

**Health, Communities, Disability Services and Domestic and Family Violence Prevention  
Committee Inquiry:**

**Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2017**

**SUBMISSION**

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I provide this submission to the inquiry of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee (the Committee) into the Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2017 (the Bill), to present as evidence for Committee's consideration a statement of my personal experiences, including the direct impacts upon me, during and after being subjected to investigation by a health authority so empowered under the *Health Practitioner Regulation National Law Act 2009* (the Law).

This submission bears direct relevance to the Bill, because the Bill as tabled will provide additional powers to those health authorities established and/or empowered under the Law and some of those proposed additional powers, in my view, will only serve to increase the potential for health practitioners, subjected to such investigation under the amended Law, to suffer impacts similar to, and most likely even worse than, those I have experienced and am still experiencing, those powers without doubt being and becoming even more so, excessive, unwarranted, unfair and harmful.

**IMPACT STATEMENT**

**By what authority empowered under the Law was I investigated?**

I was investigated by northern NSW corporate procedure and I am currently being investigated by the Nursing Midwifery Council, complaints commission and AHPRA.

**Was I investigated as a consequence of a notification (complaint) against me?**

Yes

**Do I feel the notification against me was vexatious, false or otherwise being without sound basis?**

Yes

**How did I feel while under investigation?**

I have been bullied and blamed by my work colleague and management during the investigation, I am made to feel bad, scorned and made to feel it was all my fault. I have been continually harassed, bullied and belittled by an authority from workplace. I feel very intimidated and scapegoated in the affair.

The investigation has resulted in a lynch mob mentality at my workplace, and the presumption of guilt aura that the investigatory bodies hold actively supports if not promotes this bullying phenomenon.

Upon receipt of the complaint and forthcoming investigation by NMC I felt blame, an assumption of guilt and an air of punishment within the investigatory process as the intended dominate tone of the investigatory bodies. I am finding this a very traumatic experience, and the tangible bullying and belittlement felt is the inherent tone of the investigatory bodies. I sense within the authorities a willingness to impose a submissiveness on my part, that arises from the ethereal exploitation of their power held over my right to registration as a nurse.

**What were the other impacts to me personally during the investigation?**

My working capacity was severely restricted. I was not allowed to give medications and my available work hours were reduced to less than half.

The reduction in work hours significantly impacted my income, which adversely affected my health resulting from the financial stress placed upon me.

I become a very stressed person, I lost my appetite and my digestive system began to falter. I lost significant weight and become wasted. I was emotionally unwell, anxious, I often had a dry mouth and unable to communicate well with people, I could not sleep well at all for months, I became anxious at work and lost confidence in my usual ability, and lost confidence in my ability to communicate well with authority figures.

**What were the impacts on my family, friends and close colleagues that I observed and/or felt personally during and as a consequence of the investigation?**

I could see that my new graduate colleagues were traumatised by what they saw happen to me, consequently their work practices suffered as they become defensive in their work approach afraid if they made a mistake that they may be targeted similarly.

Many of my work colleagues suffered with internal torment as witnesses to my unjust ordeal, many wished to support me yet were torn by the anxiety and fear of knowing that to do so would bring bullying upon them.

It has been very distressful for my child, family and friends and has put fear, worry and strain on our everyday living.

**How did I feel after the investigation?**

My reply to the matter has not yet gone before the Nursing Midwifery Council

**Do I feel I was fairly treated by being subjected to investigation as I was?**

Clearly no.



**What were /are the impacts to me personally despite the fact that there was NO prohibition order, as the complaint was not upheld?**

While my performance has been under investigation my emotional and mental well-being has been effected considerably. I have had to seek counselling due to the stresses of the continual belittlement, harassment and the ill affects this has had upon my emotional, physical and mental wellbeing,. I have incurred substantial costs for counselling, medical, nutritional advice and supplements in an attempt to address my run down and ill state of being, further evidenced in my noticeable air loss.

My work reputation has been severely affected. Management who have wanted to employ me have felt intimidated and bullied not to do so by those intimidating me. I lost considerable confidence in my ability to practise and live with the fear of losing my job. There is an anxiety and fear running in me and amongst staff stemming from the anticipated fear of persecution that is now seen as the consequence of making an innocent human mistake.

The constant tension in the workplace is causing excessively protective behaviors that have their toll on health practitioner and patient alike .

**Do I feel I was fairly treated despite the fact that NO prohibition order was imposed upon me?**

Absolutely not.

**Did I / do I feel those in authority who investigated and adjudicated my case did so fairly, without bias and prejudice; and were competent, with the knowledge, experience, training and understanding required to properly perform their investigation / adjudication?**

So far No

**RECOMMENDATIONS**

Based on my personal experiences as outlined above in this submission, and my understanding of the similar experiences of other practitioners, I recommend that:

1. The committee recognizes the evidence submitted by myself and other practitioners to the committee during this inquiry and validates all expressions in that evidence from practitioners of feeling unfairly treated, harmed and traumatised, their experiences in having their careers irrevocably impacted, by the harsh and overbearing powers and conduct of authorities permissible under the current Law.
1. The committee, proceeding from recommendation 1 above, accepts that the Law as implemented is producing harmful outcomes that are either not intended by the original policy intentions, or if intended by those policy intentions, are an indication that the **policy intentions were/are disturbingly wrong**, and either way accepts responsibility on

behalf of all participating legislatures take immediate and assertive actions to initiate the required far-reaching reform so clearly needed.

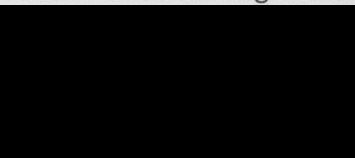
2. The committee, with regard to the Bill before it, in examining the Bill scrutinises all provisions of the Bill to identify all clauses that may impose upon, or permit, further unfairness, harm and detriment to practitioners in addition to that which is currently permitted and occurring under the existing Law, and recommends either that the Bill not be passed in its entirety, or the removal of those clauses from the Bill.
3. The committee, as an instrument of the Parliament of Queensland, the host jurisdiction for the application of the National Law in Australia, recognizes its key responsibility, and that of the Queensland Parliament, to initiate appropriate measures to correct the significant and disturbing deficiencies of the Law and the resulting harm and detriment to practitioners as presented in the evidence before this inquiry and outlined in this submission.
4. The committee, in recognizing its responsibilities and those of the Queensland Parliament, as stated in recommendation no. 4 above, recommends in its report to the House on this Bill that Queensland acts assertively and urgently to call for a royal commission, as a matter of priority, to review the Law and the operations of all health authorities that are established by and empowered under the Law in all participating jurisdictions of Australia.

In making my submission I note that I am willing for my submission to be made public under parliamentary privilege.

Signed



Amber Goodwin Registered Nurse Year 2



Date: 09 / 07 / 2017

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