



**MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL**

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**DECISION NO.:** 189/01/80C

**IN THE MATTER** of the MEDICAL  
PRACTITIONERS  
ACT 1995

**AND**

**IN THE MATTER** of disciplinary proceedings against  
**GRAHAM KEITH PARRY**  
medical practitioner of Whangarei

**BEFORE THE MEDICAL PRACTITIONERS DISCIPLINARY TRIBUNAL**

**HEARING** by telephone conference on Tuesday 26 February 2002

**PRESENT:** Mrs W N Brandon - Chair  
Ms S Cole, Dr J W Gleisner, Dr U Manu, Dr A D Stewart (members)

**COUNSEL:** Mr M F McClelland for Complaints Assessment Committee  
Mr H Waalkens for respondent

**The application**

1. The Tribunal has received an application from the complainant patient in this matter requesting that the Tribunal make an order prohibiting publication of her name and any identifying details. The grounds of the application are that the Tribunal's Decision contains information about her that is private and publication of her name would cause her embarrassment and distress.
2. The application is very unusual in that it is made following the release of the Tribunal's Decision to the parties, but prior to its release to the news media, and the public generally.

**The Decision**

3. The Tribunal is satisfied that the application should be granted, notwithstanding that it is made at a very late stage and after widespread disclosure of the complainant's name in the news media at the time of the hearing.

**Reasons**

4. The Tribunal is aware that the practical effect of any orders it may make at this stage of the proceedings may be limited, but it is satisfied that the decision does contain a large amount of private health information about the applicant and the Tribunal is satisfied that the orders should be made.
5. As with all such applications, the Tribunal has weighed the interests of the applicant, the doctor concerned and the public generally. Having done that, it is satisfied that there is no public interest (as that has been defined in relation to applications of this sort) in the applicant's identity, and disclosure of her name would not alter the Tribunal's findings or the nature or effect of the Tribunal's decision.
6. Applications made on behalf of complainants of this sort are usually granted, and, had the application been made at an early stage of the proceedings, it is likely that the orders now

sought would have been made at that time. There seems little point therefore in declining to grant the application at this stage, notwithstanding the reservations as to its effect expressed above, bearing in mind that the Tribunal's orders can only take effect from the time they are made. However, as a result of the receipt of this application the applicant's name has not yet been published in connection with the Decision and the Decision can be released to the news media and the public generally, with the applicant's name withheld, and the applicant's name may not now be published by any of the news media, or by any other person who already has knowledge of it.

### **Orders**

7. The Tribunal orders that publication of the applicant complainant's name and any identifying details is permanently prohibited.

**DATED** at Wellington this 1<sup>st</sup> day of March 2002.

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W N Brandon

CHAIR