again I use Iastrebov as an example, if there is a mechanism by which at the end of his two year temporary term he can be granted registration for *x* number of years to continue to practise in those specialities at the Mersey Hospital.

Mr HOPE - Yes, well, I am keen to see a man of his - whether it is Iastrebov or someone else, it may be a heart surgeon, or whoever it may be, an orthopaedic person - already we have seen it because of the qualifications of the man he is registered. Okay, so if he is registered I would like to know on what terms he has been registered, in answer to what you are saying. If it is good enough for him then it is good enough for another man, I believe, who has high qualifications.

I do not want to go on too long but, as you have said, there is a precedent where four people were registered in recent times and I am not wanting to ... but I believe that the members of the committee, through you, Mr Chairman, have a very good lever, as I see. Dr Morris, an old Sheffield boy, went to school in my time. I went to work and he went on of course to greater things, but -

CHAIRMAN - He has not been too helpful yet.

Mr HOPE - I have a very high regard for him, but of course he would be a little bit in front of me in age and I have a very high regard for him as a person, an excellent citizen and all through his life a very fine man, but Dr Morris is writing and saying to the President, as I read it, that this thing ought to be looked at along the lines of your terms of reference - am I right? Here is the Medical Council chairman, who apparently has some doubt whether the procedure they are operating on at the present time is correct, to write and say look, let us have a look at this. Not by the Parliament registering someone but - I think he said a joint House committee - otherwise a select committee of the Legislative Council, which is a good committee - say look at this and then make some recommendations.

So I would see that there is a doubt in Dr Morris' mind whether the procedure being used is correct and he is wanting to see a change.

Mr SQUIBB - I think with respect it may have been put forward as an alternative to the bill that was before the Chamber.

Mr HOPE - Well, I would be disappointed, knowing the type of man that he is, if he did that. I have always looked upon on him as a -

Mr SQUIBB - I am not saying it is his opinion, it has come from the association - he has written it on their behalf.

Mr LOONE - Where the big problems seem to be arising - the more evidence we take the more it is appearing - is that there is uniformity as far as the States are concerned. If someone gets full registration in Tasmania it then entitles them to practise anywhere in Australia but there is no uniformity between the medical colleges. Where one college like obstetricians will grant full registration only on examination another faculty they will grant registration by appearing before their peers. There is no uniformity between the colleges and I think that is where one of the big problems is arising. That is where the area about the registration of the orthopaedic surgeons in Burnie, that was done by appearing before his peers or whatever procedure - no examination. But in a case like Dr Iastrebov and other areas - and then yesterday the obstetricians -wasn't it yesterday?

CHAIRMAN - Paediatricians.

Mr LOONE - Paediatricians can only get registrations through a written examination. So there is no uniformity between the medical colleges and I think that is a very important area.

Mr HOPE - That is a good point, Mr Loone. I was living in the area and I was rather disappointed in one comment I read and someone said if you register this fellow you could well have a death on your hands. Well, I would say to that person do not register him and lose him and you could well have a death on your hands. Let him go.

Mr SQUIBB - Many deaths.

Mr HOPE - Many deaths. I would not have to go far from here and if someone said something about the attention you would get at Hobart hospital, because I am not wanting to be so small minded that I am just thinking about the Mersey Hospital, but I am talking about one man now. I would not have to go very far to obtain the opinion of a person who had a relative in intensive care in Latrobe and that person had to go to Hobart and they claimed that the care from the Mersey was far better under this man than what it was in Hobart - a reliable person who, I would not ask the person to come and say, but I would not have to move very far from here.

Mr Chairman, there are other things I have noted about this man's qualifications and what people like Dr Roger Watts said about him and I have a great regard for Dr Watts and then Dr Lamont who says that - and I received these letters when I was preparing the bill too - that they regard him as equal to anyone they have ever worked with as an anaesthetist. The man who was in this morning and this man who sat in the chair before is very highly regarded on the north west coast, very well qualified, and I think he said that 'he is one of the best anaesthetists that I have ever worked with during 26 years of practising ears, nose and throat'. You heard what he said this morning about where he trained and what he did and a man held in high regard and that is what he said. If he could probably register Dr Iastrebov he would register him and the same as the orthopaedic people registered their man.

Mr Chairman, I wish you well. I was naturally supporting of the bill, I would not have introduced it otherwise because I felt that the Government was a bit laid back with this sort thing - let someone come, he is a good man, well we will not worry about him let him go. I think they were pretty laid back but out of it all I believe has come your committee. Can I say if I had to look back on with my achievements, they are hard to find you, do not achieve too much in parliament, but if I had to look back and say what is probably the best thing that you ever achieved was when I moved for a select committee to inquire into health care on the north-west and the west coasts and out of it came a recommendation, Mr Loone as you well know, that the Government consider leasing the Mersey Hospital at Latrobe to a private operator. That hospital was down and out and in came Health Care of Australia and they have done a great job, and your committee, I believe, Mr Chairman, can do likewise. You have a fairly tough job on your hands, but I think you can do a very serviceable and worthwhile job for the people of Tasmania, not only for people like Dr Iastrebov.

But one thing I say, having served on a good number of select committees, unless the Government pick it up you are wasting your breath. And in this instance I think if the Government do not soon pick it up I would say it will be on their heads and to their peril. If we are going to have good health care in Tasmania then I think we have get away from this closed shop operation.

CHAIRMAN - Thank you, Mr Hope, for showing interest again and coming along and, as you know, you have started a train and the train is in full swing.

THE WITNESS WITHDREW.