

Brian Stabb
11 Frances St.
HAMILTON

Copy to :
Terri Burling
A.S.T.E.

1st October 96

Dear Michael Reid,

Earlier this year Lorraine Webber asked me to compile a list of people that I would wish to subpoena in my forthcoming Labour Court Adjudication. I have selected four. All will testify willingly, however I think it very important that they each be subpoenaed. Concern has been expressed that a "willing testimony" from employees of Waikato Polytechnic, will lead to their subsequent disadvantage.

1.
Glennis Birks
Degree Co-ordinator
School of Nursing,
Waikato Polytechnic

53 Domain Drive,
HAMILTON,
Ph 07-854-7861

Senior member of Tutorial staff. Able to attest to breaching of standards- false allegations of sexual harassment-Failure of management to address problems within the Dept. over a four year period-able to attest to feed back from Spoonley\Murchie enquiry into cultural safety-(Minutes enclosed. Doc.1)

2.
Eugene Crotty
Academic Leader (Retired.)
Waikato Polytechnic.

158 Comries Rd.
HAMILTON
Ph.07-855-2623

From the time of the mediation agreement reached in November 94 up to my dismissal in June 95, I sought the mentorship of Eugene through the processes involved in two issues:

a.)

.Performance Review 94

This was delayed subsequent to the agreement reached in mediation in November 94.

My H.O.D. refused to do it initially, and it was only after involved correspondence and the intervention of A.S.T.E. that my Performance Review took place in May 95.(File available.) That exercise was supervised by Eugene.

He can attest to the exemplary nature of my work performance. I have never received that report despite requests on my behalf from Eugene.(Doc 2)

b).

Complaint against me by a student Brigid Rivers.

This occurred in March 95.

Eugene monitored my progress throughout the drawn out processes of this complaint, (It was never entirely resolved, petering out in May 95.(file available.)During that time he reviewed all my correspondence, advised me as to process, and in general supervised me throughout.

I believe he will attest to the fact that my H.O.D. did NOT follow Polytechnic procedures in pursuing that complaint.

I believe he will attest that there were grounds to suspect that the complaint had been maliciously contrived between the student concerned, and a member of the Tutorial Staff.

He will attest to the fact that I conducted myself professionally throughout this time.

Note.

All of this occurred subsequent to the mediation agreement and prior to my dismissal. I believe it is demonstrative of management's blatant disregard of the mediation agreement, and can be used to strengthen the argument that W.P.T. had constantly broken that agreement.

3

Janet Maloney
P/T Lecturer,
Waikato University
(Former Co-ordinator, Cultural Safety Team,
Nursing Dept. Waikato Polytechnic)

67 Bruce Avenue,
HAMILTON
Ph 07-843-0210

Will attest to the fact that Nursing Council Standards were regularly and deliberately breached in the area of Mental Health at W.P.T.

Will attest to an attempt by the H.O.D. Rose McEldowney and Tutor Rebecca Fox, to coerce her into laying false charges of sexual harassment against myself.

Will attest to the subsequent initiation of a complaint of sexual harassment against myself.

This was initiated by the the H.O.D. and alleged that I had sexually harassed Janet Maloney.

This complaint went through a process lasting four months and was only resolved with A.S.T.E.'s intervention. (File available)

Throughout this time Janet Maloney had no knowledge that this process had been initiated.

Will attest to my professional conduct throughout the years of conflict in the Nursing Dept.

Note.

Throughout the duration of this particular incident, despite the fact that there were meetings, exchanges of correspondence, and A.S.T.E. intervention (File available.), **Management have consistently denied that such a complaint existed.**

Again can be used to demonstrate management incompetence with regard to addressing departmental issues.

Gay Williams
(Former Executive Director, New Zealand Nurses Organisation)
Vice-President, International Congress of Nurses.
Geneva, Switzerland
(Can be contacted through N.Z.N.O.)

Will attest that I had the support of N.Z.N.O. with regard to my position on Standards of Nurses Education.

Will attest to my professionalism.

Will attest to the fact that the article (which got me sacked), was in every sense of the word, a **professional** article relating to current issues in Nursing Education.

Note.

This article subsequently led to a Parliamentary Select Committee Enquiry into Cultural Safety, which identified grave areas of concern in the teaching of Cultural Safety. (Doc 3) This in turn has led to a total re-writing of the Nursing Council Guidelines on Cultural safety, along with a pledge form Nursing Council to actively monitor the teaching of C.S. in all New Zealand Polytechnics.

