

From Paradox to Absurdity.

Camchron 8

29th February 2008

Hope Phor-a-Meta-Optimist ?

Well..... believe it!

When you're expecting a kick in the nuts... you can always rely on Nursing Council to oblige with clogs on! ...Good job I thought to get the old cricket-box out of my kit-bag.....! I'm an optimist not a fool,..... entities not necessarily synonymous.

Yes,.... I had to go to Lawyers... several actually.

All my personal efforts to procure the transcripts failed and I was forced to seek legal help. The Lawyers of my professional representing body were not prepared to go above The Registrar. They did not advise me to apply to the Ombudsman or The Privacy Commissioner Even though I had presented them with hard evidence that I been denied fundamental Rights by the Registrar They wrote to her five times, and then declined to represent me further.....come on girls?.....You couldn't act to secure information for me?.....Isn't there something about 'Duty to the Client' in your code of ethics..?

It was hard to accept that I'd come to a full-stop. [Download 1](#) No!.... NZ.... No! (I thought to myself)..... Not in Godzone! This is not the 'Kiwi Way'!.....This is not a 'Fair Go.'! There are no elements of Partnership demonstrated in this behaviour!....in fact there is a distinct absence of proportionately equitable saveloy sucking!

Well anyway...I had just about resigned myself to this brutal reality.....you know the one.....life is a sack of shit, (a hard space to be optimistic in incidentally), then a kind friend hired the services of an expensive and skilled lawyer, who acted on my instruction and in my sole interest, securing both transcripts and audio recording within 17days .[Download 2](#)

This Lawyer acted on my direct instruction and ensured that my rights under Magna Carta were observed.,the sort of representation you would like to receive from your professional representing body should

you be in such a situation. After rapid written interactions between the parties concerned, The Privacy Commissioner, and The Ombudsman, the transcript was released upon the advice of the Privacy Commissioner, (and payment of \$400.00 to The NC for typing).....9 days before the Hearing

The release of the recording was more difficult,... had to be **ordered** by the Ombudsman's Office before Nursing Council would comply..... and I received it only 3 days before the Hearing. So in essence the NC fought tooth and nail **NOT** to release it. So much so in fact, that they were prepared to deny my most basic legal rights in order to protect the recording of the proceedings....., which raises some questions for me.....but maybe after all this time I've become far too sensitive.

We are indeed lucky to live in a NZ society where individuals can exercise their right to share public information (eventually...) so you be the judge of the Fairness, Integrity, and Competence of your Governing body. If you are a Registered Nurse practicing in NZ.....Maybe you owe it to yourself to spend an hour and listen to this recording. It might be you in the dock next time! [Download 3](#)

22nd February 2008 9-00am:

Wellington Recommended Nursing Council Reinstatement Hearing.

I nearly walked out again as soon as I got there.

I had been assured in writing that no Lawyer would attend, only days before the Hearing, ...,and duly arrived on time alone. Michael Heron of Ross/McViegh was in attendance for NC. I had been lied to again and I refused to attend under these circumstances:

The first hour was spent negotiating the terms of my attendance before Council, with Michael acting as a go between. I had come prepared to continue my arguments against further de-registration, I expected a review of the 7 further written submissions I had made since the first Hearing, [Download 4](#) and planned to make another submission directly, related to the violation of my rights under Magna Carta and the Treaty of Waitangi

I was angry at this further example of administrative injustice. Throughout the years of this conflict I have continually experienced the

stress and frustration of general delay, misinformation, incompetence, and unfairness.

After negotiation I agreed with Michael to forgo further Submissions, in favour of directly proceeding to my safety to Practice interview with Council.

- a) Michael agreed to adopt an observer role whilst this took place. I was reassured by a male presence.
- b) It was agreed that Marion Clark would take no active part in proceedings.
- c) I was assured that there would be no interruptions, and that I would not again be ejected from the proceedings at the convenience of the Chair.

At 10 15am this process began, lasting for maybe an hour. I was asked to wait outside for about 10 mins, and then I was called back in and reinstated to the Register on the spot, subject to usual conditions. I took the precaution of recording all of the proceedings myself this time.....

So where to from here?... Quite rightly I must complete a Competency Assessment Programme, which in truth I'm looking forward too.. Oh.... And here's a go... despite furnishing a current Medical Report, a current Psychologist Report, and a Consultant Psychiatrist report....I must now be examined by a Nursing Council Approved Psychiatrist.!

I must 'pass' in order to attend CAP apparently. I have asked if my current Consultant Psychiatrist will fit the bill....and am awaiting a response.....Fair enough I suppose.....Can't be daft on the job.....but it hardly helps you feel that your 'loony' status is actually valued or understood either....

So where to next ?How long will it take to get a practicing certificate? I haven't a clue...but something tells me that I have further hurdles to overcome yet.

I shall continue to record and broadcast my experiences in this forum.

Be assured.

Brian Stabb