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The Profile: Merrilyn Walton

The professional watchdog

The young girl is in the backseat, an unwilling witness to yet another parental stoush. Her pleas for the arguing to stop escalate into sobbing screams, and the car pulls over, the adults shaken by her outburst. Years later, the scene is recaptured in a powerful short story by a woman seeking to understand a troubled childhood relationship with an alcoholic father who had been damaged by his wartime experiences. That woman is Merrilyn Walton, now 47, whose public persona as the head of the NSW Health Care Complaints Commission is of a determined, politically astute and media savvy operator. "A good ally and a tough enemy," says the AMA's NSW branch president, Professor Peter Thursby.

What is perhaps most moving about "A War Story", published recently in a collection of short stories about fathers, is the absence of bitterness. Rather there is a generous compassion for a father who was often absent, angry and irresponsible.

Walton grew up in a vastly different world to that she now inhabits as a powerful, senior bureaucrat, with a comfortable inner Sydney home, and nourished by strong networks of friends and family.

In the 1950s north Queensland town of Atherton, her mother, Joan Jones, worked long hours in a dry cleaning business to keep her family fed and functioning. "I enjoyed remarkable freedom and independence from an extremely young age," Walton writes in her father's story. "Some in the town called it neglect."

For all his problems, many trace Walton's strong commitment to social justice and fairness back to her father. Cruel to his family, he was kind to many others. In a conservative, racist town he had friends amongst all communities, the Italians, Chinese, Aborigines, and Lebanese.

Walton became involved in community work at an early age as a Queen's Guide, before studying social work at the University of Queensland. Her left wing social and political views were cemented during the 1970s when working with the Aboriginal and Torres Strait Islander Legal Service in Brisbane.

“I live my life according to my values,” she says during an interview late one Friday afternoon in her office, an uninspiring government building somewhat out of place amidst the cheap clothing shops of Surry Hills. Walton is referring both to her attitudes to work and to sharing what she has with her friends and family. She adds: “Doing something useful with your life is important.”

It’s a message which is familiar to her beloved daughters, Nina, 25, and Joanna, 24. Now in her first months as an intern at a Sydney hospital, Joanna decided to become a doctor in early high school.

“It sounds cliched - I just get a big kick out of helping people,” she says. “(Mum) bought Nina and I up to contribute to society.”

In contrast to her own upbringing, Walton (who separated from her husband when their daughters were young), has been a strict parent who carefully regulated the time her girls spent before the TV and their books.

“She was always the boss. What she said went,” says Joanna, and adds laughing: “She said jump and I said, how high?”

Critics have often accused Walton of being a “doctor basher” (a charge strongly denied by those close to her), and you can’t help wondering whether Joanna is awkward about her mother’s position?

Not at all. She proudly describes the lecture Walton gave to her year of medical students, and the warm response.

“If there’s anyone who is going to regulate the profession in NSW, she’s the person to do it. She has such a fantastic appreciation of how hard it is for doctors, but such an understanding of the patient as well.”

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It is almost inevitable that someone in Walton’s position will at times upset doctors, consumers, politicians, and bureaucrats. Even more so if they are forthright personalities unafraid of a fight.

In her recent book, “The Trouble With Medicine: Preserving the trust between patients and doctors”, Walton provides a sympathetic analysis of challenges facing the profession, including commercialisation, maintaining competency and conflicts of interest.

“Some doctors have told me I have a jaundiced view of medicine because of my work...They say I have lost objectivity because I spend my days dealing with complaints about doctors,” she writes.

“Some consumers tell me I trust doctors too much. They say I have been seduced by medicine, having spent too long in the company of doctors.”

Walton escaped Joh Bjelke-Petersen’s Queensland for a job in Sydney in 1984 with the NSW Legal Aid Commission, and became director of a recently established Health Care Complaints Unit the next year.

She says much of her energy over the next decade was spent fighting for the unit's survival, as there were constant pressures for its closure from parts of the medical profession, and some health bureaucrats. She won the fight in 1994 when the Unit became a Commission, with the powers of an independent statutory body. Where there were once six staff, there are now 70.

Her determination to win that fight helps explain why she has been at times an impatient, demanding boss. "The hardest thing I've ever had to do is learn to be a better manager," she says.

