



MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL

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DECISION NO.: 204/02/92C

IN THE MATTER of Section 104 of the Medical
Practitioners Act 1995

AND

IN THE MATTER of disciplinary proceedings against
IAN SCOTT LITTLE medical
practitioner of Christchurch

BEFORE THE MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL

HEARING by telephone conference on Thursday 6 June 2002

PRESENT: Ms P J Kapua- Deputy Chair

Ms S Cole, Dr G S Douglas, Professor W Gillett,

Dr A M C McCoy (Members)

APPEARANCES: Mr M F McClelland for the Complaints Assessment Committee

Mr C W James for respondent

Ms K L Davies (Hearing Officer)

(for first part of call only)

ORDER OF THE TRIBUNAL

TO: Dr Ian Scott Little

AND TO: The Complaints Assessment Committee/Mr M F McClelland

TAKE NOTICE THAT pursuant to section 104(1)(b), (2) and (3) of the Medical Practitioners Act 1995 (“the Act”) **AND** Notice of disciplinary proceedings against him having been served on or about 4 June 2002 **AND** the Tribunal being satisfied that it is necessary or desirable to do so having regard to the health or safety of the members of the public, the Tribunal **HEREBY ORDERS:**

1. That Dr Ian Little may practice medicine only in accordance with the following conditions until the disciplinary proceedings in respect of which notice has been issued has been determined:
 - (a) Dr Little is not to undertake procedures that involve sedation; and
 - (b) Anaesthesia is to be restricted to local anaesthesia; and
 - (c) In order to ensure compliance with this condition, Dr Little is to keep a log of procedures including medication that is to be countersigned by a registered nurse who has knowledge of the procedures performed. That log is to be available for regular review.
2. This order is to take effect immediately.

This order is made for the following reasons:

3. The Complaints Assessment Committee has sought that Dr Little be suspended from practice until the disciplinary charges against him have been determined on the basis that he has been convicted of an offence that brings into question his judgment and insight. In response, Dr

Little, through his counsel, states that the procedures that have given rise to the disciplinary charge against him are not procedures that he undertakes now and has not done so since the death of his patient in February 1999. He has given a written undertaking to the Medical Council that he will not undertake procedures involving sedation and there is no suggestion that Dr Little has not abided by that undertaking.

4. The Tribunal is concerned to ensure that an extreme step such as interim suspension is done only in circumstances where it is necessary or desirable to protect the health or safety of members of the public. The application for suspension is related to procedures now not being undertaken by Dr Little and the Tribunal considers in that situation there is no need to suspend Dr Little from practice to protect the health or safety of members of the public.
5. The Tribunal is concerned to ensure however that the conditions of practice that Dr Little has agreed to with the Medical Council are enforceable conditions of practice and accordingly the Tribunal has determined that interim suspension is not required in this instance, but that the conditions that Dr Little has practiced under for the last three years and four months are identified as conditions in terms of section 104(1)(b) of the Medical Practitioners Act.
6. It is on the basis that those conditions are adhered to, that the Tribunal considers that Dr Little continuing to practice is not posing a danger to the health or safety of members of the public.
7. Accordingly, the unanimous decision of the Tribunal is that Dr Little may continue to practice under the conditions as set out in this order until the disciplinary charges against him have been determined.

ADVICE TO DR LITTLE:

PURSUANT TO Section 105 of the Act you may apply to the Tribunal for a revocation of this order at any time. Any such application must be in accordance with the requirements of section 105. Your Counsel will advise you regarding your rights in this regard.

DATED in Auckland this 18th day of June 2002

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P J Kapua

DEPUTY CHAIR