

The New Zealand Psychologists Board welcomes this opportunity to comment once again on our experiences and concerns with the Trans Tasman Mutual Recognition Arrangement.

**Background:**

Approximately 130 psychologists have registered in New Zealand under TTMR since 1998. Since the implementation of the HPCA Act there has been a significant increase in TTMR registrations.

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2	6	10	10	14	13	17	24	15	18

(Post-HPCA Act)

Of these registrants, only about 59 obtained their academic qualifications in Australia.

A further 17 registrants got their first or second qualification in New Zealand. At least 5 of these registrants would not have qualified for registration if they had applied directly in New Zealand, rather than through TTMRA.

Of the remaining 'over-seas' registrants, at least 15 appear to have applied to Australia with qualifications that would not have met the New Zealand requirements and then come to New Zealand under TTMRA *without ever having set foot in Australia*.

The above are minimum numbers, as 34 of the 130 records on our database are incomplete, and cannot be relied upon for any of the examples given above.

The New Zealand Psychologists Board meets annually with the Psychologist registration boards of the Australian jurisdictions under the banner of the "Council of Psychologist Registration Boards of Australasia" (**CPRBA**) to discuss issues of mutual interest (including the TTMR), and these working relationships are very positive. We have heard repeatedly from our Australian colleagues that they believe the Australian standards for registration need to be harmonised and raised to a level equivalent or close to those in New Zealand. However certain jurisdictions report that their legislators have not been willing to lift the standard, primarily due to workforce concerns. This has been greatly frustrating not only to our board, but also to the registration boards in Australia.

**Concern #1:**

While our Board supports the ability of similarly qualified and experienced people freely moving between New Zealand and the various Australian jurisdictions, we have very serious concerns about the ability of applicants to exploit the (currently) varied registration requirements in each jurisdiction and to use TTMR to gain registration in a jurisdiction where they do not meet local statutory requirements. This has been appropriately labelled by the Commission in the Issues Paper as "shopping and hopping" (refer p. 18). The evidence cited above shows that our concern is not a theoretical one, but rather that this practice is occurring with increasing frequency.

We are confident that the standard set in New Zealand for registration as a Psychologist is necessary for protection of the public. Our standard is very much in line with international standards. This is a case, however, where there are apparently significantly different assessments of risk to the public in a certain Australian jurisdictions, compared to New Zealand and other Australian jurisdictions. Our Australian colleagues in *all* jurisdictions have recognised this and the CPRBA have been working with them to 'raise the bar' to a more defensible level for several years. To date they have been unsuccessful, as noted above. As a result those jurisdictions continue to be the weak link, and (through the MRA and TTMRA) to undermine the ability of all other jurisdictions to adequately protect the public.

It is possible that the harmonisation of standards that will (of necessity) occur under the new national registration system in Australia will reduce the gap between jurisdictions, but it is unlikely to close it entirely. Also, Psychology and the other 8 health professions covered by the COAG agreement are just a few professions amongst many where gaps may continue to exist, if not between Australian jurisdictions then perhaps between New Zealand and Australia. Additional measures may be required, but our Board recognises that these are unlikely to be considered in this time of uncertainty about the national registration scheme's impact.

There is, however, one relatively simple change that could and should be made.

As noted above a significant number of applicants – including some who are of greatest concern – were not resident in the Australian jurisdiction in which they initially gained registration before using TTMRA to register in New Zealand.

The TTMRA was never intended to be used by persons in third countries to circumvent our regulations. Further, it is not in any way repugnant to the purpose of the TTMRA to require that practitioners using it must first actually be practising in one of the participating jurisdictions. That is, **what is needed is a residency requirement.**

Such a requirement honours the purpose of TTMRA, but would very likely eliminate the worst of the "shopping and hopping", and we urge the Commission to give the idea full consideration.

#### **Concern #2:**

New Zealand has a unique mix of cultures. Although European and Maori populations are still predominant, we have very rapidly growing populations of Asian and Pacific peoples. The Board is concerned about the lack of any requirement for TTMRA applicants to provide evidence of cultural competence relevant to the jurisdiction where they intend to practice.

To illustrate our concern, it is noted that a large proportion of many psychologists' client base in New Zealand is Maori and that psychologists must have specific, well developed skills and knowledge to work safely with these clients and their whanau. We agree generally with the Commission's statement that "Mutual recognition is a feasible alternative to harmonisation for Australian jurisdictions and New Zealand because of their similar history, culture and objectives." However, particularly in

processes such as psychological assessment and treatment, cultural differences are very significant and of critical importance to safe practise. The Treaty of Waitangi/ Te Tiriti o Waitangi provides the impetus for safe practise with Maori, and practitioners arriving from overseas lack the necessary depth of knowledge and appreciation to adequately fulfil its requirements.

**Regulatory Boards such as ours need the authority under TTMRA to place temporary conditions on psychologists moving to New Zealand to ensure they attain cultural competence.**

Such a requirement could also be used to ensure newly arrived practitioners become familiar with local jurisprudence and codes of ethics.

Our thanks once again for hearing and considering our submission.

New Zealand Psychologists Board.