

Health Insights

Board removes links to past disciplinary decisions- but not all of them

In response to criticism, the Australian Health Practitioner Regulation Agency (AHPRA) and the Medical Board of Australia (The Board) have revised the policy of publishing links to all tribunal decisions on the National Register. The Board has removed links to tribunal decisions, but only those in which there was no adverse finding regarding the doctor.

In March 2018 the Board began publishing links to public tribunal disciplinary decisions and court rulings on the national register of practitioners. An earlier article by Meridian Lawyers explains the background to the decision to publish these links.¹ In a recent announcement on the AHPRA website, the Board has made it clear that it will only publish links to serious disciplinary decisions by courts and tribunals on the public register of practitioners, when there has been an adverse finding against the doctor.² The wind-back of the controversial policy came in the wake of independent comment regarding the perceived unfairness of publishing hearings in which no adverse finding against the doctor had been established.

The Board stated that the change in policy showed a good balance between transparency and fairness.



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¹ "Putting the past behind you? Not any more, as Medical Board starts displaying links to old disciplinary decisions on the National Register" at <https://www.meridianlawyers.com.au/insights/putting-past-behind-not-medical-board-starts-displaying-links-old-disciplinary-decisions-national-register/>

² "Board refines policy, publishes disciplinary links only with adverse outcomes", AHPRA News, 27 July 2018 at <https://www.ahpra.gov.au/News/2018-07-27-board-refines-policy-publishes-disciplinary-links-only-with-adverse-outcomes.aspx>

THIS ARTICLE WAS WRITTEN BY PRINCIPAL KELLIE DELL'ORO AND SOLICITOR ROSEMARY BLANDEN. PLEASE CONTACT US IF YOU HAVE ANY QUESTIONS OR IF YOU WOULD LIKE FURTHER INFORMATION.

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