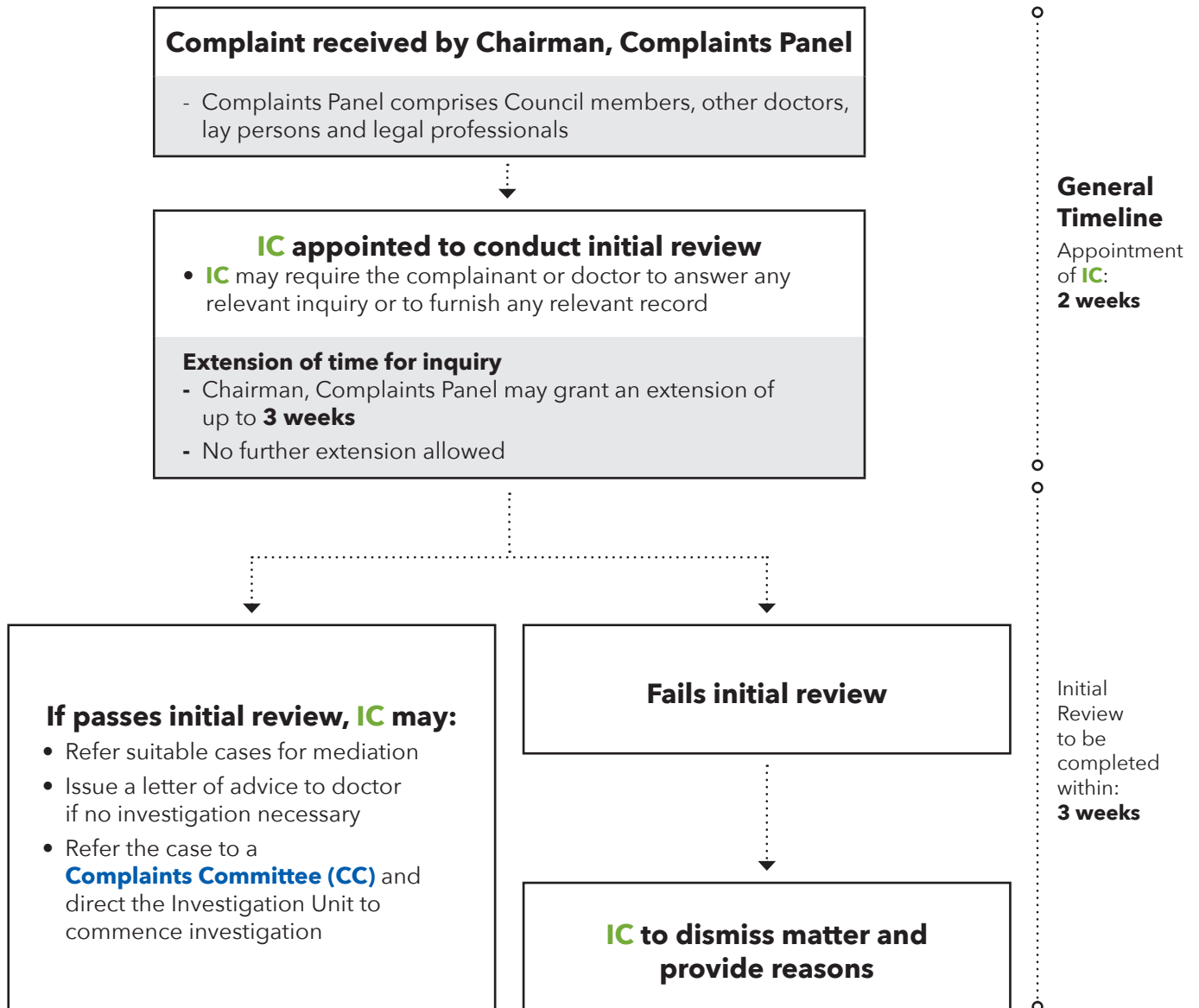


# PROPOSED FRAMEWORK FOR SINGAPORE MEDICAL COUNCIL (SMC) DISCIPLINARY PROCESS

Stage One - Initial Review and Triage by the **Inquiry Committee (IC)**



## **Inquiry Committee (IC)** NEW

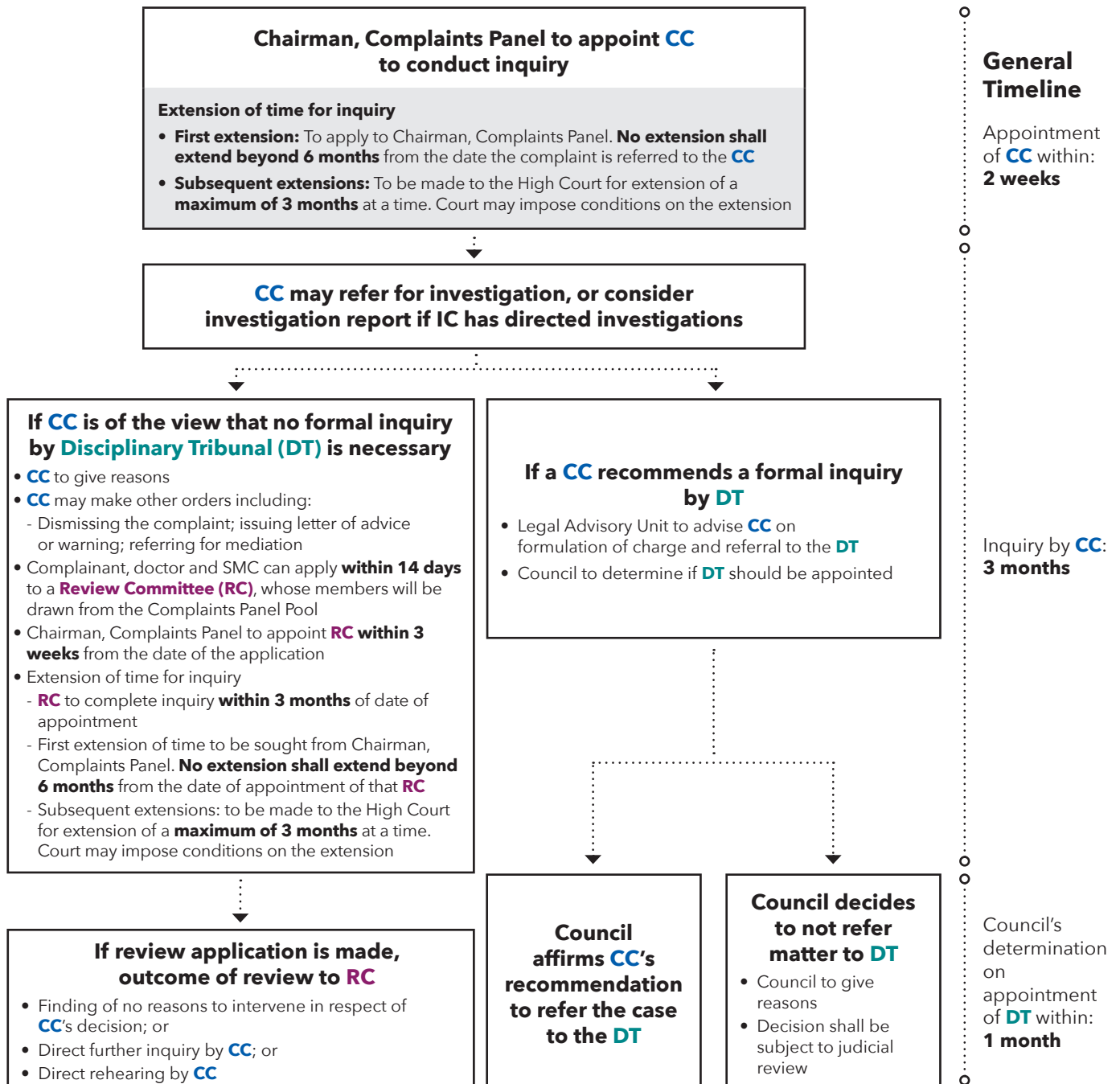
- **Composition**
  - 1 doctor to chair from Complaints Panel
  - 1 other doctor from Complaints Panel
- **Scope of initial review**
  - Assess whether complaint is frivolous, vexatious, misconceived, lacking in substance
- **Dedicated secretariat**
- **Legal Advisory Unit**
  - To advise IC on complaints

## **Complaints Committee (CC)**

- **Composition**
  - 1 doctor to chair from Complaints Panel
  - 1 other doctor from Complaints Panel
  - 1 layperson or legal professional from Complaints Panel
- **Decision**
  - By majority vote
- **Dedicated secretariat**
- **Legal Advisory Unit**
  - To advise CC on complaints that can be struck out, investigations into complaints process and procedure

