



Aboriginal and Torres Strait Islander Health Practice	Occupational Therapy
Chinese Medicine	Optometry
Chiropractic	Osteopathy
Dental	Pharmacy
Medical	Physiotherapy
Medical Radiation Practice	Podiatry
Nursing and Midwifery	Psychology

## Australian Health Practitioner Regulation Agency

20 November 2015

Mr Peter Mickelborough  
[peter.mickelborough@news.com.au](mailto:peter.mickelborough@news.com.au)

Dear Mr Mickelborough

### Freedom of information request

I refer to your four emailed Freedom of Information applications received by the Australian Health Practitioner Regulation Agency (AHPRA) on 21 October 2015 in which you sought access under the *Freedom of Information Act 1982* (The FOI Act) to documents as described below.

1. Correspondence between AHPRA and the board of Djerriwarrh Health Services and/or Bacchus Marsh and Melton Regional Hospital regarding obstetrician Surinder Parhar and/or the hospital's obstetrics services since January 1, 2015.
2. Correspondence between the AHPRA and the CEO of Djerriwarrh Health Services and/or Bacchus Marsh and Melton Regional Hospital regarding obstetrician Surinder Parhar and/or the hospital's obstetrics services since January 1, 2015.
3. Correspondence between AHPRA and the Victorian Minister for Health and Human Services and/or the minister's office regarding obstetrician Surinder Parhar and/or the hospital's obstetrics services since January 1, 2015.
4. Correspondence between AHPRA and obstetrician Surinder Parhar since January 1, 2015. With the exception of obstetrician Surinder Parhar and/or senior executive level staff the names of individuals is not sought as part of this request.

### Authority to make decisions under the FOI Act

I am an authorised officer under section 23(1) of the FOI Act to make decisions in respect of applications made under the FOI Act.

### Decision

I have listed the documents responsive to each separate application below.

#### Application 1

There are no documents responsive to the first application '*Correspondence between AHPRA and the board of Djerriwarrh Health Services and/or Bacchus Marsh and Melton Regional Hospital regarding obstetrician Surinder Parhar and/or the hospital's obstetrics services since January 1, 2015.*' All correspondence concerning Dr Parhar from AHPRA was directed to the CEO of Djerriwarrh Health Services, rather than the Board of the Health Service.

**Australian Health Practitioner Regulation Agency**

G.P.O. Box 9958 | Melbourne VIC 3000 | [www.ahpra.gov.au](http://www.ahpra.gov.au) | 1300 419 495

#### Application 2

Doc. No.	Dated	Description	No. of Pages	Decision
1	31 July 2015	Letter to CEO Djerriwarrh Health Services	2	Part exempt s41
2	31 July 2015	Letter to CEO Djerriwarrh Health Services	2	Part exempt s41
3	31 July 2015	Email from CEO Djerriwarrh Health Services	1	Part exempt s41
4	30 July 2015	Notification from CEO Djerriwarrh Health Services	9	Part exempt s41 and s45
5	7 August 2015	Root Cause Analysis review	13	Exempt s41 s45

#### Application 3

Doc. No.	Dated	Description	No. of Pages	Decision
1	8 Oct 2015	Correspondence to Minister for Health	4	Exempt s36 s41
2	19 Oct 2015	Correspondence to Minister for Health	2	Part exempt s40 s41
3	24 Sept 2015	Correspondence from Minister for Health	1	Part exempt s41

#### Application 4

Doc. No.	Dated	Description	No. of Pages	Decision
1	12 July 2015	Letter from practitioner	1	Part exempt s41
2	29 July 2015	Letter from practitioner	1	Part exempt s41
3	11 September 2015	Letter from practitioner	1	Part exempt s41
4	17 September 2015	Letter from practitioner	1	Part exempt s41
5	17 September 2015	Letter to practitioner	1	Part exempt s41
6	18 August 2015	Letter to practitioner	1	Part exempt s41
7	1 July 2015	Letter to practitioner	2	Part exempt s41
8	9 September 2015	Letter to practitioner	1	Part exempt s41
9	5 August 2015	Letter to practitioner	3	Exempt s41
10	25 June 2015	Letter to practitioner	1	Part exempt s41
11	10 June 2015	Performance and Professional Standards Panel Hearing - Reasons	7	Exempt s40 s41

#### Exemptions

Section 22 of the FOI Act allows for the partial release of documents where a document would be exempt but for the deletion of the exempt material in the document where possible. The documents to be released will be copies of the documents with the exempt matter deleted.

