

ROYAL AUSTRALASIAN COLLEGE OF SURGEONS



Chief Executive Officer
Phone: 03 9249 1205
Fax: 03 9249 1217
Email: david.hillis@surgeons.org

25 October 2005

Dr Michael Molton
Epiconic at Norwood Day Surgery
33 Kensington Road
Norwood SA 5067

Dear Dr Molton

Advertising in Sunday Mail TV Guide

It has been brought to the attention of the Royal Australasian College of Surgeons that you are advertising inappropriately in the lay press.

The Royal Australasian College of Surgeons is the professional body that safeguards the standards of surgery in the community of Australia and New Zealand. It has become increasingly apparent that when the community sees the word 'surgeon' they assume that the College will ensure training has been achieved and maintenance of standards is confirmed.

Consequently the College seeks documentary evidence as to the training and standards you have achieved to enable you to use the word surgeon. The College also wishes an explanation of how and why you use the words 'First Cosmetic Surgeon'.

The College also needs to highlight that under the Trade Practices Act it is not appropriate to misinform the community about qualifications that one holds. Equally the College understands that the Medical Board of South Australia registers surgeons in South Australia under the nine recognised specialities. Cosmetic surgery is not a recognised speciality. This is covered under the speciality of Plastic and Reconstructive Surgery.

The College is keen to understand what standards and training you have obtained. I look forward to your earliest response.

Yours sincerely

Dr David Hillis
Chief Executive Officer

- cc Dr Russell Striz, President, Royal Australasian College of Surgeons
- Dr William Cockburn, President, Australian Society of Plastic Surgeons
- Dr Tim Edwards FRACS, Adelaide Plastic Surgery Associates
- Mr Joe Hooper, Registrar / Chief Executive Officer, Medical Board of South Australia

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Royal Australasian College of Surgeons
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The Australasian College of Cosmetic Surgery

Raising Standards, Protecting Patients

15th November 2005

Dr David Hillis
Chief Executive Officer
Royal Australasian College of Surgeons
College of Surgeons Gardens
Spring Street
Melbourne
Victoria 3000

Dear Dr Hillis

Re: Letter from you to Dr Michael Molton dated 26th October 2005

I have been forwarded a copy of the above letter. It will, of course, be a matter for Dr Molton to decide if he wishes to reply with the information you seek.

However, in the letter you make assertions about standards of practice in cosmetic surgery in Australia and the Royal Australasian College of Surgeons involvement in these standards. It seems that you believe RACS has a monopolistic right to "safeguard(s) the standards of surgery in the community" and in addition you have extended your claim of a monopoly to include cosmetic surgery. Since you have chosen to copy this letter widely, including to Mr Joe Hooper, the Registrar and CEO of the Medical Board of South Australia, this is not simply a private matter. The perception is that your letter may be a self-serving attempt to convince the community that you do have such a monopoly. In order that this perception is not misplaced I give you the opportunity to clarify RACS' position and provide evidence that the statements you make are true and not in fact disinformation.

Please advise whether RACS does believe it has, or should have, a monopoly in the training and accreditation of doctors providing cosmetic surgery in Australia and New Zealand. Also please advise if RACS is willing to work cooperatively with other bodies, including this College, to raise the standards of cosmetic surgery training and accreditation for the benefit of patients. To do so requires RACS to forgo any monopolistic ambitions.

In your letter you make the following statements:

1. "The Royal Australasian College of Surgeons is the professional body that safeguards the standards of surgery in the community of Australia and New Zealand".

Other Colleges also provide training, accreditation and safeguard standards in various surgical disciplines. Some of these are already accredited by the Australian Medical Council and others, including the Australasian College of Cosmetic Surgery are awaiting accreditation.

Please provide evidence that the RACS has a monopoly as "the professional body" safeguarding surgical standards.

2. "It has become increasingly apparent that when the community sees the word 'surgeon' they assume that the College will ensure training has been achieved and maintenance of standards is confirmed".

Increasingly apparent to whom? It is not apparent to surgeons practicing cosmetic surgery. In fact I, an FRACS myself, and others, are increasingly consulted by patients who are aware that, specifically with regard to cosmetic surgery, the qualification FRACS alone is no guarantee that the surgeon has sufficient training and experience, or indeed any training and experience in this field.

