

less; a woman commits an indictable offence and is prosecuted, you have no means whatever of preventing her going on following the profession of Mrs. Gamp. You have no means of stopping her. The hospitals cannot withdraw their certificates, because they are true. They certify that at a certain time the persons to whom such certificates refer gave satisfaction, and that is perfectly true. The hospitals cannot deprive them of that certificate, and there are no means of doing so at present, except in the case of a person who has been convicted and sentenced to imprisonment, and not even then; so that you cannot prevent a dishonest person or dishonest persons or persons of bad character from palming themselves off on the public and obtaining custom they would not otherwise obtain. What you want to meet such a difficulty is a body to which you can go and make complaint.

Lord HANNEN.—How will they take these names off? Your charter does not even do that?

Sir HORACE DAVEY.—Yes, my lord, the charter has the power. It provides that the general council shall meet at such times as may be prescribed, and that the ultimate decision on any matter affecting the Corporation shall rest with the General Council. The provision states that "the General Council shall have power to expel from the Corporation, or suspend from membership any member who shall, after full inquiry, and after hearing such member, be deemed by the Council unworthy to remain a member," and so on. There is power in the regulations.

Lord HANNEN.—Take the name of a nurse which appears on that list. Where is the power of taking her off?

Sir HORACE DAVEY.—There is power in the regulations.

Lord HANNEN.—I think the regulations are not incorporated.

Sir HORACE DAVEY.—It is in the bye-laws. There is actual power in the bye-laws to strike a member off the list.

Lord HANNEN.—I should suggest myself that it would be necessary to make it a condition to any person being admitted to the list that she should be subject to removal.

Sir HORACE DAVEY.—That is provided for in the application form which your lordships will find set out fully on pages 16 and 17 of our Case. Provision is there made for the removal of any name on good cause:—"The Registration Board shall have the power to direct the Registrar to erase from the Register of Trained Nurses the name of any Nurse who shall, after full inquiry, appear to a majority of two-thirds of a meeting of the Board to be unworthy to remain thereon. But no name shall be erased for this cause except by order of a meeting of the Board specially summoned to consider the matter, and at this meeting fifteen shall be the necessary quorum. Provided always that any nurse whose name it is proposed to erase shall have the right to appear in person, or by proxy, before the Board, to show cause why such erasure should not take place, and shall, moreover, have the right to demand that before the name is removed from the register, the matter shall be referred to a meeting of the General Council, whose decision shall be final." That, my lords, is made part of the contract, by being printed in front of the application.

Lord OXENBRIDGE.—Has that been agreed to, by all the nurses who form this register?

Sir HORACE DAVEY.—It is upon the application form so that all who sign the application form must see it. It may not have been in the application before that particular form was used, but all who have come in since that application form has been in use are bound by it.

Lord OXENBRIDGE.—But when did that particular form come to be used?

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Sir H. DAVEY.—I am instructed that the form containing that regulation printed on it has been used from the very commencement. That, however, I submit is a proper matter for bye-laws and regulations. Obviously, it might be necessary to change, to alter the bye-laws from time to time. It might be necessary to arrange that if a Nurse persistently refused information as to her present whereabouts and other matters, and the Board of registration had cause of suspicion, they might make inquiries as to the Nurse, and if she was unable to satisfy them then as to character, it might be perfectly competent for them to say that her name should not be continued on the register. It might be possible to extend it in that way, and it might be expedient. But what I mean is that the particular conditions of a person remaining on, or being removed from, the register is that there should be a certain amount of elasticity about them, and for that purpose they should be regulated by regulations and bye-laws, instead of being crystallised in the form of provisions in a charter. However, that detail as to whether they should be in the charter or be dependent on regulations approved by your lordships is one which will easily be dealt with, and I shall not say more upon it. But my learned friend says, you cannot revise the register. Well, I maintain that no register can be perfectly revised. It has recently been held in the Law Court that a person once on the Register of Dentists, although he loses his qualification, cannot be got off. That is the result of registration. You cannot do more than this—you can strike him off for good cause shown and for nothing else, and it would be highly unjust if it were otherwise. It is one thing to refuse to put her on the register. Her friends may not desire her to be on the register. She may be one of those to whom my friend refers who are superior to the register; but when you once put her on the register, it would be the highest injustice to strike her off without good cause, because removing her name is different from refusing to put her on. In the profession of nurses it would be a very serious thing indeed if Nurse So-and-so, having been on the register was struck off, and some person said to another—Oh, So-and-so was on the register, but has been removed. I must say that arbitrary power of that kind would, or might, create injustice; and the only thing you might do would be to provide that when good cause is shown—or even in certain circumstances, without cause shown, for I can quite understand that there might be a case in which suspicion would be so strong and the answers given by the nurse so unsatisfactory as to justify her removal—then she might be removed. But in my humble judgment it would be extremely unjust that the Board should have power to remove from the list simply at their pleasure. I ask now what is the present system, and is what we propose to do an improvement upon that system, I observe my learned friend, although he said a good many things, did not say very much about that point. He did not read any of the evidence about that in the report, and there is very good reason for that, because as far as can be discovered the so-called registers, or lists, or black books, or whatever colour the books are, are not public, and there are good reasons for that. But nobody pretends that these lists or registers, or whatever they are, would tell anything more than the facts about the Nurse, and when she was at the hospital. They would not tell the public anything more about the Nurse after she has left the hospital, except in the comparatively few cases where the Nurse remains part, not of the hospital staff, but of those who seek employment through the hospital.

The Marquis of RYON.—Am I right in understanding that the hospital certificate, once given, is never cancelled or withdrawn.

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[previous page](#)

[next page](#)