#### Section 36 – Internal working documents

Document one responsive to application three is exempt from disclosure under section 36(1) of the FOI Act, which refers to internal working documents. A document is exempt under this section if it contains '*...matter in the nature of opinion, advice or recommendation prepared by an officer, or consultation or deliberation that has taken place between officers, Ministers or an officer of an agency and a Minister; in the course of, or for the purposes of, the*

*deliberative processes involved in the functions of an agency; and disclosure would be contrary to the public interest.'*

As the document contains high level advice outlining options and strategies actively under consideration the public interest would not be served by releasing these documents, particularly as the matter is under consideration at this time. Furthermore, as the documents contain a number of options, disclosure in any event may mislead the public and lead to ill informed public speculation or debate.

Access is refused to the document under section 36(1) of the FOI Act.

**Section 40(1)(d) - proper and efficient conduct of the operations of an agency**

Section 40(1)(d) exempts disclosure of a document if its disclosure would, or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of an agency. I have found documents 2 and 3 in application 3 and document 11 in application 4 to be exempt under section 40(1)(d).

The Medical Board of Australia (the Board) is established under the *Health Practitioner Regulation National Law Act 2009* ("National Law").

The functions of the Board are defined in section 35 of the National Law. The Board's functions include but are not limited to the following:

- to register suitably qualified and competent persons in the health profession and, if necessary, to impose conditions on the registration of persons in the profession;
- to decide the requirements for registration or endorsement of registration in the health profession, including the arrangements for supervised practice in the profession;
- to oversee the receipt, assessment and investigation of notifications about persons who are or were registered as health practitioners under the National Law;
- to establish panels to conduct hearings about health and performance and professional standards matters in relation to persons who are or were registered as health practitioners under the National Law; and
- to oversee the management of health practitioners and students registered in the health profession, including monitoring conditions, undertakings and suspensions imposed on the registration of the practitioners or students.

Under the National Law, AHPRA provides administrative assistance and support to the Board in exercising its functions. Amongst other things, on behalf of the Board, AHPRA manages investigations into the professional conduct, performance or health of registered health practitioners.

I am satisfied that the disclosure of information in the documents that I have found to be exempt from disclosure under section 40(1)(d), could reasonably be expected to cause the following substantial adverse effects on the proper and efficient conduct of AHPRA's operations:

- Disclosure could reasonably be expected to discourage individuals from reporting concerns about professional conduct because they could not be confident that their complaint would be handled confidentially.
- Such a result would have a serious and substantial adverse effect on the ability of the Board and AHPRA to perform its functions with regards to investigating complaints, as potential complainants may not readily report improper conduct if such complaints are not handled confidentially.
- I am satisfied that releasing the information in the document produced as a result of the Performance and Professional Standards Panel Hearing (PPSP), may result in

individuals being reluctant to voluntarily deal with the Board and AHPRA in assisting with investigations and PPSP hearings into health practitioners. Such a result will have a serious and substantial adverse effect on the ability of the Board and AHPRA to properly investigate and decide upon complaints relating to the professional conduct of health practitioners.

- I note in this respect that disclosure of a document under the FOI Act is understood to be disclosure not just to the FOI applicant but disclosure to the world at large as there are no restrictions able to be imposed under the FOI Act on what further disclosure an FOI applicant can make of documents released to him or her under the FOI Act.

#### *The public interest test*

Where a document, or part of a document, falls within the description out at section 40(1)(d), section 40(2), provides that the information should not be exempt from disclosure if its disclosure would, on balance, be in the public interest.

I am satisfied that the following public interest factors favour the disclosure of the information discussed above:

- Some of the information in the documents is information about the outcome of an investigation and subsequent decision by the PPSP to impose conditions on Dr Parhar and has been available on the public register.
- The general public interest in agency held information being accessible. However, as the information in the document is largely personal and not generally the subject of public interest, I give this factor very little weight.

I am satisfied that the following public interest factors do not favour disclosure of the FOI documents:

- The documents contain personal information that may identify individuals other than the practitioner and disclosure of such personal information would prejudice the protection of those individuals' expectation of privacy. I am satisfied that such individuals would expect that AHPRA would not disclose information about them unless they provided their consent to such disclosure.
- Disclosure of information contained in the documents could reasonably be expected to have a serious and substantial adverse effect on the ability of the AHPRA to conduct investigations into the professional conduct, performance or health of registered health practitioners. There is a very strong public interest in AHPRA being able to effectively and properly carry out investigations into the professional conduct, performance or health of registered health practitioners, and PPSPs to conduct hearings that consider the circumstances resulting in actions being taken against a health practitioner. As part of its investigations AHPRA often obtains detailed statements of complaints and medical information on a confidential basis. Potential complainants may be hesitant to make a complaint about a medical practitioner if they are aware that their complaint and/or medical information will be disclosed to the world at large because they have made a complaint. I have given this factor significant weight.
- Having weighed the public interest factors favouring disclosure of the information contained in the documents against the public interest factors not favouring disclosure of information contained in the documents, I am, on balance, satisfied that the public interest factors not favouring disclosure of the documents in this case significantly outweigh the public interest factors favouring disclosure of the information identified as being exempt under section 40(1)(d). As such, I am satisfied that disclosure of the documents under the Act would, on balance, not be in the public interest.

