

2024.07.16

**2.4 Deputy K.M. Wilson of St. Clement of the Minister for Health and Social Services regarding the Royal College of Radiologists review of the Jersey Hospital radiology services (OQ.147/2024)**

In respect of the Royal College of Radiologists review of the Jersey Hospital radiology services, will the Minister explain why he has not yet published the full report and recommendations, which were provided to his department in January 2024, and advise when he expects them to be published?

**Deputy T. Binet of St. Saviour (The Minister for Health and Social Services):**

I would like to thank the Deputy for the question. Having been the Minister for Health and Social Services in the last Government, the Deputy will be aware that the Health Ministerial portfolio is both broad and complex, and there is a great deal of information to take on board when first coming to office. With this in mind, I would mention that I was only made aware of the review of the radiology services sometime in March, which is roughly 2 months after coming into office, and at that time, I must confess, I was not particularly focused on the need to select a specific date for its publication. In the midst of a great deal else going on at the time, I am afraid that publication simply was not top of my agenda. However I can now confirm that will be published this coming Thursday, 18th July. I can only apologise for the delay and I would like to assure the Deputy and Members that I had no intention of withholding information for any specific purpose. Furthermore, I wish to assure Members that I am now acutely aware of the need for a carefully considered approach to such matters and I am currently working on the development of a short specific protocol to ensure that I and future Ministers for Health and Social Services, if they choose to adopt it, have a recognised method and timeline to deal with publication of reports, reviews and the release of other important information in all areas of healthcare. I hope that answers the Deputy's question.

**2.4.1 Deputy K.M. Wilson:**

I know the importance of releasing reports like this immediately and have done so previously, so the thing that I want to ask the Deputy is that women across the Island have been misdiagnosed as a result of errors. Can he tell us when the consultant at the centre of this incident was identified as not being fit for practice, how it came to light, who knew about it, and how long they had known about it before the incident came to the attention of the medical director?

**Deputy T. Binet:**

There is a whole range of detailed questions there. It might have been more appropriate had the questioner put those questions to me earlier. I simply cannot answer all of those details off the top of my head. I also think that the Deputy here is not referring to the radiology report, I think she would be referring to the British Society of Breast Radiologists report, and I stand to be corrected.

**2.4.2 Deputy M. Tadier:**

Does the Minister think it would be helpful, perhaps, to have a presumption of publication within a certain period of time for such reports? For example, there could be a government-wide policy that when a report comes out it would be automatically published, say, within 6 weeks unless there is a good reason not to publish it, and that the Minister may get an officer saying: "Minister, this is about to be published in 3 weeks' time unless you have got a good reason for not doing that." Would that be something the Minister would consider?

**Deputy T. Binet:**

Yes, I would indeed. I think I alluded to that fact by suggesting that I am going to have a self-enclosed protocol so that when something like this occurs I have a process which I can go through very quickly to identify the areas. In Health, this relates to patient safety and well-being, patient confidentiality, health work considerations, including possible identification issues. Those are all the things that I would

like to ... when this comes up again, I will be looking at those straight away and putting an appropriate timeline in place so that whatever information is appropriate to be released can be released at the earliest opportunity. I can only apologise again for the oversight on my part. This was not handled as well as I would normally have done had I been in office for longer.

#### **2.4.3 Deputy J. Renouf of St. Brelade:**

Given that one of the key issues raised in the Health Scrutiny Panel hearings last week was the refusal by a number of consultants to accept clinical guidelines and Royal College reports, can he reassure us that the consultants in this case are accepting the findings of the Royal College report?

#### **Deputy T. Binet:**

As the Deputy well knows, there are a number of complications in this area. There are problems internally in the hospital. They are complicated. They relate to employment matters so I am not free to comment completely openly. But what I can assure Members is they are being addressed with urgency.

#### **2.4.4 Deputy J. Renouf:**

I am going to take that as a no, that not all consultants are accepting findings of the Royal College report. Given that this is a matter of absolute public safety, what reassurance is he prepared to offer the public that we are in a safe ... that he is in charge of a department where treatment is safe if we have consultants who are not accepting the Royal College report?

