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The game of expertise: investigating the use of science in a professional disciplinary setting

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The game of expertise:
Investigating the use of science in a professional disciplinary setting

A thesis submitted in fulfilment of the requirements for the award of the degree

Doctor of Philosophy

from

UNIVERSITY OF WOLLONGONG

by

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School of Health Sciences

2006
CERTIFICATION

I, Margaret C Wallace, declare that this thesis, submitted in fulfilment of the requirements for the award of Doctor of Philosophy, in the School of Health Sciences, University of Wollongong, is wholly my own work unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

Margaret C Wallace

5 November 2006
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LIST OF ABBREVIATIONS AND SHORTENED FORMS

AHRQ  Agency for Healthcare Research and Quality
ACMI  Australian College of Midwives Incorporated
ARM  Artificial rupture of membranes
ATNA  Australasian Trained Nurses Association
CPD  Cephalo-pelvic disproportion
EBM  Evidence-based medicine
EBP  Evidence-based practice
ECPC  *Effective Care in Pregnancy and Childbirth* (1989)
FHR  Fetal heart rate
HCCC  Health Care Complaints Commission
IOM  Institute of Medicine
IV  Intravenous
LMP  Last menstrual period
NAD  No abnormalities detected
NHMRC  National Health and Medical Research Council
NRB  Nurses’ Registration Board (of NSW)
NSWNA  New South Wales Nurses Association
PROM  Prolonged rupture of membranes
QNC  Queensland Nursing Council
RCT  Randomised controlled trial
RFD  Reasons for decision
The thesis aims to examine and understand what takes place when a statutory authority, responsible for regulating the practice of a particular set of clinicians (nurses and midwives), claims to use the principles of evidence-based practice to scrutinise the practice of an authorised clinician. It reports on the results of a thematic analysis of the reasons for decision, findings, and transcripts of the New South Wales Nurses’ Tribunal hearings into allegations of professional misconduct made against homebirth midwife Maggie Lecky Thompson in the period 1996 to 1998.

This thesis is about the connection between the scientific basis for health care and the way that this type of knowledge is used to make judgements about the acceptability or otherwise of the care provided by a health care professional. The research takes as a starting point the development of evidence-based practice in health care and the use of empirically supported guidelines to direct care decisions. It acknowledges the socially constructed and contingent nature of such knowledge.

Themes were derived from the conceptual framework of the ‘Game board of expertise’ developed by Sheila Jasanoff, a sociology of scientific knowledge scholar. These themes provide organisers that enable analysis and understanding of the tactics deployed by both, the complainant, the New South Wales Health Care Complaints Commission, and the respondent, Maggie Lecky Thompson in their presentation, construction and deconstruction of scientific evidence as mediated by each party’s expert witnesses. When viewed from the perspective of the findings and ‘reasons for decision’ of each of the two relevant NSW Nurses’ Tribunal hearings, this thematic analysis provides insights to the rationale for the deployment of particular strategic manoeuvres by the protagonists in this legal action.
The analysis reveals that the themes of neutrality, credibility, objectivity, framing choices, standards of admissibility, and form and function were extant in the transcripts, findings, or reasons for findings of the NSW Nurses’ Tribunal hearings into allegations of professional misconduct made against midwife Maggie Lecky Thompson. There was no evidence of one remaining theme, judicial predilection, in the public documents available in relation to these hearings.

Jasanoff’s ‘Game board of expertise’ is a tool that assists in the analysis of the processes of ‘constructing’ scientific facts and moulding them to the particular purposes of each of the protagonists to a legal dispute. This type of analysis is a potentially useful tool for understanding the process by which one voice, usually the scientific voice, is privileged over others and also how opposing points of view are subjugated.
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