## **Section 41 – documents affecting personal privacy**

I have decided that documents listed as partially exempt under section 41(1) of the FOI Act as they are documents which contain personal information about persons other than yourself, the disclosure of which would be unreasonable. For application four, the information exempt under section 41, is Dr Parhar's address, and details regarding his registration requirements. Notifier details have also been exempted from disclosure under this section.

'Personal information' has a very broad definition, and includes "*information or an opinion (including information forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion*"<sup>1</sup>.

I have determined that the disclosure of the personal information would not be reasonable for the following reasons:

- i) the public interest in protecting the personal privacy of an individual whose personal affairs may be unreasonably disclosed by granting access to information in the documents outweighs the public interest in disclosing the personal information;
- ii) the information has no current relevance;
- iii) it is likely that the persons about whom the information relates would not wish to have the information disclosed without their consent as the disclosure of such information would result in the loss of control over the information once released under FOI.

For the above reasons the information in the documents listed fall within the scope of the exemption under section 41(1) of the FOI Act and have been exempt from disclosure.

Finally I have considered that release of this information should be considered to be a release to the 'world at large' as once this information is released to you as the applicant there would be no controls placed on your further disclosure of this information.(see *Re Williams and Registrar, Federal Court of Australia*) and that in this context the disclosure could be a breach of the *Privacy Act 1988*.

## **Section 45(1) – Documents obtained in confidence**

Document 4, responsive to application 2, has been found to be part exempt, and document 5 have been fully exempt under section 45(1) of the FOI Act.

Section 45(1) of the FOI Act is concerned with information which would have been disclosed but for the existence of a confidential relationship. Such a relationship exists by virtue of the application of section 214 and 216 of the *Health Practitioner Regulation National Law Act 2009* (National Law) whereas these sections provide for information to be protected against disclosure in confidential situations. Such a situation is readily seen when a person dealing with AHPRA conveys to AHPRA sensitive personal information and does so on the understanding on both sides that such information will be kept confidential. In such circumstances disclosure of the information by AHPRA would be a breach of a duty to maintain the information as confidential. The FOI Act does not seek to over-ride such a duty.

Under section 45(1) of the FOI Act access may be refused if the information is material obtained in confidence. AHPRA seeks to protect such information on the basis that openness of communication between AHPRA and other parties in the course of notifications made about health practitioners particularly where the free flow of information forms an

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<sup>1</sup> FOI Act, at section 4.

integral part of the investigatory function. The disclosure of these documents under FOI would be contrary to the public interest because it would have a substantial impact on the ability of AHPRA to communicate similar information in the future.

For the above reasons I am of the opinion that the documents constitute "exempt matter" by virtue of section 45(1) of the FOI Act and your request for access to those documents as detailed in the Schedule of Documents in this decision is denied

#### **Rights of Review**

If you do not accept my decision, you may seek internal review of it, under section 54 of the FOI Act, by writing to Ms Richenda Webb, State Manager – AHPRA, South Australia, within 30 days of your receipt of this letter. Under the Act, a request for internal review must be accompanied by an application fee of \$40.

You also have the right to raise this decision with the Office of the National Health Practitioner Ombudsman and Privacy Commissioner. The National Law establishes the National Health Practitioners Ombudsman (the Ombudsman) and applies the Commonwealth Ombudsman Act 1976 (the Ombudsman Act), as amended by the Health Practitioner Regulation National Law Regulation 2010 (Vic). The Ombudsman exists to undertake the functions of the Commonwealth Ombudsman under the Ombudsman Act.

Complaints can be made directly to the Ombudsman if you have concerns with how AHPRA has managed the administrative aspects of your FOI application. A complaint to the National Health Practitioner Ombudsman may be made orally or in writing and should be directed to:

**National Health Practitioner Ombudsman and Privacy Commissioner**

GPO Box 2630 MELBOURNE 3001

Telephone: 1300 795 265

Email: [complaints@nhpopc.com.au](mailto:complaints@nhpopc.com.au)

Website: <http://www.nhpopc.gov.au>

Yours sincerely



Bryan Sketchley  
**Senior FOI, Privacy & Complaints Officer**



Aboriginal and Torres Strait  
Islander health practice  
Chinese medicine  
Chiropractic  
Dental  
Medical  
Medical radiation practice  
Nursing and Midwifery

Occupational therapy  
Optometry  
Osteopathy  
Pharmacy  
Physiotherapy  
Podiatry  
Psychology

Australian Health Practitioner Regulation Agency

**Private and Confidential**

31 July 2015

A/Chief David Grace  
Djerriwarrh Health Services  
Chief Executive  
PO Box 330  
BACCHUS MARSH VIC 3340

Dear A/Chief Grace

**Notice of investigation and request for information**

I refer to our telephone conversation today, and advise that as part of my investigation I require the clinical records of the patients named in [REDACTED] report.

