

## Practitioner disqualified following criminal conviction

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21 July 2015

The Queensland Civil and Administrative Tribunal has reprimanded Mr Phillip Dibbs and disqualified him from applying for registration as a nurse or midwife for 10 years.

On 6 December 2012, Mr Dibbs was convicted on his own guilty plea of multiple offences including maintaining an unlawful relationship with a child under 16, indecent treatment of a child under 16, rape, sexual assault and transmitting child pornography.

Mr Dibbs was sentenced to imprisonment on the date of his conviction, eligible for parole in February 2014. He remains incarcerated.

The offending took place over six years, between July 2006 and February 2012, and while a number of victims were involved, the charges primarily related to one victim. None of the victims were patients of his, and the conduct did not occur within a professional setting.

On 30 March 2012 he voluntarily surrendered his registration as a nurse and midwife.

On 17 April 2014, the Nursing and Midwifery Board of Australia referred the matter to the tribunal, alleging Mr Dibbs had engaged in conduct with constituted professional misconduct.

The fact that Mr Dibbs had surrendered his registration did not exclude him from disciplinary action. The National Law allows National Boards to take action against an individual's behaviour while they were registered, as if they were still registered under the law.

The Board's decision to pursue the matter, even though Mr Dibbs had surrendered his registration, was protective: to protect the public, uphold the standards of the profession and maintain the public's confidence in the profession.

The Tribunal found that Mr Dibbs' guilty plea in the criminal proceedings, and his election not to contest the disciplinary proceedings demonstrated some level of insight, as did his decision to surrender his registration.

The tribunal found Mr Dibbs behaved in a way that constitutes professional misconduct, and ordered that he:

- be reprimanded
- be disqualified from applying for registration as a health practitioner for 10 years, and
- pay the Board's costs.

The [reasons for the tribunal's decision](#) are available on AustLII.

### For more information

- Lodge an [online enquiry form](#)
- For registration enquiries: 1300 419 495 (within Australia) +61 3 9275 9009 (overseas callers)
- For media enquiries: (03) 8708 9200