

11 November 2016

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Our reference

SMW:MDV:369195

The Honourable Paul Green MLC
The Committee
NSW Parliamentary Inquiry

By email: chemotherapyinquiry@parliament.nsw.gov.au

Dear Mr Green

NSW Upper House Inquiry into off protocol prescribing of chemotherapy in NSW

1. We refer to your letter dated 26 October 2016 and subsequent email dated 9 November 2016.
2. Thank you for your invitation for Dr Phadke to appear before the parliamentary inquiry on 29 November 2016. We note you have specified that this would provide Dr Phadke with an opportunity to respond to the allegations regarding his medical practice.
3. Dr Phadke declines your invitation. We consider;
 - (a) The parliamentary inquiry is not the appropriate forum for discussion of the matters under investigation by a local health district, his professional bodies and the specific regulator referable to Dr Phadke's clinical practice, nor is it within the terms of reference for the inquiry.
 - (b) As stated by the representatives from the South Eastern Sydney Local Health District ('the LHD') at the inquiry on 1 November 2016, the matters under investigation involving Dr Phadke, are not referable to under dosing or flat dosing, but matters referable to clinical decisions in the cases of particular patients.
 - (c) As also stated by the LHD, the investigation is still ongoing and it would be inappropriate to discuss the specifics of the investigation and the matters under investigation.
 - (d) The patients whose files are under review are entitled to privacy. It is inappropriate for their cases to be investigated in a public forum (even if in camera).
4. If we can be of further assistance, please let us know.

Yours faithfully
MORAY & AGNEW



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