I am the appointed investigator under sections 160 and 163 of the National Law. Under Schedule 5 of the National Law, an investigator may, for the purposes of conducting an investigation, require a person to provide stated information within a stated reasonable time.

This letter constitutes written notice that you are required to provide the following information **by close of business on 10 August 2015:**

- A copy of the clinical records of the following patients:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Section 165 of the National Law requires that an investigator may exercise a power only if the investigator first produces the investigator's identity card for inspection. As this request for information is made in writing, a copy of the investigator's identity card may be viewed, on appointment, at the office of AHPRA.

**Australian Health Practitioner Regulation Agency**

GPO Box 9958 | Melbourne | Victoria | 3000 | [www.ahpra.gov.au](http://www.ahpra.gov.au)

Please note that any information collected will only be used during the notification process. It may be provided to the health practitioner under investigation and if the Board refers the matter to a hearing, the information you provide may be used as evidence in that forum. Private health information will be treated confidentially at all times, unless otherwise required by law. AHPRA's privacy policy is available at: [www.ahpra.gov.au](http://www.ahpra.gov.au). >'Freedom of Information and Privacy'.

If you would like to discuss this request, please contact me on [REDACTED] or [notificationsvicoffice@ahpra.gov.au](mailto:notificationsvicoffice@ahpra.gov.au) quoting the reference number below.

Yours sincerely,

[REDACTED]

[REDACTED]

Investigator, Notifications Department

Reference Number: DG: 00310132

Released under FOI Act by AHPRA





Aboriginal and Torres Strait  
Islander health practice  
Chinese medicine  
Chiropractic  
Dental  
Medical  
Medical radiation practice  
Nursing and Midwifery  
Occupational therapy  
Optometry  
Osteopathy  
Pharmacy  
Physiotherapy  
Podiatry  
Psychology

Australian Health Practitioner Regulation Agency

**Private and Confidential**

31 July 2015

A/Chief David Grace  
Djerriwarrh Health Services  
Chief Executive  
PO Box 330  
BACCHUS MARSH VIC 3340

Dear A/Chief Grace

**Notice of investigation and request for information**

The Australian Health Practitioner Regulation Agency (AHPRA) receives and manages notifications (complaints) about registered health practitioners or students on behalf of the Medical Board of Australia (the Board). Further information about AHPRA and the notifications process is available at [www.ahpra.gov.au/Notifications/Fact-sheets.aspx](http://www.ahpra.gov.au/Notifications/Fact-sheets.aspx).

We received your notification about Dr Surinder Parhar today. On 31 July 2015, the Medical Board of Australia (the Board) decided to investigate Dr Parhar under section 160 of the *Health Practitioner Regulation National Law* as in force in each state and territory (the National Law).

I am the appointed investigator under sections 160 and 163 of the National Law. Under Schedule 5 of the National Law, an investigator may, for the purposes of conducting an investigation, require a person to provide stated information within a stated reasonable time.

This letter constitutes written notice that you are required to provide the following information **by close of business on Tuesday 4 August 2015**:

- A copy of the clinical records of the patient identified as patient [REDACTED] in the investigation report prepared by [REDACTED]
- Information in relation to the Root Cause Analysis reviews or the clinical reviews involving the following patients:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Australian Health Practitioner Regulation Agency

GPO Box 9958 | Melbourne | Victoria | 3000 | [www.ahpra.gov.au](http://www.ahpra.gov.au)

- [REDACTED]
- A copy of the report prepared by [REDACTED] in August 2010.

It is requested that you email this information to me at [REDACTED] or by facsimile at [REDACTED]

I confirm that I will be requesting a copy of the records relating the remaining ten patients who were subject to [REDACTED] investigation shortly.

Section 165 of the National Law requires that an investigator may exercise a power only if the investigator first produces the investigator's identity card for inspection. As this request for information is made in writing, a copy of the investigator's identity card may be viewed, on appointment, at the office of AHPRA.

Please note that any information collected will only be used during the notification process. It may be provided to the health practitioner under investigation and if the Board refers the matter to a hearing, the information you provide may be used as evidence in that forum. Private health information will be treated confidentially at all times, unless otherwise required by law. AHPRA's privacy policy is available at [www.ahpra.gov.au](http://www.ahpra.gov.au). >'Freedom of Information and Privacy'.

If you would like to discuss this request, please contact me using the above details or by contacting me on [REDACTED] providing the reference number below.

