




Speech By  
**Joseph Kelly**

**MEMBER FOR GREENSLOPES**

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## **HEALTH PRACTITIONER REGULATION NATIONAL LAW (SURGEONS) AMENDMENT BILL**

 **Mr KELLY** (Greenslopes—ALP) (12.39 pm): I support the Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023. I will start by rebutting some of the things said by the member for Southport. I think the member for Surfers Paradise is such a consummate professional that he would absolutely refer the member to another professional if he felt that the procedure was outside his scope of practice.

**Mr Langbroek** interjected.

**Mr KELLY:** Absolutely. It is a good point to start my contribution to this debate because, while it is somewhat of a jovial point, it goes to the very serious nature of this debate and the issue at hand. What we are really talking about at the core here is the serious business of regulating the medical system. Key to that system of regulation is upholding the highest standards of patient safety. One of the very important elements of our system of not just medical regulation but also health professional regulation broadly is the very important business of nomenclature and assigning the right titles to the right people so that when people seek assistance or advice from those people they know that they are getting treatment and care of a certain standard and that those people are exhibiting certain professional qualifications. Under the system of Ahpra, we also know that those people carry appropriate insurance so that if they do make mistakes and intentionally or unintentionally damage patients then patients have a mechanism to seek redress from those people.

It is a really important process that we are going through here. I think all health professionals were reminded of the importance of proper regulation of health professionals during the COVID-19 period when we saw many self-appointed experts in the areas of vaccination, virology et cetera—people holding themselves out in relation to those matters and doing untold damage in the community by spreading false information. It is 70 to 80 years after we invented the polio vaccine, and most nurses will say that they have looked after patients with post-polio syndrome. I think 70 to 80 years from now we will still be dealing with the impacts of the misinformation spread about vaccinations during the COVID-19 period.

I want to talk about the shocking images and stories that we saw, particularly in relation to the very famous investigation done by *Four Corners*. I watched that with my wife, who is also a nurse. There were many things in that particular program that shocked us—the complete disregard for infection control procedures, the reported disregard in terms of safety around the administration of anaesthetics and the use of unqualified staff in various aspects of the procedures being performed—but most shocking was the cold and callous approach of some of the people involved in these procedures. I do not think that represents everybody, but, certainly in what was represented in that particular program and in many of the submissions made to this and other inquiries, it can be clearly seen that there is an element that needs to be cleaned up. We do that by applying proper standards as we do across all of the health practitioner regulation areas.

I want to talk about the type of surgery and why I think it is important that we have plastic surgeons and appropriately qualified surgeons involved in this. In the first weeks of my nurse training we did about six weeks in the classroom, and what they call 'assaults to people's body image' were put in front of us at a pretty early point. It did not take long on the wards to see the impact on people when there is a change to their body image, whether that is having a stoma formed and having a colostomy, losing a limb or having some sort of surgery that causes some sort of facial alteration which is obvious to other people. All of those things have a really significant and severe impact on people. Probably some of the hardest situations I have been in as a nurse are when people face really significant alterations in their body image and helping those people work through dealing with those.

In preparation for this contribution I was reading an article by Aggarwal et al 2023 called 'Effect of body image on self esteem: a systematic literature review and future implication'. It states—

It has been demonstrated that body image, particularly in respect to physical appearance, has a significant impact on how people perceive themselves and their level of confidence. Positive body image can result in increased confidence and general wellbeing can improve people's mental health and general quality of life, whereas a negative body image can result in ... low self-esteem.

This is why I think it is really important that people seek treatment from a fully qualified surgeon rather than just somebody trying to sell a particular procedure. I would not make judgements about whether people are seeking treatment for what might be considered aesthetic reasons or if there is some clinical reason as to why they have to do that. In my view, body image is so important to people. If people choose to have procedures to feel better about themselves then that is a very valid thing for them to do, but they want to do that in a safe way. If somebody has a perception of their body image and they are seeking surgery to assist with changing their perception of their body image, I think it is really important that people are offered a full range of options. Surgery may not be the only way that somebody has to deal with their perceptions around their body image. There are other ways that people can seek treatment and care in relation to those matters—ways that do not involve the risks involved with surgery.

I am always quick to point out to people who ask me about certain types of surgical procedures in the cosmetics sphere that they have to really take into serious consideration the risks involved in general anaesthetics. General anaesthetics are generally very safe, but there are risks involved in general anaesthetics. The more general anaesthetics that you have, the greater your risk of an adverse outcome. You do not really want to be pushing up your risk profile unless you absolutely have to. It is really important that people have an ethical surgeon who will offer a full range of options in relation to treatment. This applies not just around this type of surgery and the risk around general anaesthetics but also in terms of people travelling to international destinations—that is more common now—seeking similar sorts of procedures. There are significant risks in seeking treatment in countries where you do not necessarily understand the language let alone the medical regulation system.

For those reasons, I think this legislation is very sound. Perhaps I will leave the last word to my former colleague who used to sit just in front of me, Dr Anthony Lynham. He said, 'It is quite simple: the public just has to know who their surgeon is, who is operating on them.' I commend the bill to the House.