

Circumcision of young boy at local medical centre (09HDC00810, 10 November 2009)

General practitioner ~ Medical clinic ~ Unregistered doctor ~ Circumcision ~ Local anaesthetic ~ Contravention of generally accepted practice ~ Standard of care ~ Information ~ Rights 4(1), 4(2), 4(3), 6(1), 6(2), 7(1)

The parents of a four-year-old boy complained about the care provided by a general practitioner at a medical clinic when they took their son to be circumcised. The boy was given a local anaesthetic but he was distressed throughout the procedure and would not lie still. Attempts were made to hold the boy still, but he continued to move erratically and the general practitioner was unable to insert stitches to stem bleeding from the frenular artery. The boy was transferred to hospital by ambulance where he underwent haemostasis and a revision of the circumcision under general anaesthetic.

The parents noted the presence of another man in the general practitioner's surgery during the circumcision procedure. They had no knowledge of his identity at the time, but it later transpired that he was an overseas registered doctor who is not registered in New Zealand. It was alleged by the parents that the unregistered doctor performed the circumcision on their son, not the general practitioner.

It was held that the general practitioner failed to provide services of an appropriate standard by choosing to carry out the procedure, and by his subsequent management of the boy during the procedure. It was also held that the general practitioner failed to provide the parents with adequate information. Accordingly, he breached Rights 4(1), 4(2), 4(3), 6(1), 6(2) and 7(1) of the Code. The unregistered doctor was also found to have played an active role in the procedure, and this issue was referred to the Medical Council and the Ministry of Health.

This case illustrates what can happen when a doctor is unfamiliar with, or chooses not to follow, recommended guidelines for a surgical procedure. It also highlights why patients (or their parents) need to be provided with adequate information so they can make an informed choice and give their informed consent.

The general practitioner was referred to the Director of Proceedings, who decided not to issue proceedings.