

STATES OF JERSEY



HEALTH SERVICES DISCIPLINARY TRIBUNAL: APPOINTMENT OF MEMBERS

**Lodged au Greffe on 25th November 2003
by the Employment and Social Security Committee**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

in pursuance of Articles 1 and 36 of the Health Insurance (Jersey) Law 1967, as amended, to appoint the following as members of the Health Services Disciplinary Tribunal, for a period of 3 years commencing on 1st January 2004 –

Advocate David Eldon Le Cornu – Chairman
Advocate Conrad Edwin Coutanche – Deputy Chairman
Mrs. Ruth Janet Syvret
Mr. Philip Ralph Daubeney
Mr. Colin Henry Letto

EMPLOYMENT AND SOCIAL SECURITY COMMITTEE

REPORT

1. Introduction

Under the Health Insurance (Jersey) Law 1967, the Employment and Social Security Committee has the power to take disciplinary action against any approved doctor or pharmacist whose conduct is believed to have had a prejudicial effect on the administration of and/or created an unreasonable cost to, the Health Insurance Fund.

2. The role of the Health Service Disciplinary Tribunal

If representation is made to the Committee regarding the conduct of a G.P. or Pharmacist then the matter is referred to the Health Services Disciplinary Tribunal. The Tribunal, if upholding the complaint, can make recommendations to the Committee, either that approval is withdrawn or, where an unreasonable cost is proved, that an amount should be repaid to the Health Insurance Fund.

3. Constitution of the Health Service Disciplinary Tribunal

The Tribunal consists of a Chairman, who is an Advocate of not less than 5 years' standing, 2 members of the public and 2 members of the appropriate professional body. The Chairman and lay members are selected from a panel constituted by the States, and the professional representatives from a panel constituted by the Committee.

4. Proposed Chairman

The Committee proposes the reappointment of Advocate David Eldon Le Cornu as Chairman of the Tribunal. Advocate Le Cornu was called to the English Bar in 1974, and the Jersey Bar shortly after in 1976. He was appointed as Crown Advocate in 1994 and as relief Magistrate in 1997. Advocate Le Cornu has been Chairman of the Health Service Disciplinary Tribunal since 1987 and has indicated his willingness to continue.

5. Proposed Members

The following existing members of the Health Services Disciplinary Tribunal have been contacted and have confirmed their willingness to continue as members for a further 3 years of office –

Advocate Conrad Coutanche (Deputy Chairman): A Senior Partner at Mourant, specialising in Banking, Company Law as well as Local Client Work and Estates. Advocate Coutanche retired from Mourant in 2002.

Mr. Colin Henry Letto owns and manages his family business Letto Jewellers.

Mrs. Ruth Janet Syvret worked in the banking industry and left to bring up a family. She has worked at a local optician, preparing accounts, for the past 15 years.

Mr. Philip Ralph Daubeney started out in the newspaper business as a management trainee in the U.K., he then came back to Jersey and worked in the family business, the Hotel L'Angleterre. Mr. Daubeney later purchased the hotel and ran it for several years before selling it in 2001. Mr. Daubeney is now retired.

6. Recommendations

The States are asked to appoint the membership of the Health Services Disciplinary Tribunal, as recommended by the Committee, for a further 3 years from 1st January 2004.

7. Financial/manpower statement

There are no financial or manpower implications for the States arising from this proposition.