Please provide evidence to support your blanket statement. Also please provide details of how your College's compulsory continuing medical education programme ensures that, specifically for cosmetic surgery, "...maintenance of standards is confirmed".

- 3 "Cosmetic surgery is not a recognised specialty. This is covered under the specialty of Plastic and Reconstructive Surgery."

Please advise which particular state or federal regulations declare that cosmetic surgery is covered under plastic and reconstructive surgery, and further, which regulations provide for this coverage to be a monopoly.

Certainly cosmetic surgery is not yet a recognized specialty. The concerted, organized and continuing efforts by those FRACS plastic surgeons who run the Australian Society of Plastic Surgeons (ASPS) to prevent it from becoming so are well documented. The ASPS exists not to protect standards or patients but to protect the "financial and political" interests of those plastic surgeons who choose to belong to it. (Source: ASPS website; now removed but held on file.) It is clear from your letter that RACS has been persuaded to join the ASPS in this protectionist campaign.

Cosmetic surgery is a discrete, specialised area of surgery as for example, government appointed committees, the medical indemnity providers, learned journals and specialised conferences testify. The Australian Society of Plastic Surgeons also distinguishes between plastic and reconstructive surgery and cosmetic surgery. The UK Department of Health has already recognized that plastic and reconstructive surgery training does not provide adequate training in cosmetic surgery and has determined that training schemes in cosmetic surgery must be constructed.

Should you wish to defend your statements by claiming that the plastic and reconstructive surgery training and cosmetic surgery training are the same (as a prominent spokesperson for the ASPS who is also an FRACS recently did on national television) the Australasian College of Cosmetic Surgery will be pleased to debate this publicly with you. A comparison between RACS training in cosmetic surgery and that of the Australasian College of Cosmetic Surgery will clearly demonstrate the gulf that exists between the two.

Despite your claim that cosmetic surgery "...is covered under the specialty of plastic and reconstructive surgery", there are FRACS surgeons qualified in other specialties providing and advertising cosmetic surgery services. It would seem by your own definition these surgeons are practicing outside of their specialty. How does your College "ensure training has been achieved and maintenance of standards is confirmed" for these surgeons? If the College has not done this what action have you taken against FRACS surgeons from other specialties who advertise cosmetic surgery services?

4. "The College needs to highlight that under the Trade Practices Act it is not appropriate to misinform the community about the qualifications that one holds."

As you have raised this issue, I refer you to the enclosed advertisements taken from the current Adelaide Yellow Pages. Advertisements with identical wording appear in other states. Fellows of your College who are also members of the Australian Society of Plastic Surgeons, (the President of which you saw fit to send a copy of your letter to Dr Molton) claim their Society accepts as members only those surgeons who are "...fully trained in the fields of Plastic and Reconstructive and Cosmetic Surgery procedures (sic) by the Royal Australasian College of Surgeons (or its equivalent). FRACS after your plastic surgeon's name is your assurance that the surgeon you consult has achieved these standards."

I am pleased to note that the ASPS distinguishes between plastic and reconstructive surgery and cosmetic surgery. There is no doubt that an FRACS qualification in plastic and reconstructive surgery does assure the community of full training in those procedures.

Please provide proof that it is also an assurance that similar standards have been achieved in cosmetic surgery as the advertisement claims. As you are "...the professional body that safeguards the standards of surgery in the community of Australia..." and as the ASPS relies on your qualification in its advertisement you will be readily able to provide details of the training RACS has provided to the surgeons listed in the advertisement to enable them to assure the community that they are "...fully trained...in Cosmetic Surgery Procedures". In addition to detailing the nature and duration of the specific cosmetic surgery training provided by RACS please also provide details to the community of when any compulsory cosmetic surgery rotation became part of FRACS training.

Privately plastic surgeons admit that they qualified FRACS having had little or no exposure to cosmetic surgery. This is no surprise as RACS plastic and reconstructive surgery training takes place almost exclusively in the public hospital system where the common cosmetic surgery procedures are not performed. Those plastic surgeons who have gone on to become expert in cosmetic surgery have done so by experience, and in some cases training,

obtained voluntarily and privately after obtaining FRACS and this training and experience was not supervised by RACS. Such training has not been undertaken by all plastic surgeons.

