

**Informed consent to surgical procedure
(08HDC08813, 8 March 2010)**

Obstetrician and gynaecologist ~ Laparoscopy ~ Tubal patency test ~ Ovarian drilling ~ Polycystic ovary syndrome ~ Endometriosis ~ Rights 4(2), 6(1), 7(1)

A woman complained about the services provided by an obstetrician and gynaecologist whom she consulted regarding suspected endometriosis following a history of suprapubic tenderness and “knife-like” pain. After assessing the woman, the gynaecologist recommended an exploratory laparoscopy, surgical treatment of any endometriosis found to be present, and a tubal patency test. The woman decided to go ahead with the recommended procedures, and the surgery took place three days later. During the operation, the gynaecologist found that the woman had polycystic ovary syndrome (PCOS) so she performed a treatment procedure known as ovarian drilling or “golf-balling”.

It was held that there was no legal justification for the gynaecologist to drill the woman’s ovaries to treat her PCOS without the woman’s informed consent. This was not an emergency situation. By denying the woman the right to make an informed choice, it was held that the gynaecologist breached Rights 6(1) and 7(1).

It was also held that the gynaecologist departed from professional standards for documentation. She breached Right 4(2) by making an unreliable file note regarding the woman’s consent to surgery, and failing to adequately record the details of the surgical instruments used.