

Psychiatrist's relationship with former patient still inappropriate five years after treating relationship ceased



Key messages from the case

Relationships with former patients may be in breach of sexual boundaries guidelines. Generally, the time elapsed between ending the treating relationship and starting a personal relationship will be relevant. However sexual relationships between psychiatrists and former patients will always be regarded as unethical.

Boundary violations – former patients

Psychiatrist, Dr L provided intensive psychotherapy to patient EK for dysthymic (depressive) disorder. In the course of treatment Dr L became concerned that EK had developed eroticised transference issues and was applying pressure on him to commence a sexual relationship.

Dr L determined to cease treatment and referred EK to another practitioner. One year later, EK sought to recommence treatment with Dr L. Dr L agreed to recommence treatment. However, when EK again applied pressure for a personal relationship Dr L again ceased the treatment relationship. Five years after their last clinical contact, Dr L commenced a personal and sexual relationship with EK.

Dr L admitted that given the context of the treating history, this relationship was inappropriate even five years after all clinical contact had ceased.

Outcome

When the relationship came to light, the Medical Board took immediate action against Dr L. He ceased practice for over a year, before commencing a part-time private practice treating male patients only. He also commenced counselling.

The tribunal agreed that a 12-month suspension would ordinarily be appropriate. However, given Dr L had voluntarily removed himself from practice for 14 months previously, and clearly demonstrated insight, a further suspension was not warranted.

Dr L was reprimanded, counselling conditions were imposed and Dr L agreed to pay the Board's costs.

Key lessons

The Royal Australian and New Zealand College of Psychiatrists will not countenance a sexual relationship between a treating practitioner and a current or former patient under any circumstances.

If a patient approaches you:

- Give a firm and clear no, explaining it is unethical for you to enter a relationship with a patient. It is important not to be ambivalent or encouraging.
- Carefully document what has happened in the patient's medical record (remembering that what you write may be read by the patient or others)
- Immediately inform a senior colleague, supervisor or practice manager and seek advice on whether you need to terminate the treating relationship.

References and further reading

Avant factsheet – [Boundary issues](#)

Medical Board of Australia Guidelines – [Sexual boundaries in the doctor-patient relationship](#)

Royal Australian and New Zealand College of Psychiatrists – [Ethical Guideline 12: Zero tolerance policy on proven sexual boundary violations](#)

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