



## MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL

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**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 and 109 of the Act against **Anthony Russell Wiles** medical practitioner of Auckland.

### **Before the Medical Practitioners Disciplinary Tribunal**

**Tribunal:** Mr G D Pearson (Chair)  
Mr P Budden, Dr J C Cullen, Dr J M McKenzie,  
Associate Professor Dame Norma Restieaux (Members)

### **Minute Recording Consent Order (3 October 2002)**

1. These proceedings were the subject of decisions of the Tribunal dated 5 March 2001, in respect of the substantive issues. Since that time an appeal has been decided in the District Court.
2. Various issues have arisen before this Tribunal, and the District Court in respect of publication of evidence. The District Court issued a final order for name suppression dated 29 May 2002. Subsequently counsel for affected persons agreed to a form of the decision of the District Court for publication, which complied with the order, while disclosing the Court's reasoning.
3. The District Court did not deal with publication of the Tribunal's decision. Accordingly, the issue was brought before the Tribunal to deal with. The Tribunal edited its substantive decision in a manner intended to preserve confidentiality to the extent directed by the District Court, while disclosing the Tribunal's reasoning. This draft decision was submitted to counsel for all affected parties with a request to consider it, and endeavour to agree that the edited decision, or an alternative form, was suitable for publication. Counsel have now informed the Secretary of the Tribunal that they all agree the edited form of the decision may be published.

4. Accordingly, the Tribunal by consent alters the existing confidentiality orders by directing that the Secretary of the Tribunal make available for publication the substantive decision, in the form agreed by affected parties; and further that the information contained in that form of the decision is no longer subject to the confidentiality orders made by the Tribunal.
5. In other respects, the confidentiality orders of the Tribunal remain, and leave is reserved to any affected party to apply to alter those confidentiality orders.



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G D Pearson  
3/10/02