**From:** Eithne Irving [content redacted]
**Sent:** Friday, 21 May 2021 12:51 PM
**To:** Nick Lord [content redacted]
**Subject:** Regulatory principles

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Hi Nick

I seem to have let the 18th May slip past without providing further input to the consultation on revised regulatory principles for the National Scheme.

Hoping these can still be taken into consideration.

1. Do the draft revised regulatory principles reflect the policy directions issued by CoAG Health Council? If not, how could the principles be improved?

Yes

2. Do the draft revised regulatory principles support Ahpra and the National Boards regulatory decisionmaking? If not, how could they be improved?

Yes

3. Is the content of the draft revised regulatory principles helpful, clear and relevant?

Yes

4. Is there any content that needs to be changed, added or deleted in the draft revised regulatory principles?

Yes

While ADA agrees with protecting the public, we have a concern with protecting practitioners too. We note there is a distinct conflict in “not designed to punish” and “the need to effectively deter other practitioners “. The National Law provides a mechanism that allows for immediate (swift) action to be taken to protect the public (under section 150 powers).  On occasion, regulatory action (including suspension) is found to be necessary and is taken to protect the public however it can be a long, difficult road for the practitioner to seek to obtain a review of a decision.  This has implications for a practitioner’s livelihood and can be reputationally and financially damaging. Equal weight should be provided for protections for practitioners and providing timely and responsive pathways for review.

Second, we recognise that the protection of the public is the highest priority for Ahpra and the National Boards and is the mandate upon which founding and guiding principles are established. Public protection can still be maintained whilst also providing greater protections and reasonableness of process to assist practitioners.  For example:

* requiring complainants to provide their name and contact details when lodging a complaint as a show of good faith could be implemented such that penalties would apply for knowingly making vexatious or misleading statements.
* a right of review is provided to complainants at each aspect of the decision-making pathway.  This should negate the requirement for a statutory authority to re-visit the same complaint on multiple occasions.

Thanks for allowing me some latitude with the date and apologies again.

Eithne

**Eithne Irving**

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