Yours sincerely,

[REDACTED]

[REDACTED]

Investigator, Notifications Department

Reference Number: DG: 00310132

**From:** David Grace [mailto:DavidG@djhs.org.au]

**Sent:** Friday, 31 July 2015 1:51 PM

**To:** Mary Russell

**Subject:** Dr Parhar - Employment Dates

Dear Mary,

I would like to confirm that Dr Parhar was employed at Djerriwarrh Health Services on a fulltime salaried basis from the [REDACTED] Prior to that date, Dr Parhar was a Visiting Medical Officer to the Health Service for [REDACTED]

[REDACTED] from the Department of Health & Human Services asked me to pass this information on to you as a matter of urgency.

Regards

David Grace PSM

**Acting Chief Executive**

Djerriwarrh Health Services

35 Grant Street

Bacchus Marsh 3340

t. [REDACTED] m. [REDACTED] f. 03 5367 9686 e. [REDACTED]

Released under FOI Act by AHPRA



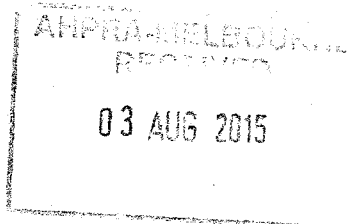
**djerriwarrh health services**  
**health hospital community**  
bacchus marsh • melton • caroline springs

All correspondence to:  
Chief Executive  
PO Box 330  
Bacchus Marsh VIC 3340

www.djhs.org.au

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30<sup>th</sup> July, 2015

AHPRA  
GPO Box 9958  
MELBOURNE 3001

Dear AHPRA,

Re: Dr. Surinder Parhar – Reference MED0001021074

Please find attached a Notification in relation to Dr. Surinder Parhar. The description of the Notification is provided in Section 21 of the Notification form.

Should you require any further information, please do not hesitate to contact me at [REDACTED] or via telephone on [REDACTED]

Yours faithfully,

  
David Grace PSM  
A/CHIEF EXECUTIVE

Attach.

Bacchus Marsh & Melton  
Regional Hospital:  
Grant Street, PO Box 330  
Bacchus Marsh VIC 3340

Ph: +61 3 5367 2000  
Fax: +61 3 5367 4537

Bacchus Marsh  
Community Health Centre:  
Turner Street, PO Box 330  
Bacchus Marsh VIC 3340

Ph: +61 3 5367 9674  
Fax: +61 3 5367 4274

Caroline Springs  
Community Health Centre:  
Level 1, 13-15 Lake Street  
Caroline Springs VIC 3023

Ph: +61 3 9361 9300  
Fax: +61 3 9361 9399

Melton  
Community Health Centre:  
Cnr. High & Yuille Street,  
PO Box 3, Melton VIC 3337

Ph: +61 3 8746 1100  
Fax: +61 3 9743 8640

Grant Lodge  
Residential Aged Care:  
6 Clarinda Street, PO Box 330  
Bacchus Marsh VIC 3340

Ph: +61 3 5367 9627  
Fax: +61 3 5367 8023

Melton Health:  
195-209 Barries Road  
Melton West VIC 3337

Ph: +61 3 9747 7600  
Fax: +61 3 8746 2072



Aboriginal and Torres Strait Islander Health Practice	Occupational Therapy
Chinese Medicine	Optometry
Chiropractic	Osteopathy
Dental	Pharmacy
Medical	Physiotherapy
Medical Radiation Practice	Radiology
Nursing and Midwifery	Psychology

Australian Health Practitioner Regulation Agency

19 October 2015

**Confidential**

The Hon Jill Hennessy MP  
Minister for Health  
Minister for Ambulance Services  
GPO Box 4057  
MELBOURNE VIC 3001

Via email: [jill.hennessy@minstaff.vic.gov.au](mailto:jill.hennessy@minstaff.vic.gov.au)

Dear Minister

I write in response to your media conference on Friday about the possibly preventable deaths of seven babies at Bacchus Marsh Hospital. The Agency Management Committee takes your concerns about the role of AHPRA very seriously. I want to assure you that we will be doing everything we can to learn from these tragic circumstances so that we are fully playing our part to ensure that this can never happen again.

I have asked for the following actions to be initiated immediately:

**1. Meeting with the executive team at the Djerriwarrh Health Service about the investigations AHPRA has launched into other doctors and midwives.**

In late July 2015, AHPRA, the Medical Board of Australia and the Nursing and Midwifery Board of Australia first learned of wider concerns about potentially avoidable perinatal deaths at the health service. Immediately, AHPRA used its powers to require the Djerriwarrh Health Service to provide information to enable closer regulatory scrutiny of care provided by registered health practitioners at the service. AHPRA straight away commissioned an expert review of the information provided.