The community needs therefore to be reassured by RACS revealing the number of the common cosmetic surgery procedures – facelifts, browlifts, liposuction, laser resurfacings, cosmetic breast augmentations and cosmetic blepharoplasties for example, its Fellows have performed at the time they are granted your qualification. These figures will be readily available from the surgical log books all trainees are required to submit prior to qualification.


As the community is in fact increasingly appreciating the difference between “Cosmetic Surgery” and “Plastic and Reconstructive Surgery”, Yellow Pages has seen to have a separate section solely devoted to cosmetic surgery. The ASPS also advertises in this section. This advertisement claims that “all members” have “years of extensive training”. As this statement is in the cosmetic surgery section the reader can reasonably assume that the surgeons have “years of extensive training” in cosmetic surgery. Please provide the details of this cosmetic surgery training.

If you are unable to demonstrate that the FRACS surgeons have indeed undertaken “years of extensive training” in cosmetic surgery and that they have sufficient experience at the time of obtaining your College’s qualification to claim they are “...fully trained ...in cosmetic surgery procedures” the advertisements are false and misleading and, as you have pointed out, the law under the Trade Practices Act will have been broken. Furthermore the advertising regulations of the South Australian Medical Board and other medical boards will also have been breached.

I look forward to receiving the evidence to substantiate the statements made in your letter and to the details of the cosmetic surgery training and ongoing “...maintenance of standards...” your College provides to its trainees. If RACS is unwilling or unable to provide this information within 14 days please explain why.

Should you discover RACS’s cosmetic surgery training and recertification to be in any way deficient I would like to extend an invitation from the Australasian College of Cosmetic Surgery to work cooperatively with your College and the regulatory authorities so that standards may be raised for the benefit of all patients seeking cosmetic surgery.

Signed:



Dr. Michael Zacharia
FRACS, FACCS
President
The Australasian College of Cosmetic Surgery

cc

Commissioners of Medical Boards

NSW - Prof Peter Procopis - PO Box 104 Gladesville NSW 1675

SA - Joe Hooper - PO Box 359 Stepney SA 5069

VIC - Ian Stoney - GPO Box 773 Melbourne VIC 3001

ACT - Heather Munro AO - PO Box 976 Civic Square ACT 2608

QLD - Jim O'Dempsey - GPO Box 2438 QLD 4001

WA - Frank Fiorillo - GPO Box 2754 Perth WA 6001

TAS - Annette McLean Aherne - PO Box 8 South Hobart TAS 7004

NT - Samantha Williams - GPO Box 4221 Darwin NT 0801

Health Care Complaints Commissions

NSW - Kieran Phem - Locked Mail Bag 18 Strawberry Hills NSW 2012

SA - Leena Sudano - PO Box 199 Rundall Mall SA 5000

VIC - Beth Willson - Level 30 570 Bourke St Melbourne VIC 3000

ACT - Roxane Shaw - PO Box 977 Civic Square ACT 2608

QLD - David Kerslake - GPO Box 3089 Brisbane QLD 4001

WA - Eamon Ryan - PO Box B61 Perth WA 6838

Tas - Simon Allston - GPO Box 960 Hobart TAS 7001

NT - Carolyn Richards - PO Box 1344 Darwin NT 0801

Commissioner of The Productivity Commission

Mike Woods - PO Box 80 Belconnen ACT 2616

CEO RACGP

David Right - National Office VIC College House 1 Palmerston Cr South Melbourne
3205

ACCC

Graeme Samuel - PO Box 1199 Bickson 2602

AMA

NSW - Dr John Glotter - PO Box 121 St Leonards NSW 1590

Federal President - Dr Mukesh Haikerwal - PO Box 6090 Kingston ACT 2604

Federal Minister for Health

Tony Abbott - Parliament House Canberra ACT 2600

State and Territory Health Ministers

NSW - John Hatzastergos - GPO Box 5341 Sydney 2001

QLD - Stephen Robertson - GPO Box 48 Brisbane 4001

ACT - Simon Corbell - GPO Box 1020 Canberra ACT 2601

SA - John Hill - GPO Box 2555 Adelaide SA 5001

WA - Jim McGinty - Level 30 Allendale Square 77 St Georges Terrace Park WA 6000

NT - Peter Toyne - PO Box 3146 Darwin NT 0801

VIC -

CEO of MDO's

MDASA - Amanda Anderson PO Box 1223 Unley DC SA 5061

UMP - Allen Hunter - PO Box Q746 Queen Victoria Building NSW 1230

MDAV - Mark Valena - PO Box 1059 Carlton VIC 3053

ROYAL AUSTRALASIAN COLLEGE OF SURGEONS

Patron: H R H The Prince of Wales



Chief Executive Officer
Phone: 03 9249 1205
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Email: david.hillis@surgeons.org

