

## Uses and Abuses of Mandatory Reporting

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Presented by Kerrie Chambers

18 September 2014

### Notifiable Conduct

- Intoxication by alcohol or drugs
- Engaging in sexual misconduct
- Causing a risk of substantial harm to the public from an impairment
- Causing a risk because of significant departure from accepted professional standards

- Protection only where report made in good faith
- Risk of defamation where bona fides attacked

*"...several of these cases involve an undertone  
of market competition or a personal  
agenda driving the making of such reports..."*

## Scenario 1

- Senior practitioner receives a barrage of threatening and sexually inappropriate emails from a former registrar
- Author was clearly deluded
- Sought advice re obligation
- Decision to make a mandatory report made

## Scenario 2

- Increasingly erratic behaviour of a medical colleague
- Arriving late to work
- Regular and sudden non-appearances at work, calling in sick
- Concerned that substance abuse may be the cause of erratic behaviour
- Patient complaints and concerns
- Final decision to make mandatory report

### Scenario 3

- Doctor buys into practice – expectation older doctor will retire soon
- Young doctor harasses senior practitioner
- Accesses personal medical records
- Notifies authority older doctor is impaired
- Psychiatric and neuropsychiatric assessment ordered
- Older doctor attends authorities for interview
- Complaint dismissed – no further action

### Scenario 4

- Two ambitious doctors move to town and actively start self-promotion
- Both seek to poach the other doctors patients
- Complaint of disparaging comments
- 7 Complaints of self interest and poor clinical management
- Months of angst – all claims dismissed

## Office Locations

### Adelaide

Level 21  
Westpac House  
91 King William Street  
Adelaide  
SA 5000

P +61 8 8205 0800  
F 1300 464 135

### Brisbane

Level 23  
Riverside Centre  
123 Eagle Street  
Brisbane  
QLD 4000

P +61 7 3002 6700  
F 1300 368 717

### Canberra

Level 5,  
HWL Ebsworth Building  
6 National Circuit  
Barton ACT 2600

P +61 2 6151 2100  
F 1300 769 828

### Melbourne

Level 26  
530 Collins Street  
Melbourne  
VIC 3000

P +61 3 8644 3500  
F 1300 365 323

### Norwest

Level 3  
Norwest Central  
12 Century Circuit  
Baulkham Hills  
NSW 2153

P +61 2 9334 8555  
F 1300 369 656

### Perth

Level 11  
Westralia Plaza  
167 St Georges Terrace  
Perth  
WA 6000

P +61 8 9321 1211  
F 1300 704 211

### Sydney

Level 14  
Australia Square  
264-278 George Street  
Sydney  
NSW 2000

P +61 2 9334 8555  
F 1300 369 656