



**MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL**

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**DECISION NO:** 271/03/110D

**IN THE MATTER** of the Medical Practitioners Act  
1995

-AND-

**IN THE MATTER** of a charge laid by the Director of  
Proceedings pursuant to Section 102  
of the Act against **THOMAS PAUL  
O'FLYNN** medical practitioner of  
Invercargill

**BEFORE THE MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL**

**HEARING:** By telephone conference on 18 February 2004

**PRESENT:** Miss S M Moran (Chair)  
Dr F McGrath, Dr C P Malpass, Mrs H White, Dr L F Wilson  
(members)

**APPEARANCES:** Ms T M Baker, Director of Proceedings  
Mr H B Rennie QC for Dr T P O'Flynn  
Ms G J Fraser (Secretary)  
(for first part of call only)

**Order of the Tribunal regarding application by Radio New Zealand**

1. Radio New Zealand has applied for permission to cover the proceedings *by audio-recording the full hearing proceedings, including witnesses, counsel, the defendants and the presiding authority.*
2. The applicant has stated that one Nathan Craig Mills of Dunedin expects to attend the full proceedings and is looking to utilise the material gathered for broadcast later in normal news, and possibly for current affairs programmes, although nothing definite in that regard was planned as at the time of the application.
3. Both the Director of Proceedings and counsel for Dr O'Flynn do not oppose the application except to the extent that where a witness's name may be the subject of a suppression order, the applicant will need to disguise the actual voice of the particular witness and will not broadcast any particulars likely to lead to the identification of the particular witness.
4. The Tribunal having considered the matter hereby grants the application subject to the following:
  - (a) The Guidelines and Voluntary Code of Conduct for Expanded Media Coverage of Court Proceedings issued in May 2000 insofar as they relate to coverage by radio shall apply to these proceedings of the Tribunal. (For the sake of convenience a copy of s.4 entitled *Guidelines for coverage of court proceedings by radio* is attached.
  - (b) Where an order has been made prohibiting publication of the name of a witness, the applicant will need to disguise the actual voice of the particular witness and will not broadcast any particulars likely to lead to the identification of the particular witness.

**DATED** at Wellington this 5<sup>th</sup> day of March 2004

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S M Moran

Senior Deputy Chair

Medical Practitioners Disciplinary Tribunal