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Green's family: Clear his name

Just a load of cobblers son claims

By DONNA CHISHOLM

The family of Professor Herbert Green has called for the disgraceful conduct charges against him to be dropped by the Medical Council in the wake of *Metro* magazine's new interpretation of his cervical cancer work.

But council chairman Stewart Alexander says the charges will probably never be withdrawn.

In May the council stayed the charges because of Green's ill-health, but will announce this month the date for the hearing of two disgraceful conduct charges against Professor Dennis Bonham.

Alexander says the magazine's turnaround will not affect the counts against Bonham or two other doctors, Bruce Faris and Professor David Seddon, who face lesser charges of professional misconduct.

The committee which examined whether charges should be brought did not rely on the Cartwright report, but went back to the sources of the complaints and conducted its own investigation.

Material produced by the inquiry would not be used as evidence against the doctors.

Green does not hold an annual practising certificate and is unable to get one without council approval. His fitness to defend the conduct charges will be reviewed annually, but Alexander says they are unlikely to be withdrawn "unless he dies".

The council refuses to allow Green's name to be withdrawn from the medical register. If it did so, he would not be subject to the council's jurisdiction and could not be forced to answer the charges in future.

Alexander says people should remember the Cartwright report did not recommend disciplinary action against Green or any other doctors, and that the charges were laid as the result of the Medical Association's own investigations.

But Green's oldest son Richard, an Auckland businessman, says the four disgraceful conduct charges are "a load of cobblers . . . a bunch of waffle. It makes astounding reading that it took the Medical Council investigators 18 or 20 months to come up with them."

Richard Green believes the application for a High Court review of the Cartwright inquiry findings, lodged by his father's friend Valerie Smith and being taken by top criminal lawyer Kevin Ryan, will "crack the whole thing wide open".

The application will be heard for about a week from July 19. Ryan told the *Sunday Star* in May he believed sections of the Cartwright report would be overturned as a result of the challenge.

Richard Green says his father was "pleased to a certain extent" with the latest *Metro* article, which voiced second thoughts about the magazine's 1987 article *The Unfortunate Experiment* and the Cartwright inquiry.

The magazine now says there is substantial doubt that a case against Herbert Green was ever properly established and that he may have been the victim of a well-orchestrated smear campaign.

"He is pleased that someone has seen the light," says Richard Green. But he says his father does not believe his stance will be vindicated until after his death.

"He gets very angry about the whole thing. He is a relatively old man now and I think he has got to the point where he just hopes it will all go away. He is not really interested any more."

"He has spent 40 years of his life trying to assist women with a devastating disease and he has been turned upon by the people he was trying to help and nothing is going to turn that back."

Many patients still not traced for smear test

By DONNA CHISHOLM

About 2000 National Women's patients whom Dame Silvia Cartwright recommended be contacted after the cervical cancer inquiry, have still not been traced.

Judge Cartwright recommended women with carcinoma in situ of the cervix should be told about the nature of their condition and the need for follow-up smears.

Auckland Area Health Board community medicine specialist and Cartwright taskforce member Gay Keating says the board intended to use information from the inquiry to identify which women should be contacted and what they should be told.

Keating says the board did not want to replicate the work of the inquiry's medical advisers and had initially been told — because the information was being used to implement a recommendation — access would be granted.

But the inquiry notes have been placed in the national archives, and the information the board needs can be made available only with Health Minister Helen Clark's permission.

Keating says Clark's permission was sought "weeks and weeks ago" but the board is still awaiting a response.

"The major frustration is that at each point it appeared it would all be resolved quickly, but it has taken a

long time."

The tracing of the women is just one of several recommendations from the Cartwright report yet to be implemented.

● A nationwide cervical screening programme to be implemented urgently. The 1989 budget allowed \$14 million for the screening programme. The Health Department planned to have a register by November and a full programme underway by February, but Clark says a group of experts is still examining the best way to implement the programme.

Pilots of the scheme have been set up in a number of areas, including Marlborough and Wanganui.

Clark says she is not disappointed with the delays.

"Making and approving a recommendation for a national programme is one thing, designing a programme that will work, and will reduce death rates from cervical cancer, is another. If we had charged in and implemented it without fully investigating it, mistakes would have occurred."

● The appointment of a patient advocate at National Women's. Advocate Lynda Williams began her new job on September 13, 1989, more than a year after the report was released.

● The ethical committee at National Women's should be disbanded. The committee was disbanded and its

work taken over by the Auckland Hospital ethical committee. Two new ethics committees are being formed for the Auckland Area Health Board. ● Special duties were owed to 139 women. Medical and support facilities should be available to them, with independent assessment if they wished. All but about a dozen of the women have been contacted, and 73 have accepted individual assessment. Of those, none have invasive cancer, but a number had abnormalities and five subsequently had hysterectomies.

● A health commissioner to be appointed to mediate in patient complaints and grievances. Not yet appointed. Clark has pledged legislation allowing for the appointment will be introduced this year.

● Written consent must be sought from patients when research is planned. The Auckland Area Health Board is about to introduce interim informed consent guidelines, in advance of national standards which a Government working party is still discussing. McLeod believes the national standards will be similar.

□ TURN TO A 3