#### **Deputy T. Binet:**

I do not think anybody in Health can ever give a 100 per cent guarantee about anything. The one thing I can guarantee 100 per cent is that this is receiving my absolute attention. From a political perspective, there are limits to what you can do. But I recognise that there is a problem. I think it is public knowledge that there is a problem, and I am in the process of dealing with it. I can do no more than that.

#### **2.4.5 Deputy H.L. Jeune:**

During the last States Assembly, the Minister acknowledged that there were a number of elements surrounding the report that he did not have full knowledge of at that precise moment - the process taken to contact different affected patients, the accountability process and outstanding actions from the report - but he did say that he would share the answers with those asking the questions, and I would hope the wider Assembly and the public. Has the Minister been able to share the answers to the questions that he was unable to answer at that time? If not, why not?

#### **Deputy T. Binet:**

I am not sure that that relates to the initial question, does it, Sir?

#### **The Deputy Bailiff:**

Well, the question ... actually, you are right. It related to the publication of the full report.

#### **Deputy T. Binet:**

It is very simple, why have I not published the report and ...

#### **The Deputy Bailiff:**

Sorry, let me finish, Minister. The question is about publication of the full report, and Members have asked you about radiology services in general, which I thought was appropriate in the circumstances, but of course you are right to say that the question was about publication, and if you are unable to answer questions that are not directly on that issue, then of course, that is a matter for you.

#### **Deputy T. Binet:**

I would be very happy to say that there is a very comprehensive report going to be published on 18th July that is ready for the board next week. I think most of those questions will be answered in those

reports. If any Member finds that there is anything that has been asked that is not in those reports, then if they contact me directly, I will be very happy to answer them.

**2.4.6 Deputy I. Gardiner:**

I will ask a follow-up question. At the previous States sitting, answering to my question, the Minister committed to publish the action plan as a response to the radiology report. Would the Minister confirm that this action plan would be published alongside with the report?

**Deputy T. Binet:**

Yes, the action plan, the intention is for that to be published on Thursday as well.

**2.4.7 Deputy P.F.C. Ozouf:**

My recollection is that the Minister was appointed in January. He informed the Assembly in earlier answers that he was informed about this issue in March. Why the delay, if I may ask?

[10:15]

**Deputy T. Binet:**

I think that would have to be a question for somebody else. In life, if you are not aware of something and you do not know that it is there you do not go looking for it and you have to rely on somebody else telling you. For the purposes of this question, I did look up where I could find any evidence of having been informed. If I had been informed about it verbally I cannot recall but in writing it was during the course of March that I was informed.

**2.4.8 Deputy P.F.C. Ozouf:**

Could he inform the Assembly who informed him of this?

**The Deputy Bailiff:**

Well it would be unusual to ask for a name

**Deputy P.F.C. Ozouf:**

Not a name, but a postholder. Of course, one would never deal with a name.

Deputy T. Binet:

Off the top of my head, I asked my Ministerial secretary to look it up for me, and they just came back and told me that I was first informed in March. I did not think to ask who it was that had told me, but if the Deputy is really that interested I can find out for him.

**Deputy P.F.C. Ozouf:**

It is the postholder I am interested in.

**The Deputy Bailiff:**

Yes, the postholder.

**2.4.9 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter**

Does the Minister accept the findings of the report?

**Deputy T. Binet:**

Well, I am not a clinician, as I have said many times before, and it would be rather daft of me not to.

**2.4.10 Deputy L.K.F. Stephenson:**

Will the Minister make it clear, therefore, that he will not tolerate the refusal to accept Royal College reports and findings?

**Deputy T. Binet:**

I think I have to be left to deal with it in a way that has the best outcome, because much as we might like to put our foot down, we do not want to be faced with a Radiology Department with no radiologists, do we?

**2.4.11 Deputy K.M. Wilson:**

Can the Minister tell us what systems are now in place to address the failings and how women will know, given the lack of transparency and accountability with regard to the reporting on this issue? Can he also confirm if he has actually read the report himself?

**Deputy T. Binet:**

I will make the point again that I think this question is related to the British Society of Breast Radiologists, as I said earlier; that is not part of the same report.