



**NEW ZEALAND HEALTH  
PRACTITIONERS  
DISCIPLINARY TRIBUNAL**

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**BEFORE THE HEALTH PRACTITIONERS DISCIPLINARY TRIBUNAL**

**HPDT NO** 1290/Phar 21/514D

**UNDER** the Health Practitioners Competence Assurance Act 2003 (“the Act”)

**IN THE MATTER** of a disciplinary charge laid against a health practitioner under Part 4 of the Act.

**BETWEEN** **THE DIRECTOR OF PROCEEDINGS designated under the Health and Disability Commissioner Act 1994**

**Applicant**

**AND** **FERAS DAWOOD**, a registered pharmacist

**HEARING held via audio visual link on 6 December 2021**

**TRIBUNAL** Ms T Baker (Chair)  
Ms J Dawson, Ms D Vicary, Dr B Lu, Mr S Hanrahan  
(Members)  
Ms D Gainey (Executive Officer)

**APPEARANCES** Ms C McCulloch and Ms D Roche for the Director of Proceedings  
Mr D Dickinson for the Practitioner

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**ADDENDUM TO DECISION OF THE TRIBUNAL**

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[1] A panel of the Tribunal convened on 6 December 2021 to hear a charge of professional misconduct laid by the Acting Director of Proceedings (the Director) against the practitioner, Feras Dawood. An oral decision was given. The Tribunal upheld a charge of professional misconduct against Mr Dawood, imposed a penalty and costs and made an order for non-publication of certain details. Permanent orders were also made for suppression of the names of:

- (a) [Ms B]
- (b) [Ms A]
- (c) [Ms O]
- (d) [Mr N]
- (e) [Ms K]
- (f) [Ms I]

[2] In a written decision dated 6 May 2022, those people were not named, and an order for non-publication of their names was not recorded. This is an error that was probably not immediately identified because of the anonymisation of their names in the agreed summary of facts and in the decision as it was drafted.

[3] Once a judgment is sealed, in the interests of finality, it is not generally open to a party to challenge it other than by any available right of appeal.<sup>1</sup>

[4] While the Tribunal has the power to regulate its procedure in any manner it thinks fit,<sup>2</sup> it is commonplace for the Tribunal to look to the rules governing other courts to inform its procedure. Rule 11.10 of both the District Court Rules 2014 and the High Court Rules 2016 which provides for correction of an accidental slip or omission:

(1) A judgment or order may be corrected by the court or the Registrar who made it, if it—

- (a) contains a clerical mistake or an error arising from an accidental slip or omission, whether or not made by an officer of the court; or
- (b) is drawn up so that it does not express what was decided and intended.

(2) The correction may be made by the court or the Registrar, as the case may be,—

- (a) on its or his or her own initiative; or

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<sup>1</sup> *Bank of Nakhodka v The Fishing Vessel "Abruka"* (1997) 10 PRNZ 659

<sup>2</sup> Health Practitioners Competence Assurance Act 2003, Sch 1 cl 5

(b) on an interlocutory application

[5] Accordingly, in addition to the suppression order made in paragraph 141 of the Tribunal's decision of 6 May 2022, the Tribunal grants permanent name suppression under section 95(2)(d) of the names of the following people:

- (a) [Ms B]
- (b) [Ms A]
- (c) [Ms O]
- (d) [Ms N]
- (e) [Ms K]
- (f) [Ms I].

**DATED** this 02<sup>nd</sup> day of February 2023



T Baker  
Chair  
Health Practitioners Disciplinary Tribunal