

Meeting with a Professional Conduct Committee

Introduction

This fact sheet is to provide information to people who have been asked to meet with a Professional Conduct Committee (PCC) as part of its investigation.

What is a PCC?

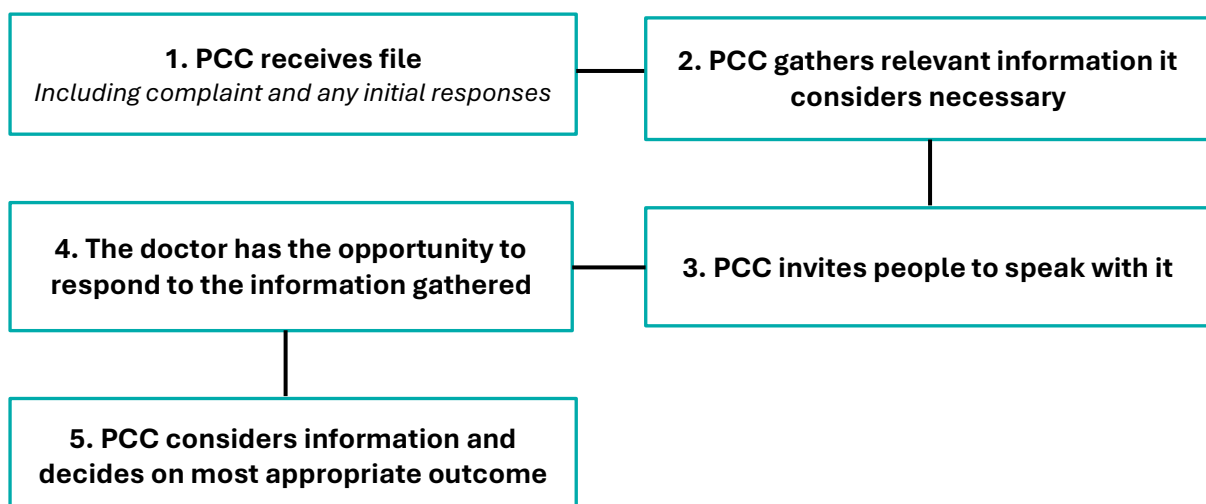
The PCC's role is to investigate concerns about a doctor's conduct. The PCC's investigation is limited to the particular concern/s that the Medical Council of New Zealand (the Medical Council) asks them to investigate – it can't look at wider concerns.¹ In investigating any concerns, the PCC must comply with the Health Practitioners Competence Assurance Act 2003 (HPCAA).

A PCC is a committee of three people, made up of two doctors and one person who is not a health practitioner (referred to as a 'layperson'). One member is appointed as Convenor. The Convenor's role is to manage the PCC process. A legal adviser is also appointed to assist the PCC.

Although a PCC is ordered by the Council, the PCC acts independently from it. The Council does not have any input in the PCC's decision on the outcome.

PCC investigation process

In general, the PCC investigation will follow five main steps:



¹ If additional concerns are raised that are outside the scope of the PCC's investigation that information may be referred to the Council.



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Health Practitioners Competence Assurance Act 2003

A PCC investigation almost always involves speaking to people who know the doctor concerned. This may include patients, colleagues, or others that the PCC thinks could help with its investigation. The PCC can also ask people for documents or other sources of information such as medical records.

You don't have to speak with the PCC if they ask you to, but the PCC can require information to be provided in certain situations.²

PCCs aim to complete investigations within 12 months. However, some investigations may take longer. This can depend on how many people the PCC needs to speak to, if another agency is involved, the type of matter the PCC is investigating, and what issues are involved.

Your input

The PCC has asked to speak with you because it considers that you, or your organisation, have information relevant to its investigation. It would be valuable for the PCC to know more about your experience as it investigates this doctor's conduct.

In addition to speaking with you, the PCC may request that you provide it with supporting documents before or after speaking to you.

Support person

The PCC understands that an interview may be upsetting and/or uncomfortable, depending on your relationship with the doctor, and the type of information the PCC want to talk about. We encourage you to have a support person present. If you would like a support person with you, please let the PCC know in advance of your meeting, along with the name of that person.³ This is to make sure that your support person is not someone the PCC would also like to speak to.