13 January 2005

Dr Michael Zacharia
President
The Australasian College of Cosmetic Surgery
Level 6, Suite 3, Macquarie House
169 Macquarie St
Parramatta NSW 2150

Dear Dr Zacharia

Correspondence re Credentialling

I am in receipt of your correspondence dated 15 November 2005 about these issues. My apology for the delay in responding but unfortunately the correspondence was not received in my office until the letter was faxed on 23 December 2005.

Obviously you raise a number of key issues that do need to be responded to and I will be in communication about this.

However in the interim as the discussion is one of Standards and Training, is it possible for you to direct me to where your College has statements of its competencies, the curricula and the assessment processes to support these. I would be interested in this material from the perspective of how your Fellowship is awarded and maintained.

Many thanks.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Hillis'.

Dr David Hillis
Chief Executive Officer

cc. Dr Russell Stitz, President, RACS



The Australasian College of Cosmetic Surgery

Raising Standards, Protecting Patients

19 January, 2006

Dr. David Hillis
Chief Executive Officer
Royal Australasian College of Surgeons
College of Surgeons Gardens
Spring Street
Melbourne VIC 3000

Dear Dr. Hillis,

I am in receipt of your letter of January 2006 in response to my earlier correspondence (15th November 2005), and I note your recognition of the importance of the questions I have raised even though you have not been able to answer them. I can understand your difficulties in providing answers.

You have instead, requested information about this College's training programme, and ACCS can provide some assistance. Our College's training programme in cosmetic surgery leads to eligibility to sit examinations for the qualification, Fellow of the Australasian College of Cosmetic Surgery, (FACCS).

To apply for the surgical training programme, candidates must be medical graduates with at least 5 years post graduate experience, at least 3 of which must be in College approved surgical training posts which are not in cosmetic surgery. Successful applicants then complete a 2 year College supervised programme of specialized cosmetic surgery training.

The training is not merely a 'reading list', but a comprehensive programme of supervised practical training and progressive assessment. Assessment of registrars performance and log books by the Board of Censors may lead to an invitation to sit the final examinations. The process is transparent and rigorous.

I am sure you agree that training and accreditation are paramount in ensuring the highest possible standards of practice. ACCS is committed to raising standards and protecting patients.

I look forward to your answers to our earlier questions.

Yours sincerely,



Dr. Michael Zacharia FRACS, FACCS
President
Australasian College of Cosmetic Surgery

cc

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WA - Eamon Ryan - PO Box B61 Perth WA 6838

Tas - Simon Allston - GPO Box 960 Hobart TAS 7001

NT - Carolyn Richards - PO Box 1344 Darwin NT 0801

All Correspondence To: PO Box 574, Liverpool, NSW 1871
Registered Office: Level 6, Suite 3, Macquarie House, 169 Macquarie Street, Parramatta, NSW 2150
Tel: 1800 804 781 Fax: 02 9687 1799
www.cosmeticsurgery.org.au admin@accs.org.au
A.B.N. 890 863 834 31

Commissioner of The Productivity Commission

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E-MAILED

22 03 2006



Chief Executive Officer

Phone: 03 9249 1205

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Email: david.hillis@surgeons.org

15 March 2006

Dr Michael Zacharia
President
Australasian College of Cosmetic Surgery
PO Box 574
Liverpool NSW 1571

Dear Dr Zacharia

I respond to your letters of 1 March 2006 and 19 January 2006 and wish to correct some of the misrepresentations and misapprehensions that you appear to entertain about surgical training in Australia and New Zealand and the role of the Royal Australasian College of Surgeons.