Walton says she has remained so committed to her job because she sees health as a worthwhile area where there are still social justice issues to be resolved. She has no firm plans for when her term as commissioner expires in another five years, but would like to remain in health.

Hardly fitting the traditional image of a behind-the-scenes public servant, Walton has always been quick to establish links with health ministers of all political persuasions, and to answer media calls.

"I have a philosophical and political view about government," she says. "My view is that I'm obliged to tell the public everything I can, which is contrary to most public servants. I think I have an ethical obligation to answer questions unless I'm legally prevented from doing it."

Relations between Walton and parts of the profession have been notoriously difficult at times, and even Walton cringes at her stridency from some early TV clips. "The impression we got, particularly in the early stages, was that the doctor was guilty until proven innocent," says Dr Michael Eagleton, a former NSW branch president of the AMA. It is his impression, however, that in recent times the Commission has become more selective in investigating and pursuing cases.

Many observers believe tensions have eased in recent years, although when Walton was invited to speak at a plastic surgeons' do recently, she was asked: "How does it feel to be the most disliked person in this room?"

Professor Thursby says Walton's "single minded style grates with certain members of the profession". "On occasions she's excessively critical of the profession, and sometimes believes that the misdemeanours of an individual represent a deeper problem within the whole profession, rather than being an individual's problem."

He says her relationship with the NSW branch of the AMA is "edgy but slowly improving", and warns that a fight may be impending over changes to the Medical Practice Act.

Present and former AMA leaders cite grievances with Walton and her team stretching back over a decade, but when asked to describe her personally, “charming” is often used.

Dr Bruce Westmore, a personal friend and forensic psychiatrist, says Walton is very serious about her duties and obligations in what is a difficult job. “In many ways it’s a no win situation. In the cases that she deals with, in some ways everyone is a loser.”

The University of Sydney’s Professor Kerry Goulston has been impressed by Walton’s willingness to give time to teaching, and the University is considering a clinical academic appointment for her.

“My impression is that she’s worked hard and the medical profession has increasingly recognised her motivation is towards helping patients and the public,” he says. “She’s very straight and calls a spade a spade. I think she is fair minded and even minded.”

Psychiatry’s elder statesman, Dr John Ellard, a supporter of Walton since she first joined the unit and began investigating the Chelmsford tragedy, is characteristically blunt in his assessment.

“She’s a good woman,” he says, “and I think she should be given every possible support.” Any delays in the Commission’s handling of complaints are due to work overload, he says.

Dr Ellard says the early medical antagonism against Walton was ill placed. “The fantasy is that she’s anti-doctor, which is totally false.”

He adds that Walton’s work has been of great benefit for the broader medical profession: “She’s a great boon for good doctors. It’s always seemed to me in the long run that justice is done.”

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Friends and family describe Walton as a caring, generous woman who loves cooking, gardening, entertaining and discussion. She took up the piano five years ago.

Andrea Stretton, the ABC TV arts presenter, recalls a group of friends chatting over a glass of wine about how they might rent a beachhouse for a year.

“Next thing we knew, within a day or two, Merrilyn had contacted all the real estate agents in the area and the cars were packed. We were all thinking that what we meant was that we wanted to hang around and talk about it for the next five years.”

Stretton rings back after an interview describing their 15-year-friendship, worried she may have made Walton sound driven.

“She has a life more balanced than most,” Stretton says. “You feel that she’s doing these things for sheer pleasure. She is very present with her family and her friends.”

Ann Deveson, author and mental health advocate, became friends with Walton after working with her on a committee inquiring into mental health issues. “She’s a restful person to be with,” Deveson says. “A lot of people who hold down high pressured jobs and have an active mind are not restful to be with. Merrilyn has a stillness and a gentleness about her. I think she’s quite an extraordinary person.”

Walton’s partner of 12 years, author Robert Pullan, says she can be sensitive to personal criticism, but has a resilient inner strength. There is no negative inner voice saying she can’t do things, and there’s the determination of “the kid from the sticks coming to the big city.”

How would he portray Walton? “I’d be writing about the vulnerable inner self, the child hidden within.”