AHPRA received the expert report on 14 October 2015 and on 15 October 2015, the Victorian Board of the Nursing and Midwifery Board of Australia and the Victorian Board of the Medical Board of Australia initiated investigations into a number of registered practitioners who provided care at the Bacchus Marsh Hospital.

Due to the extensive publicity about this issue, we took steps to immediately advise the relevant practitioners who will be asked to provide additional information about the concerns raised by our expert review. To date, there are [REDACTED] midwives and [REDACTED] medical practitioners for whom contact has been initiated. The Victorian AHPRA State Office will meet with the Djerriwarrh Health Service today to discuss the process of how these notifications will be managed and to establish clear information exchange protocols. We will also work with the Djerriwarrh Health Service to minimise any service impacts, wherever possible.

**2. Establishment of a special assessment and investigations team within the Victorian AHPRA office to deal with these new matters as quickly as possible.**

A special team comprising assessment, investigation and legal expertise has been established with the Victorian State Office, led by a very experienced manager. This team will coordinate our actions in relation to the assessment and where needed, investigation, of these new matters.

**3. Commissioning of an independent audit of the processes we now have in place in the Victorian office to ensure there are not avoidable delays in managing notifications.**

We have implemented a range of process and system improvements in the Victorian State Office in relation in areas such as reduced investigator caseloads; performance monitoring and escalation of high risk cases; timeframes for convening panels and reduced assessment timeframes. This independent audit will provide additional assurance about the steps we have taken and make recommendations about any further action which might be needed. We are committed to ensuring our processes are both timely and effective.

4. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**5. Immediate roll out of the Practitioner Information Exchange (PIE) service to all health service in Victoria.**

While I recognize that Bacchus Marsh Hospital was not formally advised the information about the conditions on Dr Parhar's registration was published on the public register in June 2015. The Practitioner Information Exchange (PIE) automatically pushes out information to employers about any changes to the public register for any employee and can be integrated with employer data, such as payroll. The PIE is used by some Victorian health employers but not Bacchus Marsh Hospital.

AHPRA will establish a special team to work with the Department and health services to roll out PIE. This will ensure all employers receive automated advice about changes to the public register for practitioners they employ. If the subscription costs of the service are a barrier, AHPRA is willing to review these costs.

[REDACTED]  
[REDACTED] AHPRA wants to work closely with your Department and health services to ensure that all health services and health practitioners are aware how to report concerns and understand their mandatory reporting obligations.

I, along with the CEO Martin Fletcher, would like to meet with you so we can brief you in more detail about the actions we are taking and discuss any other issues that you think are important for us to address. I will ask the AHPRA office to follow up to identify a suitable time.

Yours sincerely



**Michael Gorton AM**  
Chair  
Agency Management Committee



Hon Jill Hennessy MP

Minister for Health  
Minister for Ambulance Services

AHPRA-MELBOURNE  
RECEIVED

28 SEP 2015

GPO Box 4057  
Melbourne Victoria 3001  
DX: 210081  
Telephone: 03 9096 8561  
www.dhhs.vic.gov.au

e3950282

Mr Michael Gorton AM  
Chair, Agency Management Committee  
Australian Health Practitioner Regulation Agency  
GPO Box 9958  
MELBOURNE VIC 3001

Dear Mr Gorton

Michael

I am writing with regard to a notification made to the Australian Health Practitioner Regulation Agency in 2013. I would like to express my disappointment in the way this notification was managed by the Australian Health Practitioner Regulation Agency and also to seek additional information.

In February 2013, [REDACTED] at [REDACTED] made a notification to the Australian Health Practitioner Regulation Agency regarding Dr Surinder Parhar who was at that time Clinical Director of Obstetrics and Gynaecology at Djerriwarrh Health Services in Victoria.

[REDACTED] had assisted Djerriwarrh Health Services to undertake an obstetric clinical review of a case and had subsequently advised the Djerriwarrh Health Services Chief Executive Officer that he had made the notification.

Please can you advise me why the investigation of this matter and the placement of conditions on Dr Parhar's registration took over two years and why his employer was not notified of the conditions. This is an extremely extended and inappropriate timeline for an assessment of the notification and a significant concern that his employer at the time the conditions were made was not notified.

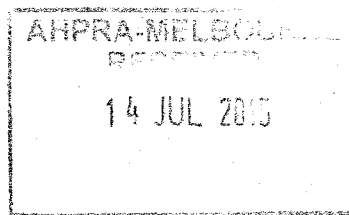
The circumstances of this case raise significant concerns for the safety and quality of health service delivery in Victoria and it is imperative that health services and the public can have confidence in the regulation of health practitioners. I also seek your assurance that system processes are in place to ensure these types of delays and lack of notification do not occur again.

I appreciate your urgent attention to this matter.