The Royal Australasian College of Surgeons has been accredited by the Australian Medical Council and authorised by the Australian Competition and Consumer Commission, to provide specialist surgical training for Australian doctors willing to become surgeons. To date no other provider of specialist surgical training has been so accredited or authorised. Your assertion that the Australasian College of Cosmetic Surgery is in the queue for consideration suggests nothing about the quality of the organisation, the competence of its training or the likelihood of its success. Be that as it may, that is not a matter for this College, but for the Australian Medical Council.

All registered medical practitioners are eligible to become surgeons, within one of the nine specialities including Plastic and Reconstructive Surgery. The selection process is discriminatory only insofar as it is competitive and consequently selective of the highest quality. The Australian public deserves no less.

The issue at debate is one of standards. Standards in training and ongoing surgical practice. So far you have not responded with the detail about these that would provide any degree of reassurance for the community.

I note your invitation to your Annual Conference on 27 to 30 April and have duly advised the President. However due to the Executive Committee meeting on 28 April the President and I will be unable to attend.

Yours sincerely

Dr David Hillis
Chief Executive Officer



The Australasian College of Cosmetic Surgery

Raising Standards, Protecting Patients

1st May 2006

Dr David Hillis
Chief Executive Officer
Royal Australasian College of Surgeons
College of Surgeons Gardens
Spring Street
Melbourne
Victoria 3000

Dear Dr Hillis

Re: Letter from you to Dr Michael Molton dated 26th October 2005

I have received your letter dated 15th March 2006.

In your initial response you acknowledged that “key issues that do need to be responded to” had been raised. As a Fellow of RACS myself I am saddened that even after 3 months of prevarication, the College is unable to answer any of the questions put to it in my letter of 15th November 2005.

You say, “the issue is one of standards” and then reiterate the known position of your College with regard to surgical training. The issue, I would remind you, carefully described in my letter last November, is in fact about standards and truth in advertising in cosmetic surgery.

Specifically, you were asked questions about your College’s cosmetic surgery training, accreditation and recertification. These questions were asked because of claims made by the College in your letter of complaint to Dr. Michael Molton dated 26th October 2005, and because of various claims made by some of your Fellows in advertisements.

Answers to the questions would establish whether or not these claims are false and misleading. The College’s failure to answer any of the questions relating to cosmetic surgery inevitably leads to the conclusion that it is unable to provide satisfactory answers.

It seems your College has attempted to cover up its lack of cosmetic surgery training by making disparaging comments about this College. These are as ill informed as they are irrelevant to whether the law has been broken.

For the record, I repeat that the Australasian College of Cosmetic Surgery would like to compare in any relevant forum, publicly, the difference between RACS training and accreditation in cosmetic surgery and that of its own. I would suggest we could present to the Australian Medical Council. Please advise if you are willing to submit to such a comparison with the AMC or in any other independent forum.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Zacharia', written in a cursive style.

Dr. Michael Zacharia



Patron: H.R.H. The Prince of Wales

ROYAL AUSTRALASIAN COLLEGE OF SURGEONS

A.B.N. 29 004 167 766

OFFICE OF THE PRESIDENT

Dr Russell Stitz

College of Surgeons' Gardens, Spring Street, Melbourne Vic 3000

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E-Mail: college.president@surgeons.org

15 June 2006

Dr Michael Zacharia
The Australasian College of Cosmetic Surgery
PO Box 574
Liverpool NSW 1871

Dear Dr Zacharia

Standards in Plastic Surgery

I am in receipt of your correspondence to the Chief Executive Officer dated May 1, 2006. This was discussed further at the Executive Committee meeting on Friday 26 May, 2006.

As you are aware the Royal Australasian College of Surgeons (RACS) is accredited by the Australian Medical Council for conducting Surgical Training in Australia. In the area of Plastic and Reconstructive Surgery the Australian Society of Plastic Surgeons (ASPS) is the approved body in this area. The College is confident that ASPS provides comprehensive training with regards to the specific requirements of cosmetic surgery.

RACS notes your comments about the AMC. If you wish to have The Australasian College of Cosmetic Surgery appropriately accredited to establish your validity, then that ambition and choice is yours.

Yours sincerely

Dr Russell Stitz
President

cc. Executive Committee
Australian Society of Plastic Surgeons
Dr David Hillis, Chief Executive Officer