My concerns about standards of Mental Health Nurse Education have been validated by Judge Mason's recent report on Mental Health Care in New Zealand.

Brian Stabb
Ph\Fax 07-854-7861

CONFIDENTIAL

Copy to:
Terri Burdick
Lorraine Hobber

Dear Michael Reid,

It would seem that I will get to spend a limited time with you prior to the hearing of my P.G. against Waikato Polytechnic in November. (Or whenever) I wish to submit my personal understanding of my situation, and the circumstances surrounding my unjustified dismissal. I have been "out of P.G. mode" for some time now and the exercise should reorientate me as well as hopefully supplying you with information you can use in presenting my case.

I was instantly dismissed from Waikato Polytechnic on 30th May 95 following publication of an article published in Kai Tiaki Nursing New Zealand in May 95. The Polytechnic maintain that I broke an agreement negotiated with Labour Court adjudicator Mr. Brian Stevenson, more specifically article 6 of that agreement ;

The parties shall issue a joint statement to the media in the form attached to this memorandum, recording that they have resolved all issues between them and will not comment further on the circumstances which form any part of the background to the applicants claim. This undertaking does not restrict the applicant's freedom to write articles for professional journals on issues in nursing, education, and health, nor does it restrict the respondent from commenting on any other issue which may affect the Department of Nursing Studies.

I would see it as essential that my case be judged in the context of it's protracted history, and the professional issues involved. Toward this end I wish for a number of people to be subpoenaed who will bear testament to that history. I have compiled a list identifying those people and an outline of the issues to which they will attest.

I believe it can be clearly demonstrated that the Polytechnic consistently broke the agreement from the time it was made. During the months subsequent to my dismissal I wrote twice to the previous mediator, Brian Stevenson asking for his intervention.

I believe that I was operating within the agreement when I submitted the article for publication. At the time of mediation I initially refused to sign the agreement, explaining to Brian Stevenson that I wished to write about my professional concerns. I specifically identified those concerns as Standards of mental health nurse education and cultural safety education. As a result Brian Stevenson wrote in the clause about academic freedom.

I appreciate that adjudication will come down to whether or not I broke clause influences the outcome, which is crucial. (I'm personally not sure that The Employment Tribunal is the appropriate forum for such considerations, and have no great expectations regarding outcome.)

Brian Stabb
Ph\Fax 07-854-7861

Dr.Erihapeti Rehu Murchie, Q.S.O. J.P.
Human Rights Commissioner
Ministry of Health.

17 September 95

In particular refer to minutes of feedback session by Cultural Safety Review Committee (Spoonley, Murchie, Singlton) 9th November 1995.

Refer to:

Submission to Parliamentary Select Committee by G Birks, Degree Co-ordinator.

The Academic Freedom angle.

It is now evident that a politically motivated collective was operant within the Dept., and that they ruthlessly pursued their objectives with planned strategies of oppression and intimidation. In doing so basic standards of nurse education were compromised. This was an ongoing situation for several years, which management failed to deal with, and it was this situation which motivated me to write the article which got me sacked.

Such behaviours are the antithesis of the core philosophies of nursing, and as such have no place within the profession. I originally refused to sign the mediation agreement negotiated by Brian Stevenson because of my professional concerns and my intentions to write about the same. I was clear about this to Brian Stevenson hence the inclusion of the "academic freedom" clause. I wrote the article in the absolute belief that I had the freedom to do so, understanding that the word "freedom" was divorced from clause or condition.

That the article was in every sense of the word, "professional" is now beyond dispute in the light of both the Cultural Safety Enquiry, and the Mason Report into Mental Health Services.

The Human Rights Angle

I believe that there is ample evidence that my basic human rights were consistently abused during the course of my employment by WPT and that management made no significant effort to furnish me with a safe working environment. There are many Tutors who will substantiate this if called upon to testify.

Brian Stabb
Ph\Fax 07-854-7861

With regard to the "angles" from which you can approach "the wider picture" I offer my layman's perspective.

The 'procedures' angle.

I believe that there is a substantial case that my dismissal was not procedurally correct. This has been well documented by Glenn Barclay.

The professional standards angle.

