



The Royal Australian and New Zealand College of Obstetricians and Gynaecologists

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NEWS RELEASE

Specialists welcome Howard indemnity reforms and call on Bracks to respond

The Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) today applauded the Prime Minister Mr Howard's announcement that the Federal Government would act to protect doctors from large litigation payouts years after the event.

The national president of RANZCOG, Dr Andrew Child, said the measures, announced today to address the so-called "blue sky" issue, would go a long way towards stopping the looming exodus of specialist obstetricians.

Dr Child said the prospect of almost unlimited awards up to 20 years after the event was probably the single most important factor causing specialists to abandon the field.

"Insurance premiums were never the biggest issue. The 'blue-sky' issue goes to the heart of the problem. Specialists could no longer live with a system that threatened to entangle them in lengthy litigation and the possible loss of all their personal assets well into their retirement," Dr Child said.

Obstetricians were particularly exposed to this risk because potential issues could arise so long after the medical procedure.

Dr Child urged Victoria to respond to the Prime Minister's appeal to the states to play their part by reforming the legal system and tort law.

Victorian legislation introduced this week was a good start and struck a reasonable balance between preserving the legal rights of citizens and providing a legal environment that was fair to specialists, Dr Child said.

“But the Bracks plan is missing essential reforms to streamline the current legal process that is time-consuming and costly. The present legal system is not designed to deal with complex medical and scientific issues in a timely and efficient way,” Dr Child said.

Dr Child said Victoria should follow the lead of Queensland by introducing a court-supervised process for subordinate judicial officers, aided by well-qualified and independent medical practitioners drawn from a panel to narrow the issues for the trial process.

Such reforms would save time, money and stress for doctors and plaintiffs alike.

Queensland had already announced such a scheme and NSW was considering it, Dr Child said.

“If Victoria does not follow suit, there is a real risk that specialists will drift to other states. That would not be in the interests of Victorian mothers and babies,” Dr Child said.

The RANZCOG represents more than 1400 specialist obstetricians and gynaecologists throughout Australia and New Zealand.

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