Yours sincerely

Hon Jill Hennessy MP  
Minister for Health  
Minister for Ambulance Services

24/9/2015



Dr.S.S.Parhar

[REDACTED]  
[REDACTED]

12/7/2015

Leanne Graham  
Compliant Officer  
AHPRA  
G.P.O Box 9958  
Melbourne Vic 3001

Your Ref VCT: LG:0000060546

I have ceased employment as of 6/7/2015 and have retired from the workforce. I do not have an employer at present. I will be turning [REDACTED] soon and most likely have retired from the workforce permanently.

[REDACTED]  
[REDACTED]

Yours Sincerely,

  
Dr.S.S.Parhar

Released under FOI Act by AHPRA





Dr.S.S.Parhar

[REDACTED]

[REDACTED]


29/09/2015

Leanne Graham  
Compliant Officer  
AHPRA  
G.P.O Box 9958  
Melbourne Vic 3001

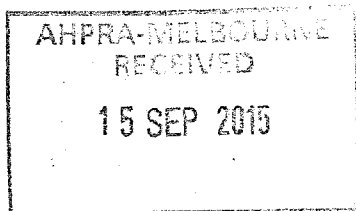
Your Ref VCT: LG:0000060546

I have decided to permanently retire from the workforce as a Medical Practitioner.  
I will not be renewing my registration as a Medical Practitioner from the 1/10/2015.  
I would like to surrender my Medical registration from the 1/10/2015

Yours Sincerely,

  
Dr S S Parhar

Released under FOI Act by AHPRA



Dr.S.S.Parhar

[REDACTED]

[REDACTED]

11/9/2015

Mark McPherson

AHPRA

G.P.O Box 9958

Melbourne Vic 3001

Your Ref VCT: MMcP:0000060546

I confirm all the points in your recent correspondence.

[REDACTED]

Yours Sincerely

A handwritten signature in dark ink, appearing to read "S S Parhar".

Dr S S Parhar

Released under FOI Act by AHPRA

AHPRA-MELBOURNE  
RECEIVED

25 SEP 2015

Dr.S.S.Parhar

17/09/2015

Leanne Graham

Compliant Officer

AHPRA

G.P.O Box 9958

Melbourne Vic 3001

Your Ref VCT: LG:0000060546

I have decided to permanently retire from the workforce as a Medical Practitioner.

I will not be renewing my registration as a Medical Practitioner from the 1/10/2015.

Yours Sincerely,



Dr S S Parhar

Released under FOIA by AHPRA



Aboriginal and Torres Strait  
Islander health practice  
Chinese medicine  
Chiropractic  
Dental  
Medical  
Medical radiation practice  
Nursing and Midwifery  
Occupational therapy  
Optometry  
Osteopathy  
Pharmacy  
Physiotherapy  
Podiatry  
Psychology

Australian Health Practitioner Regulation Agency

Ref: VCT: LG: 0000060546

17 September 2015

**Private and Confidential**

Dr Surinder Parhar

[Redacted]

Dear Dr Parhar

**Compliance**

I acknowledge receipt of your letter dated 11 September 2015 and received 15 September 2015.

If you require any further information or clarification concerning this matter, please do not hesitate to contact [Redacted] on [Redacted] or [Redacted]

Yours sincerely

[Redacted]

Compliance Officer  
Notifications Department

Released under the Access to Information Act / AHPRA

Australian Health Practitioner Regulation Agency

G.P.O. Box 9958 | Melbourne VIC 3001 | [www.ahpra.gov.au](http://www.ahpra.gov.au)



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Australian Health Practitioner Regulation Agency

Ref: VCT: LG: 0000060546

18 August 2015

**Private and Confidential**

Dr Surinder Parhar

[Redacted]

Dear Dr Parhar

**Compliance**

I acknowledge receipt of your letter dated 12 July 2015 and received 14 July 2015.

[Redacted]

While you continue to hold registration as a medical practitioner, you are required to comply with the conditions on your registration. Therefore, in order to comply with the conditions on your registration, you are requested to provide your nomination of a suitably qualified mentor no later than **2 November 2015**.

If you require any further information or clarification concerning this matter, please do not hesitate to contact me on [Redacted] or [Redacted]

Yours sincerely

[Redacted]

[Redacted]

Compliance Officer  
Notifications Department

**Australian Health Practitioner Regulation Agency**

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**REGISTERED MAIL  
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Australian Health Practitioner Regulation Agency

Ref: VCT: LG: 0000060546

1 July 2015

**Private and Confidential**

Dr Surinder Parhar  
[REDACTED]

Dear Dr Parhar

**Compliance**

I refer to previous correspondence sent to you on behalf of the Medical Board of Australia (the Board) of 25 June 2015. This matter has now been transferred to the Compliance Team of the Notifications Department at the Australian Health Practitioner Regulation Agency (AHPRA) for monitoring. I have been assigned to assist you with all future enquiries.