The core issue of this dispute has always been the issue of the breaching of standards of Nurse Education. It was established years ago that this was ongoing at W.P.T., and there is ample documentation verifying this, and any number of professional witnesses who will attest to this. **I note that in one of the last communications between myself and W.P.T. Bruce Birnie denies that this ever occurred.**

Throughout the process of pursuing my professional concerns I followed all the required steps, I have sought professional advice and supervision, and I have personally conducted myself in a professional manner. It maybe relevant to point out that the incident which provoked the expression of my concerns was the witnessing by a student of a violent assault on a patient in Tokanui Hospital, and the subsequent failure of an untrained Tutor to take the appropriate action on what is essentially a basic human rights issue. (The student concerned, now a senior nurse clinician, happy to testify.)

There are many other tutors who will attest to the fact that standards were breached if we wish to subpoena them.

The Cultural Safety Angle.

Early in the history of my expressed concerns about standards I came into conflict with the Cultural safety team. Despite the numerous incidents that occurred during the course of my troubles, the management of WPT have never **actively intervened** in order to resolve the problems, rather they have investigated from afar and found that there have been no problems, despite on many occasions being presented with evidence to the affirmative.

The failure of management_ to recognise that there were serious problems within the nursing Dept., has been a constant feature throughout.

Refer to:

Enquiry conducted by ;
Professor Paul Spoonley
Associate Dean, Social Sciences,
Massey University.



NEW ZEALAND
NURSES
ORGANISATION

25 July 1994

Glenn Barclay
Assistant Secretary (Central Region)
ASTE
P O Box 27 141
WELLINGTON

RAFT

Dear Glenn,

My name is Barbara Gay Williams and I am currently National Director of the New Zealand Nurses Organisation. My background is in nursing education – with 25 years spent as an educator in both hospital and polytechnic schools of nursing teaching at all levels from first year through to post basic courses and the advanced Diploma of Nursing. My formal qualifications include a BA with an education major and a post graduate Diploma in Social Science (Nursing). I consider myself to be an experienced and effective teacher in the discipline of nursing.

I have known Brian Stabb as a student when he was completing an Advanced Diploma in Nursing at AIT and I have more recently met and spoken to Brian about his concerns associated with the clinical experience supervision provided by the Waikato Polytechnic to students completing their psychiatric clinical component.

I have not spoken to other staff at Waikato Polytechnic about clinical supervision provided for their students.

The matter of adequate clinical supervision is one of major concern to me as I have seen changes over the years that have in my view moved away from the original proposals in the transfer of nursing education from hospital apprentice systems to the tertiary education sector.

Originally the concept was that Nurse educators would teach their students in class and move with them into the clinical area to facilitate the application of theory to clinical practice.

Over time the ability to provide close facilitation by nurse educators has been frustrated as each nurse teacher has had responsibility for increasing numbers

of students requiring assistance in an increasing number of clinical placements not necessarily geographically together.

This led to nurse educators seeking assistance from nurses in clinical practice to "keep an eye" on students when the nurse educator was not present.

In the past 5 years the pressure on staff working in the clinical area has been such that their ability to assist facilitate student learning has reduced markedly especially in facilities in area health boards (now CHEs).

The inevitable effect this change has made is that nurse educators must be very aware of the opportunities for student learning and the support required in each clinical setting.

In my opinion the climate over the past 5 years has meant that nurse educators responsible for student clinical supervision must work even more closely with their colleagues in clinical practice and must be experienced in the area of clinical practice in which they are asked to work.

The saying "a nurse is a nurse is a nurse" is certainly not true today if it ever was.

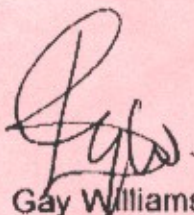
In today's nursing world it is not appropriate for nurse educators without experience in a particular field of nursing to be asked to facilitate students learning in that field.

While inexperienced nurse educators can in these circumstances put themselves at risk as well as the students they are responsible for, what is of even more significance is that the client(s) they are caring for can also be put at risk.

In my view as a risk management strategy no organisation should place its staff or students in any position that puts at risk the people being cared for in our health services.

To ensure that this does not happen nurse educators today must have both the education and clinical expertise to enable them to provide safe care for those people entrusted to their care.

Yours sincerely,



Gay Williams
National Director