



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 11 JUNE 1987

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*Appointment of Committee of Inquiry into Allegations Concerning
the Treatment of Cervical Cancer at National Women's Hospital
and into Other Related Matters*

To all to whom these presents shall come, and to:

SILVIA ROSE CARTWRIGHT of Auckland, a District Court Judge:

Whereas Sandra Coney and Phillida Bunkle have made, in an article published in the issue of *Metro* of June 1987 at pages 46 to 65 (hereinafter referred to as "the *Metro* article"), allegations concerning the treatment of cervical cancer at the National Women's Hospital: And whereas it is desirable that inquiry should be made into the treatment of cervical cancer at that hospital:

Now, therefore, pursuant to section 13 (3) of the Hospitals Act 1957, I, MICHAEL EDWARD RAINTON BASSETT, Minister of Health, hereby appoint you, the said Silvia Rose Cartwright, to be a Committee of Inquiry to inquire into—

- (1) Whether, as alleged in the *Metro* article, there was a failure adequately to treat cervical carcinoma in situ (CIS) at the National Women's Hospital and, if so, the reasons for that failure and the period for which that failure existed:
- (2) Whether, as alleged in the *Metro* article, a research programme into the natural history of cervical cancer was conducted at the National Women's Hospital and, if so,—
 - (a) Whether it was approved by any person or body before it was instituted or while it was under way; and
 - (b) Whether patients examined or treated in the course of the programme were aware that they were participants in a research programme?

- (c) Whether any expressions of concern about the programme were considered at the time, and, if so, by whom?
- (3) Whether there is a need to contact women who have been referred to or treated for CIS at the National Women's Hospital with a view to providing further advice or treatment or both to them?
- (4) Whether the procedures observed at the National Women's Hospital for the approval of research and/or treatment, and for its surveillance are adequate, and, in particular whether they ensure that the rights of patients, are protected?
- (5) What steps, if any, need to be taken to improve the protection of patients in respect of whom research and/or treatment is conducted at the National Women's Hospital?
- (6) Whether patients at the National Women's Hospital are properly informed of the treatment and options available to them and, if not, the steps that need to be taken to see that they are?
- (7) (a) What training has been and is being given at the National Women's Hospital to medical students and medical practitioners in relation to the proper detection and treatment of cervical cancer?
- (b) Should steps be taken to improve this training, or to inform previous trainees about the proper detection and treatment of cervical cancer?
- (8) The nature of the relationships between the academic and clinical units at the National Women's Hospital?
- (9) Any other matter which in your opinion is relevant to the detection and treatment of cervical cancer at the National Women's Hospital:

And, in accordance with section 13 (3) of the Hospitals Act 1957, I direct that you, the Committee, shall have the powers of a Commission under the Commissions of Inquiry Act 1908, and the provisions of that Act, except sections 11 and 12 (which relate to costs), shall apply as if the inquiry were an inquiry under that Act:

And for better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry under these presents in accordance with the Commissions of Inquiry Act 1908, at such times and places as you consider expedient, with power to adjourn from time to time and from place to place as you think fit, and so that these presents shall continue in force and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, save to me in pursuance of these presents or by my direction, the contents or purport

of any report so made or to be made by you, or any evidence or information obtained by you in the exercise of the powers hereby conferred upon you, except such evidence or information as is received in the course of a sitting open to the public:

And it is hereby declared that you have liberty to report your proceedings and findings from time to time if you shall judge it expedient to do so:

And, using all due diligence, you are required to report to me in writing under your hand not later than the 31st day of August 1987 your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof.

Dated at Wellington this 10th day of June 1987.

MICHAEL BASSETT,
Minister of Health.