

To whom it may concern,

We lodged a complaint against a Practitioner with the Australian Health Practitioner Regulation Agency in January 2011, Ref: MR/MP: 00201680. We feel that the Psychology Board investigation was cursory at best and bias toward the Practitioner. This is evident in the Board findings where they refer to statements from third parties on her behalf only. In spite of the AHPRA statement that:

“One of the main purposes of the Health Practitioner Regulation National Law as in force in each State and Territory (the National Law) under which the Board operates is to protect the public.”

Given the amount of time the trainee (who qualified end 2007, as our son completed Grade 4) had to prepare her statement (in consultation with her solicitor), the amount of time the AHPRA/Psychology Board sat on her statement, the short deadline we were given to respond to her statement and the short period of time that the AHPRA/Psychology Board deliberated on the case, it can hardly be called equal let alone thorough. Further evidence of this is the amount of correspondence between the AHPRA/Psychology Board, the trainee, her Solicitor and an anonymous third party, which can be construed as collaboration. This is shown in the reply to our FOI (Freedom of Information) request to the AHPRA/Psychology Board for material relating to the case.

The trainee failed to mention anyone's concerns of autism to her supervisor on any of the alleged numerous occasions, withheld the referral for 12 months, denied us access to her supervisor and indeed failed to document any such alleged occasion including in the mandatory log book that should have been kept and updated every 6 months by the trainee and supervisor. The trainee denied having dismissed our concerns and instead alleges to have advised & encouraged me on numerous occasions to seek a formal diagnosis, but made it impossible on each alleged occasion for us to have acted on her alleged advice by withholding the referral for 12 months (which she admitted in her response to AHPRA/Psychology Board). AHPRA/ Psychology Board in their finding did not acknowledge any wrong doing. They are therefore condoning the act of withholding referrals.

It appears from the AHPRA/Psychology Board's findings that the concerns of three (3) people (including both parents) are not enough to warrant a simple referral from an inexperienced trainee for diagnosis. However, The Privacy Act only requires the concern of one parent or guardian for action to be taken. AHPRA/Psychology Board was made aware we were not the only parents who were unaware of the practitioner's trainee status but never inquired about the name of the other parent who she also misrepresented herself to.

FOI requests were made to both AHPRA/Psychology Board and DEECD (Dept of Education), this was the practitioner's employer during the period that our complaint is based, for any correspondence between the trainee and her supervisor. None was forthcoming; we can only assume that there was no consultation with her supervisor on this issue. AHPRA/ Psychology Board in their finding did not acknowledge any wrong doing. They are therefore condoning the act of poor record keeping.

From the documents received through our FOI requests it is apparent that the AHPRA/Psychology Board did not speak to any other parents, our son's 3rd grade teacher or her supervisor. The AHPRA/Psychology Board did however correspond with an anonymous 3rd party on behalf of the practitioner several times. By the boards own admission the 3rd party wasn't even present during conversations between the trainee and myself. It seems all 3rd parties not speaking in favour of the trainee have all been overlooked by the Psychology Board, we find this disturbing.

In the trainee's response to AHPRA/Psychology Board she provides evidence she didn't listen to parents, 2 practitioner's medical files on our son will support us rather than the false information she supplied to AHPRA, she also provided other incorrect information to the Psychology Board but no records are obtainable for evidence. We asked AHPRA/Psychology Board that she explain why she provided this false information, but no explanation was forthcoming. Again the AHPRA/ Psychology Board in their finding did not acknowledge any wrong doing, so providing false or incorrect information does no harm to the public.

We are appalled by the outcome, it seems AHPRA/Psychology Board's telling us all trainees may: Violate a child's Human right to mental health care by acting as a whole multi-disciplinary team and dismissing parents and teacher's concerns of autism or other such neurological disorder. It's acceptable for trainees to violate a child's right to privacy by forcing parents to seek a 4th person (min) to agree with us in order to get a referral for a diagnosis, all trainee's may misrepresent themselves as qualified to parents, all trainee's can misrepresent any child's case to their supervisor which will be taken on face value. All trainees should withhold all parents and teachers concerns for an individual child from their supervisor, all trainees should withhold all referrals for 12 months minimum, or is it until a minimum of 4 people show concern for an individual child? Trainees don't have to document any concerns of any type on any occasion contrary to "Interim Guidelines for Supervision" which says it's mandatory for the trainee to keep a logbook and that it be up-dated every 6 months by the trainee and her supervisor, this logbook is now unobtainable for evidence, (It is mandatory we keep our tax returns for 7 years but not necessary for trainees to keep their mental health records on our children for this period of time, do our qualified practitioners ever dispose of an individual's records? That's unthinkable!). Trainees may also discriminately dismiss any child from her social skills group at any time regardless of parents and/or teachers concerns of autism, contrary to the agreement with her supervisor. How many times do parents need to ask for a referral from trainees? We still don't know, AHPRA/Psychology Board won't say. If 3 people's concerns of potential autism are considered irrelevant, how many people need be concerned in order to get a simple referral from an inexperienced trainee, or access to their supervisor? Again AHPRA /Psychology Board won't say. We find it very difficult to believe any Australian Government Standard Procedure, especially for trainees could potentially violate so many rights of so many individual children and their families.

AHPRA/ Psychology Board will not acknowledge any wrong doing, so we fear other children will also suffer the brunt, many children may forever go undiagnosed (the trainee mentioned, there was another child the teacher had done this to previously, we now have our suspicions this did happen to a particular girl that participated in the trainee's social skills group) and other errors forever undetected, if we ignore information provided to us, don't learn from our own mistakes, nor benefit from other people's experience, then we tend to repeat those mistakes, it's our unprotected, vulnerable children who ultimately pay the price for rest of their lives, unless we take steps to prevent it re-occurring.

Dealing with the AHPRA/Psychology Board is extremely frustrating it's rare to communicate with the same person twice. We feel they each play a very small role and then palm it off onto another colleague, rather than just one person in charge of the complaint, we feel this is done intentionally to plaintiffs. The now qualified practitioner was granted almost 12 months to reply to a 1 page letter of complaint, it took the AHPRA/Psychology Board 2 months to forward her response to us with a 2 week deadline to reply to the trainee's 7 page response, later extended to 1 month after our e-mail of complaint to them, then 3 months later it's all resolved in favour of the now qualified practitioner. In the letter informing us of the findings of the AHPRA/Psychology Board, the AHPRA told us that we had the right to lodge a complaint with the Ombudsman though he did not have the power to overturn the decision of the AHPRA/Psychology Board. The contact information provided to us to pursue the complaint was incorrect.

I (Michelle Clague) would be more than happy to give evidence in a public hearing. We have been made to feel the AHPRA/Psychology Board's protecting their own. They did not investigate thoroughly, were bias and sided with the trainee, (who qualified at the end 2007). This case is still ongoing with the Ombudsman, as we're very disturbed, upset, angry and frustrated with the outcome.

Please feel free to contact us at sjb1958@optusnet.com.au

Yours Sincerely

Michelle Clague
Steven Barnett

