

## **ASMOF (NSW) Response to Consultation on Revised Regulatory Principles for the National Scheme**

The Australian Salaried Medical Officers' Federation (ASMOF) NSW is the Doctors' Union, representing over 5,000 Registered Medical Practitioners including Staff Specialists, Post Graduate Fellows, Clinical Academics, Career Medical Officers and Doctors in Training including Interns, Resident Medical Officers and Registrars who are directly employed in the Public Hospital system, Affiliated Health Facilities, Private Hospitals and in Community Health.

Thank you for the opportunity to provide feedback to the review of the Regulatory principles for the National Scheme. Due to the two-week extension granted, we have been able to consult our members on the revised regulatory principles.

We note that the revised principles have a greater focus on protecting the public and maintaining community confidence in health professions. This is reflected in Principle 6, which has been revised to state that:

*“When deciding on regulatory responses we:*

- *give at least equal weight to the expectations of the public as well as professional peers*
- *consider the importance of maintaining community confidence in regulated health professions, and*
- *consider the need to effectively deter other practitioners from engaging in similar conduct.”*

ASMOF members have expressed considerable concern over the potential unintended consequences of Principle 6. In particular, ASMOF members are concerned of a punitive shift in the regulatory response towards weighing the expectations of the public equally with the standards of peers in the health profession. This can be seen by the wording of Principle 6, to “give at least equal weight to the expectations of the public as well as professional peers”.

ASMOF Members are concerned that the wording of Principle 6 is vague and could be subject to interpretation. The ambiguous phrasing of the principle has the potential to cause unintended consequences, such as resulting in regulatory responses that are punitive rather than restorative in nature.

We look forward to our members concerns being addressed in the future.

If you require further information on this matter, please contact ASMOF NSW's Policy Officer Nick Forbutt at [REDACTED]