Before meeting with the PCC

A member of the PCC, or its legal adviser, will contact you by phone or email and arrange a suitable time to meet either in person, or by telephone or video call e.g., Zoom. The PCC will make sure that this time is convenient for you. If you are speaking with the PCC via videocall or on the telephone, please make sure you have a quiet and private space to talk.

The PCC will also let you know in advance if they would like you to bring any documents with you. If you think you might have some further information or records (such as emails, text messages or screenshots) that could be relevant, you are welcome to either bring these with you (if meeting in-person) or send these to the PCC via email.

During the meeting with the PCC

Members of the PCC and the PCC's legal adviser will usually be present at the meeting. The names of these people will be provided to you before the meeting.

If you need to take a break at any time in the meeting, please let the PCC know.

² This can happen only when the requirements of s 77 of the HPCAA have been met.

³ If you do not have a support person available, but would like one, please let the PCC know.

During the meeting the PCC will ask you to recall events and ask you questions. The events they ask you about might have occurred some time ago, and that some details may be difficult to remember. The PCC is trying to understand as much as possible about events relevant to its investigation. If you cannot remember, let the PCC know. Providing information to the best of your knowledge is all that is needed. If the PCC misunderstands you or is mistaken, please clarify this for the PCC so that everyone is 'on the same page.'

The meeting will be recorded to make sure that there is an accurate record of your discussion with the PCC. This will be transcribed into a written record.

After meeting with the PCC – what happens next?

A copy of the draft transcript will be sent to you after the meeting. Please read this carefully and confirm that it is an accurate record of the meeting. If there are any errors or inaccuracies, please let the PCC know – this includes spelling mistakes or words that have been incorrectly transcribed.

You are also welcome to provide the PCC with any further comments or documents that you may have.

Information provided to the Doctor

Each PCC takes care to ensure that the investigation is carried out fairly for everyone concerned. Part of this means that all of the information received during the PCC's investigation is provided to the doctor under investigation. This will usually happen near the end of the investigation, and will include the finalised transcript of your conversation with the PCC and any further information you provide.

Once this information has been provided to the doctor, the doctor has an opportunity to provide further information to the PCC. The doctor can also meet with the PCC and provide submissions on the information and the investigation.

What happens at the end of an investigation?

Once the investigation has finished, the PCC will look at all the information it has received. There are actions that the PCC can undertake as specified by statute.⁴ The PCC may recommend that the Council should:

- 1 Review the doctor's competence.
- 2 Review the doctor's fitness to practise medicine.
- 3 Review the doctor's scope of practice.
- 4 Refer the subject matter of the investigation to the Police; and/or
- 5 Counsel the doctor.

The PCC may also determine that:

- 1 No further steps should be taken in relation to the notification.
- 2 A charge should be brought against the doctor in the Health Practitioners Disciplinary Tribunal (the Tribunal).

⁴ Health Practitioners Competence Assurance Act 2003, section 80.



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- 3 Conciliation occurs (this is like a mediation between the doctor and the complainant).

Unless you are the person who notified Council of the concerns about the doctor under investigation, you will not automatically be informed of the outcome of the investigation.

Confidentiality

Everything the PCC tells you about the investigation is confidential.

The fact of a doctor being under investigation is also confidential. For that reason, please don't discuss the fact of the investigation, and what you said in the interview, with anyone other than for the purposes of obtaining professional advice or support e.g., lawyer, counsellor, doctor, your union representative, or a support person who attends the meeting with you.

Your privacy

By law, the PCC is only allowed to use or disclose information it obtains during an investigation for the purposes of the HPCAA.⁵

Your personal information, and any information you provide, will be stored in a secure place along with any relevant documentation gathered during the investigation. PCCs are experienced in dealing with sensitive information and will treat your personal information (as with all information received) with sensitivity. In addition, all PCC members and Council staff are bound by confidentiality agreements.

At the end of the investigation, the PCC will send letters to the Council, the doctor under investigation, and the notifier of the concerns, to inform them of the outcome of the investigation. Personal information will only be included where necessary.

Thank you, the PCC appreciates the opportunity to speak with you. Thank you for your assistance in this investigation. If you have any queries about the investigation, please discuss them with the PCC Convenor or the PCC's legal adviser.

Date: January 2026

Disclaimer: This information is not intended to replace independent legal advice. If you are not sure how an invitation to meet with the PCC applies to you or your organisation, we suggest you seek independent advice from your legal indemnity provider (or similar).

⁵ Health Practitioners Competence Assurance Act 2003, section 83.