



16 December 2024

Rosemary Feliual  
Nurse Manager  
[Rosemary.Feliuai@hbdhb.govt.nz](mailto:Rosemary.Feliuai@hbdhb.govt.nz)

Debbie Viljoen  
Human Resources  
[Debbie.Viljoen@hbdhb.govt.nz](mailto:Debbie.Viljoen@hbdhb.govt.nz)

## Health NZ pushes staff self-censorship

Good afternoon,

1. We refer to your Letter of Expectation dated 25 November 2024, provided to your employee, Jenny Hobson and us at our meeting together on 9 December 2024.
2. Although your investigation is complete and you decided not to continue a disciplinary process against Ms Hobson, we wish to raise our concerns with the Letter of Expectation and comments made in the meeting.
3. From the outset, we have been clear that Health NZ has mischaracterised Ms Hobson's online comments. They do not bring the nursing profession into disrepute, constitute public disparagement of Health NZ's initiative to create a safe and inclusive environment or impact the safety of those under Ms Hobson's care. In fact, one of the comments openly expresses Ms Hobson's concern for the wellbeing of all patients and staff.
4. The Letter of Expectation outlines the outcomes of your investigation and acknowledges Ms Hobson's commitment to "*ensure professional and personal boundaries are kept separate into the future.*" It also sets out numerous expectations of behaviour including not engaging in actions that cause "*detriment [actual or perceived] to consumer therapeutic relationships*" or are "*disparaging*" towards Health NZ.
5. The vague way these expectations are set only serve to silence Ms Hobson from expressing any views you and/or staff, or in fact, any member of the public may disagree with. Further, as you said in the meeting on 9 December, if Ms Hobson makes comments of a similar nature in the future, the outcome of the disciplinary process could be different. Effectively you are forcing Ms Hobson and the rest of your staff to censor themselves. This is a breach of the right to freedom of expression.
6. Ms Hobson is a valued employee with 20+ years of experience as a nurse and the way in which Health NZ has behaved towards her in dealing with this complaint has been disappointing. The complaint was clearly made for vexatious reasons and had no foundational basis. Instead of virtue signalling and using scarce time and resources on this complaint, Health NZ should have simply informed the complainant that policing staff private social media use is outside their purview.

7. In saying that, we acknowledge this matter has come to an end but note that if a similar matter arises again in relation to Ms Hobson, we will step in and defend her right to freedom of expression.

Yours faithfully,

**Free Speech Union (New Zealand) Inc.**

A handwritten signature in black ink that reads "Hannah Clow". The signature is written in a cursive, flowing style.

**Hannah Clow**

Senior In-house Counsel

[hannah@fsu.nz](mailto:hannah@fsu.nz)

022 635 9407