# PROPOSED FRAMEWORK FOR SINGAPORE MEDICAL COUNCIL (SMC) DISCIPLINARY PROCESS

## Stage Two - Inquiry by the **Complaints Committee (CC)**



### Complaints Committee (CC)

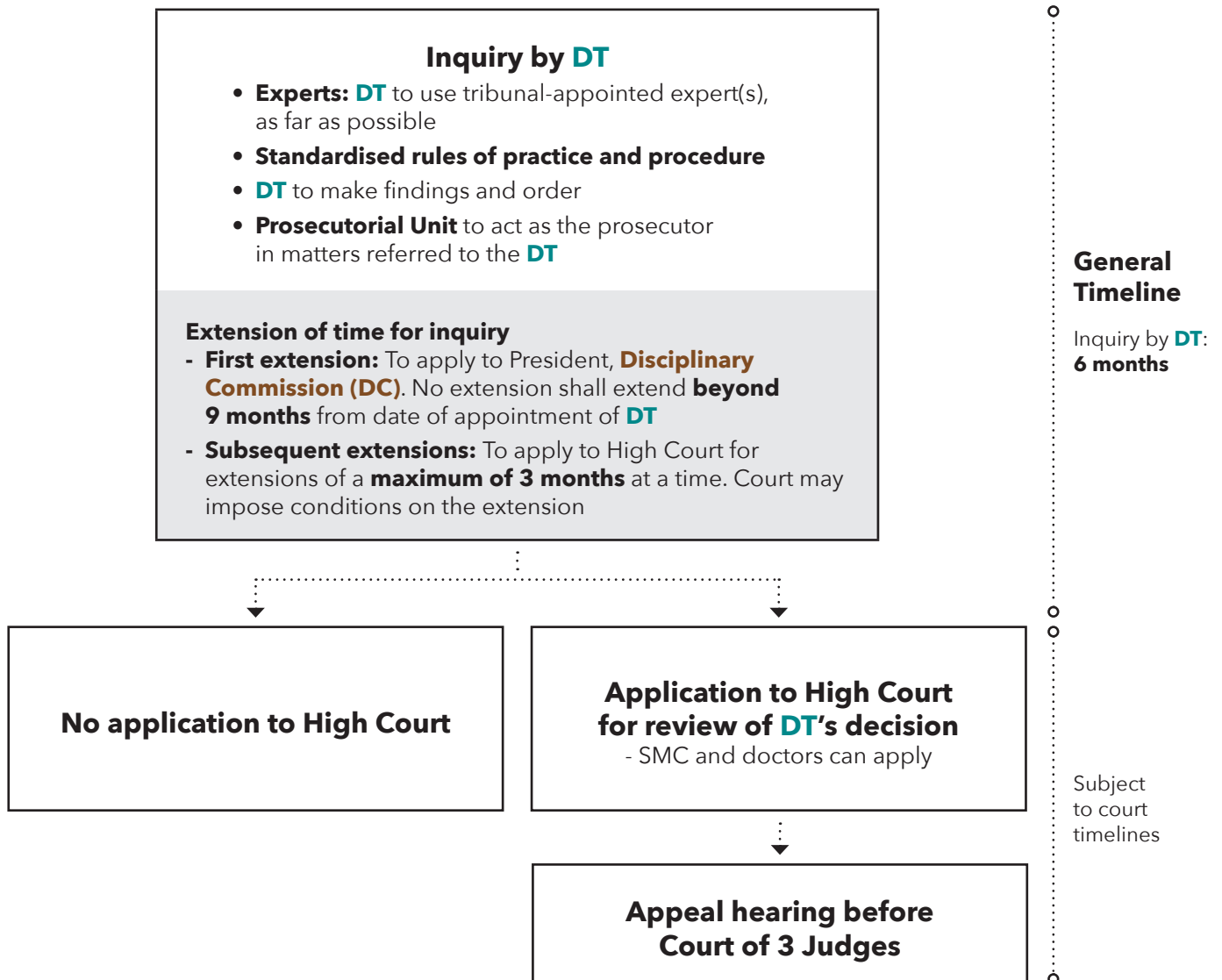
- **Composition**
  - 1 doctor to chair from Complaints Panel
  - 1 other doctor from Complaints Panel
  - 1 layperson or legal professional from Complaints Panel
- **Decision**
  - By majority vote
- **Dedicated secretariat**
- **Legal Advisory Unit**
  - To advise **CC** on complaints that can be struck out, investigations into complaints process and procedure

### Review Committee (RC) **NEW**

- **Composition**
  - 1 medical doctor, 1 legal professional and 1 lay person from Complaints Panel
- **Decision**
  - Decision of the majority. Decision will be final
- **Standard of review**
  - Whether the **CC** has complied with all procedural requirements under the Act and any regulations governing a **CC's** inquiry
  - Whether any new evidence submitted to the **RC** is material to the complaint or matter

# PROPOSED FRAMEWORK FOR SINGAPORE MEDICAL COUNCIL (SMC) DISCIPLINARY PROCESS

## Stage Three - Inquiry by the **Disciplinary Tribunal (DT)**



### Disciplinary Commission (DC) **NEW**

- **Members of the Commission to be appointed by the Minister for Health**
  - President with tenure (Doctor)
  - Judges/lawyers (High Court judges and Judicial Commissioners, Legal Service Officers, senior lawyers)
  - Doctors (current practicing doctors with at least 10 years' standing)
- **Function of President of DC**
  - Assessment of time-barred complaints
  - Appointment of individual **DTs**
  - Oversee the procedures and processes of **DTs**
  - Oversee the training of members of the Complaints Panel and Health Committees
- **DC to be supported by independent secretariat**

### Disciplinary Tribunal (DT)

- **Composition:**
  - 2 doctors and 1 judge/lawyer from the Complaints Panel comprising
    - > 1 Chair (If a High Court judge or Judicial Commissioner sits on the **DT**, he will be the chair)
    - > 2 members
- **Decision**
  - Decision of the majority
- **Dedicated DC Secretariat**

# PROPOSED FRAMEWORK FOR SINGAPORE MEDICAL COUNCIL (SMC) DISCIPLINARY PROCESS

## Assessment of Time-barred Complaints

### Complaint received by SMC

