

Press Statement of the Medical Council on 18 April 2001

- (1) There has been concern expressed publicly following the Medical Council's decision in a disciplinary inquiry on 11 April 2001 with respect to a doctor who was alleged to have spoken on a hands free mobile telephone during colonoscopy.
- (2) The Medical Council does not accept the use of mobile telephone during any operation or procedure without due justification. The Council wishes to reiterate that any activity by the surgeon during operation must not compromise his attention to the patient in any way.
- (3) The verdict of not guilty of professional misconduct was based on evidence under oath that Dr. Tung had made a mistake of forgetting to switch off his mobile phone before the operation; however this did not amount to professional misconduct because:
 - he took immediate steps to end the conversation;
 - as agreed by both parties and supported by expert witnesses the perforation of the colon was not a result of the telephone conversation during the colonoscopy.

The Medical Council therefore considered that his mistake did not amount to professional misconduct and he was not guilty of the offence charged. Copies of the charge against the doctor and the Council's judgment are enclosed.

- (4) It has always been the role of the Medical Council to protect patients and guide doctors. A good doctor-patient relationship is an important element in the care of patients, which must be maintained by all parties.
- (5) The Medical Council has constantly endeavoured to reform and improve. We have proposed to add two lay members to the composition of the Council and we are in the course of establishing a Professional Performance Committee to deal with substandard practice.