

226

*COMMISSIONS OF INQUIRY ACT 1950*

**BUNDABERG HOSPITAL COMMISSION OF INQUIRY**

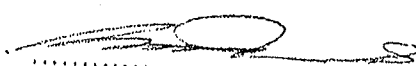
**FURTHER STATEMENT OF GERARD JOSEPH FITZGERALD**

1. I, Gerard Joseph FitzGerald, c/- Queensland Health Level 18, 147-163 Charlotte Street Brisbane, acknowledge that this written statement by me is true to the best of my knowledge and belief.
2. This further statement is made without prior knowledge of any evidence or information held by the Inquiry which is potentially adverse to me and in the expectation that I will be afforded procedural fairness should any adverse allegation be raised against me.
3. While in Bundaberg to help manage the community response I met with the families of a number of deceased patients to provide them with detailed (non judgmental) explanation of what had happened. In doing so I showed the family the patient's record and provided any explanation of anything written in the records.
4. I explained to all the patients and their families that I met that I was not a surgeon and couldn't give any expert opinion about a patient's diagnosis or prognosis. I explained that I was there to help them by translating the medical notes and explaining medical terminology.
5. One of the families was that of Mr Kemp. Mrs Kemp refers to that meeting on Pages 7 of 8 of her statement dated 6 May 2005. From my memory Mr Kemp had an X-ray prior to his surgery which demonstrated four opacities to his left lung and these may have been consistent with metastasis. I do not recall any extensive screening for other metastasis that occurred by Dr Patel or any attempt to determine whether the lung findings were in fact metastasis. It would be generally expected that in the work up prior to surgery such efforts would be undertaken. I did try to avoid any expert opinion in regard to outcomes but at times sought to offer understanding to the patients of the normal pathological process.
6. In regard to the comment at page 7 of Mrs Kemp's statement I don't recall using the word "wouldn't" in the sentence "His belief was that had Gerry been taken to Brisbane he wouldn't have been ....". I recall using the word "may not". I do not recall saying to Mrs Kemp that I considered Mr Kemp had 12 months to live. It is not my practice, or for that matter the practice of most doctors, to give these kind of predictions. This is particularly as I am not an expert in this field and I had stressed this to Mrs Kemp. Instead I advise persons that they may only have a short time to live. If I am pressed by the family or the patient I usually make a

general statement along the lines of "it may be less than a year". You can never be accurate with such prognoses.

7. I accept the first sentence on page 8, to the effect that Bundaberg Hospital wasn't equipped to provide the standard of treatment required for the operation performed on Mr Kemp by Dr Patel, is correct.

Signed at Brisbane on 20 June 2005.

  
.....  
Dr Gerry FitzGerald      20/6/05  
Chief Health Officer  
Queensland Health