Under section 120(1) of the *Health Practitioner Regulation National Law Act 2009* (the National Law), the Board advises that a registered health practitioner who is registered with condition/s must not knowingly or recklessly claim, or hold himself or herself out, to be registered without the conditions or any conditions

Please note that a registered health practitioner whose registration is subject to a condition must not:

- a) take or use any title calculated to include a belief that the health practitioner's registration is not subject to any condition.
- b) claim to have or hold himself / herself out as having a registration which is not subject to any condition.

**This means that you will be required to advise any current employer or any prospective employer that you have conditions imposed on your registration.**

Under section 206 of the National Law, the Board is required to notify the practitioner's place/s of employment of any Board action taken. Therefore, you are required to forward contact details for all places of employment within 14 days from the date of this letter, being due **15 July 2015**. Upon receipt of this information a notice advising the Board's action will be forwarded to your place of employment.

[REDACTED]

**Australian Health Practitioner Regulation Agency**

G.P.O. Box 9958 | Melbourne VIC 3001 | [www.ahpra.gov.au](http://www.ahpra.gov.au)

[REDACTED]

You are required to undertake mentoring of at least one hour a month for a period of six months in the following topics:

- Managing clinical risk
- Teamwork and communication in emergency clinical situations
- Escalation and transfer of patients in emergency clinical situations
- The importance of documenting detailed and contemporaneous records

Please forward the contact details and curriculum vitae (CV) of your nominated mentor, for Board approval, by **29 July 2015**.

The proposed mentor should:

- a) have held specialist registration as an Obstetrician Gynaecologist for a period of not less than seven (7) years
- b) not be in a close collegiate, social or financial relationship with you
- c) Confirm that he or she is willing to provide the mentoring and a report to the Board following the completion of the mentoring sessions which will outline your participation and completion of the objectives.

A new certificate of registration with the conditions on your medical registration will be forwarded to you in due course. In the meantime please refer to the public register on the AHPRA website [www.ahpra.gov.au](http://www.ahpra.gov.au) to confirm your registration status.

After the 12 month review period, all requests for review, change or removal of conditions must be forwarded in writing.

Should you require further information or clarification concerning this matter, please contact me on [REDACTED] or [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

Compliance Officer





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Australian Health Practitioner Regulation Agency

Ref: VCT: MMcP: 0000060546

9 September 2015

**Private and Confidential**

Dr Surinder Parhar

[REDACTED]

Dear Dr Parhar

**Compliance**

I refer to your letter dated 12 July and your advice that you had ceased employment as a medical practitioner as of 6 July 2015, had retired from the workforce and do not have an employer. You also advised that you plan to do the [REDACTED] on 19 and 20 September 2015.

Please confirm the following:

1. that you ceased employment as a medical practitioner as of 6 July 2015
2. you have retired from the workforce
3. you do not have and have not had an employer since 6 July 2015, and
4. [REDACTED]

Please confirm the above by the close of business on **Tuesday 15 September 2015**.

If you require any further information or clarification concerning this letter, please contact me on [REDACTED] or [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]  
Compliance Team Leader  
Notifications Department

**Australian Health Practitioner Regulation Agency**

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Australian Health Practitioner Regulation Agency

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25 June 2015

Dr Surinder Parhar  
[REDACTED]

Dear Dr Parhar

**Notice of decision of performance and professional standards panel**

I refer to the hearing of the performance and professional standards panel on 12 March 2015, which you attended.

The panel handed down its written decision on 10 June 2015, and I enclose a copy of the decision. As you are aware, the panel decided that you have behaved in a way that constitutes unsatisfactory professional performance and [REDACTED]. The panel also imposed conditions on your registration requiring you to undertake further education and mentoring for a period. Under section 225 of the *Health Practitioner Regulation National Law (National Law)*, details of conditions will be recorded in the public national register.

You will receive separate information from AHPRA's Compliance team about the monitoring of your compliance with the conditions.

**Appeal Rights**

A decision to impose conditions on your registration is an appellable decision. If you wish to appeal, you must apply to the Victorian Civil and Administrative Tribunal within 28 days after being given notice of the decision. The contact details of the Tribunal are:

Victorian Civil and Administrative Tribunal  
55 King Street Melbourne Vic 3000  
[www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

**Notice to employer**

Under section 206 of the National Law, your employer is required to be given notice of the Board's decision. Therefore, pursuant to section 132(1)(b) of the National Law, I request you provide the name and contact details of your employer(s) as soon as possible to [REDACTED] on [REDACTED] or [REDACTED].

Yours sincerely

[REDACTED]

Acting Director - Notifications

Reference Number: 00250628, 00283243  
Enc: Decision of the panel, 10 June 2015