Response to former HDC’s editorial “Lessons from complaints”

In the editorial Lessons from complaints: implications for medical education, published in the 14 May 2010 issue of the NZMJ, Professor Ron Paterson (http://www.nzmj.com/journal/123-1314/4110/content.pdf) looks back over his 10 years as Health and Disability Commissioner and how what he has learned can inform the education of future doctors.

While Professor Paterson has many interesting and invaluable insights to share, we would like to respond to some of the comments he makes about the medical profession and the role of the Medical Protection Society (MPS).

We wholeheartedly endorse Professor Paterson’s observations that for the doctor-patient relationship to be successful, the doctor should have good communication skills, courtesy, kindness and empathy, as well as the importance of doctors working as members of a clinical team and in partnership with the wider community and the individual patient.

In recent years the medical profession and institutions such as the professional Colleges, have recognised the need to ensure doctors have these qualities and skills, and activities such as peer review, audit and systemic analysis of critical incidents have become the norm. To compliment and support this, MPS delivers workshops for doctors, which focus on further developing communication skills and reflective practice to improve patient care and reduce risk. Several hundred doctors each year participate in these workshops—a reflection of MPS’ commitment to supporting members with higher development of these critical skills.

Unfortunately, despite these efforts, Professor Paterson found that some doctors he investigated tended to see fault in others rather than themselves, were poor at self-reflection and resisted constructive criticism from colleagues. He notes that such doctors sometimes took an offensive stance towards his office and believed that such a stance was encouraged by MPS. Naturally, MPS is concerned by this perception and we have raised this with Professor Paterson and will seek further clarification and specific examples to support his statement.

Findings made by the HDC can have a devastating impact on a doctor’s professional and personal life. MPS is acutely aware of the stress that an investigation by the HDC puts doctors under and how this can influence the doctor’s ability to deliver optimal care to patients. Members rightly expect that they will be supported by MPS through an investigation, ensuring that the process is fair, and that the doctor is assisted to clearly, quickly and effectively respond to a complaint at such a time of increased stress. It is important that the doctor concerned is able to question the Commissioner's interpretation and decision, especially as they cannot appeal it formally. It is in everyone’s interest that the process is fair and effective and commands the confidence of the profession and the public—key to this is doctors receiving constructive and
well founded feedback from all involved in the development and regulation of the medical profession.

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Reference: