

National

Gynaecologist cleared of negligence

Waylon Johnston

A leading gynaecologist was cleared of negligence during an operation in which the patient claimed her intestines had been torn.

Astrid Camilleri had been ordered to pay €96,000 in damages to Tessie Ellul in 2008 after she was found guilty by the Civil Court of rupturing the patient's intestine during surgery, leading to two operations and a colostomy bag.

Chief Justice Vincent De Gattano, Mr Justice Albert Magri and Mr Justice Tonio Mallia overruled that judgment yesterday,

disagreeing with the first court's assessment that, "more likely than not", Dr Camilleri had torn Ms Ellul's intestine during the operation.

The judges noted that the medical experts could not conclude whether the damage to Ms Ellul's intestines had in fact been caused by Dr Camilleri.

Ms Ellul had first had a hysterectomy in 1994. However, four years later, she felt a huge pain in her stomach and visited Dr Camilleri who found cysts in her fallopian tubes. Dr Camilleri felt the cysts might be cancerous and the best way forward was to remove them through an operation. She performed the intervention

together with surgeon Charles Savona Ventura.

However, 12 days later, Ms Ellul went to the emergency department complaining of severe stomach pain and the initial diagnosis by surgeon Michel Spiegowski was that it was an intestinal obstruction. He performed an emergency operation and discovered inflammation of the intestines and was under the impression that it was a perforated intestine.

As it was an emergency operation, there was no time to prepare and clean the intestines and join the two ends and, instead, he attached a temporary colostomy bag with the intention of reversing the procedure later on.

A colostomy is when the colon is cut in half and the end leading to the stomach is brought through the wall of the abdomen and attached to the skin where a bag is attached for excrement. The end of the colon that leads to the rectum is closed off and becomes dormant.

The intestine was sent for examination and no tear was found. However, there were signs of diverticulosis, a condition of inflammation of the intestines.

Surgeon Anthony Zammit performed another surgery to reverse the previous operation and rejoin the two ends of the intestines. However, Mr Zammit could not do so because of adhesions (the suck-

ing together of organs) and so had to attach a permanent colostomy bag.

Ms Ellul argued that it was Dr Camilleri who had damaged her intestine and caused her permanent injury through negligence.

Prof. Savona Ventura categorically denied that the patient's intestine had been perforated during that operation, as did Dr Camilleri.

Surgeon Godfrey Ellul, who examined the records of the case, also testified that there was no bowel perforation.

The judges said that, since it did not result that Dr Camilleri had damaged Ms Ellul's intestine, she could not be held responsible.

On cue



Students are taking part in the 11th edition of the 51-hour pool marathon at the St Margaret's College boys' secondary school that started yesterday. The marathon will raise funds for the Coespica-based charitable organisation Tghanniqqa, which works with underprivileged children. Photo: Chris Sant Fournier

Policeman knocked off scooter

A police messenger suffered cuts and bruises when he was knocked off his scooter by a trailer truck yesterday afternoon.

Sources said the 32-year-old policeman, stationed at the Central Delivery Office (responsible for handing out court summons), was driving near *Portes des Bombes*, in Blata l-Bajda, when he was hit by the heavy vehicle.

The truck driver has not been identified and, although it could potentially turn out to be a hit-and-run case, it has yet to be established whether he even realised he had knocked over the policeman.

Electricity tariffs are fifth highest in EU

Ivan Camilleri
Brussels

Domestic electricity in Malta was the fifth costliest within the EU, according to a new study for 2009.

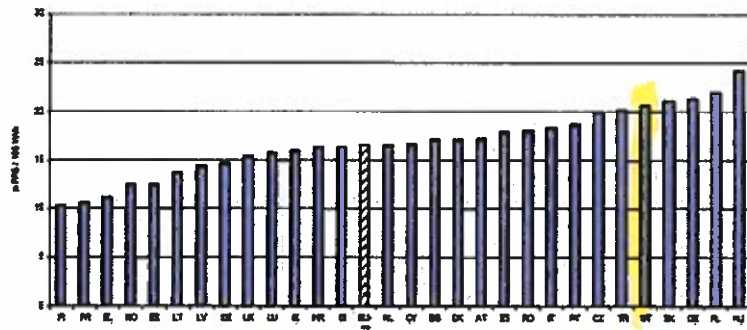
Maltese consumers paid 25 per cent above the EU average for 100 kWh of electricity, Eurostat reported, although an official advised caution when interpreting the findings.

The study is adjusted for purchasing power (PPS), an artificial currency unit that eliminates price level differences between countries. Using such measure, 100 kWh cost households 20.68 PPS in Malta at the end of 2009 as opposed to a 16.45 PPS average across the 27 member states.

One PPS unit buys the same volume of goods/services in all EU member states and is the measurement used to calculate the strength of the EU economies when it comes to Gross Domestic Product.

A Eurostat official however did point out that comparisons between Malta and the EU in this area were misleading.

Electricity prices in purchasing power standards (PPS) per 100kWh for household consumers (all taxes included)



Electricity prices in PPS

"Malta has an isolated energy production system and, thus, the cost of energy is always going to be significantly higher than the EU average if charges are based on the real production costs as they are today. The EU member states on the continent have the option of buying cheaper energy from other countries produced

through various options including nuclear, gas and natural resources such as wind," the official said.

"As long as Malta remains totally dependent on oil to fire its power stations, the country can't really have cheaper energy tariffs."

Malta has seen a dramatic increase in the cost of electricity

over the past few years as the government shifted its policy from heavily subsidising power generation to charging tariffs based on real production costs including the high cost of oil bought on the international markets.

The government has plans to diversify the island's sources of

electricity. They include the installation of two submarine cables linked to Sicily, offering the possibility of importing up to 200 Mega Watts of energy from the European grid, and the building of onshore and offshore wind farms. The projects require hundreds of millions of euros in investment.

Despite being among the dearest in the EU last year, the price of electricity in Malta was still 1.5 per cent cheaper than in December 2008.

The highest rates in the EU were paid by Hungarian consumers (24.26 PPS per 100 kWh), followed by the Poles (22.03), the Germans (21.36) and the Slovaks (21.12). On the other hand, the Finns and the French paid almost half what Maltese consumers had to fork out. In both countries, much of the electricity is generated from nuclear plants.

According to Eurostat, in the EU27, household electricity prices fell by 1.5 per cent between the second half of 2008 and the second half of 2009. In the same periods of 2007 and 2008, household electricity prices in the EU27 had risen by 6.8 per cent.