

Director of Proceedings v Sharon Louise Robertson

The Health Practitioners Disciplinary Tribunal directed that details of this decision are to be publicised in the Midwifery Council's newsletter and on its website.

In September 2007 the Health Practitioners Disciplinary Tribunal heard the charges against Sharon Louise Robertson. Ms Robertson was charged with professional misconduct in relation to her care of a client in 2004 in that:

- she failed to take an adequate history from her client and/or access previous notes, and
- she failed to respond appropriately to her client's report of a lack of foetal movements in that she failed to ensure a kick chart was commenced and/or a CTG undertaken; and
- she failed to respond adequately when her client was in labour in that she failed to attend the maternity facility in a timely manner, and/or to notify the maternity facility of an anticipated delay in attending, and/or to provide adequate information or handover to the maternity facility.

Ms Robertson admitted the charge of professional misconduct. The Tribunal imposed the following penalties:

- There is to be supervision/mentoring of Ms Robertson. The supervisor/mentor is to be approved by the Midwifery Council and is to be arranged within six weeks of 17 September 2007 or such other period as the Midwifery Council may determine. The supervision/mentoring will be for two years from the date on which the appointment of the supervisor is made. The supervision is to be conducted under the "Framework for Supervision" of the Midwifery Council.
- For a period of 12 months from 17 September 2007 Ms Robertson is to undertake no more than four midwifery cases per month.
- The Tribunal recommends to the Midwifery Council that it undertakes a recertification audit of Ms Robertson's midwifery work.
- Ms Robertson is to undertake a New Zealand College of Midwives Midwifery Standards Review within three months of 17 September 2007 or such further time as the College may determine.
- A fine of \$2,080 is imposed, payable to the Midwifery Council at the rate of \$20 per week (ie \$20 per week for two years).
- A penalty of censure is imposed. The circumstances which gave rise to the finding of professional misconduct in this instance were quite unacceptable.
- There was no order for costs because Ms Robertson was confirmed to have been legally aided. Had Ms Robertson not been legally aided then the Tribunal would have directed costs in the sum of \$6,000. This indication was given for the purposes of the Legal Services Act 2000.

The Tribunal directs that details of this decision are to be published in the Newsletter of the Midwifery Council, on the website of the Midwifery Council, in the Midwifery News published by the New Zealand College of Midwives and on the Tribunal's website under section 157 of the HPCA Act 2003.