

# Harvey-Sutton

Our Society was founded on 19th September 1947. Sixty years on, as our Society continues its original aims to inform and discuss current and emerging issues of significance to the professions and the community, we can celebrate, with the 2008 Biennale of Sydney, in stating, "Our past is as important as the now and the future."

Mr Justice Bonney concluded his Inaugural Address on 19th September 1947, with these words:

*This society has sprung into life at one of the greatest and most anxious periods of all history; at a time when it was never more necessary for all men of special learning to accept their responsibilities towards the community. Let us, therefore, following the example of other learned associations in our land, proceed to fulfil our aims and ambitions of useful achievement.*

This year, our Scientific Meetings were:

- \* Assessment of Professional Performance.
- \* The London Experience: The TGN 1412 Trial
- \* Open Disclosure and
- \* Electronic Records

All are online at the society's website <http://www.medicolegal.org.au>.

On the Assessment of Professional Performance, Mr Richard Gulley gave details of the relevant provisions and requirements of the Legal Profession Act regarding compliance with the Act and the performance of lawyers. He spoke of the efforts of the Law Society to identify and assess individuals suffering from personal problems.

Dr Ian St George, from New Zealand, detailed the efforts of the NSW medical profession to establish enquiries to forestall and identify potential misconduct. He believes that, due to events such as thalidomide and the murderous career of Dr Shipman in England, who might have killed over 200 patients, the public has lost faith in the medical profession in recent years.

On The London Experience, the TGN 1412 Trial, which was introduced by Mr Peter Dwyer, Professor Tony Cunningham described the nature of the medication, its operation and dangers. He emphasised that the organisation of the trial was suspect and raised the need for informed consent of volunteers and the necessity for a careful and thorough preparation of such a trial.

Mr Arthur Rallis gave details of the strong legal element and commercial organisation of that trial and of the possible inherent dangers of such an approach.

On Open Disclosure, Professor Clifford Hughes was strongly in favour of disclosure in the medical profession, as it tended to deal satisfactorily with adverse patient reactions and assisted prompt rectification, with patient consent, of negligent or failed medical procedures.

Mr David Brown considered that, despite the misgivings of the legal profession, open disclosure of failed outcomes of medical procedures would not, under current case law and legislation, be treated as legal admission of fault.

On Electronic Records, Dr Andrew Dalley, from Melbourne, gave a detailed account of the development of patients' medical records from the 6"x4" card to the proposed electronic record of a patient's medical details for the use of all relevant clinicians, administrators and lawyers. He raised doubts about the support in Australia necessary for electronic records and referred to the practical limitations in establishing electronic records in health care.

Ms Leanne O'Shannessy, from the legal prospective, emphasised the need for any electronic medical records to meet the strict legal requirements for privacy and for data security.

A hard-bound copy of our Proceedings from 1960 to 1988 was kindly donated to the Society by Judge Des Ward, who was a Member of the Society for many years. This is kindly being stored by Tress Cox Lawyers.

In the past year, Dr Peter Arnold was awarded Honorary Life Membership of the Society for the creation of the Society's website and for formatting and uploading the Proceedings of Scientific Meetings held since 1998. He joins John Bennett, the editor of the hardbound proceedings; Peter Dwyer and David Scarlett, who did all the administrative work for the Society for many years prior to the appointment of an Executive Secretary; Dr David Adler, for putting the Society onto a sound financial basis; and Dr Julian Lee, for his inspiration.

I would like to thank the Members of the Committee, who have so generously contributed their time in ensuring that we have had interesting topics and speakers for the purpose for which our Society was established. I also extend my thanks and deep appreciation to the Society's secretary, Mrs Jan Stuart, for her assistance and hard work throughout the year.

I am now retiring from the committee after 22 years. Prior to becoming President, I was Medical Secretary and hostess of the dinners at the Queens Club.

I am pleased to say that the Society has continued to provide informed presentations and discussions on topical issues relevant to both professions. While the format of the meetings has remained unchanged, the proceedings have developed from hard bound to soft bound formats and are now Internet-based. Communication with members has become electronic; we continue to have a postal address, but no longer a DX Box.

It was gratifying to hear Dr Andrew Dalley, at our last Scientific Meeting, commenting that our meeting had "a warm collegiate feel". This resonates with the final words of Mr Justice Bonney in his Inaugural Address on 19th September 1947:

*A society such as this, which has for its purpose, collaboration between the two great professions of medicine and law, is long overdue in New South Wales. Each profession can improve itself, and render better service, by entering into this friendly and intellectual relationship with the other and by an exchange of ideas in matters of common interest and concern."*

May I wish the Society continuing prosperity through the support and commitment of the Committee and its members.

Philippa Harvey-Sutton