

Psychiatrist disqualified from applying for re-registration for a further five years after serving sentence for sexually assaulting patient



Key messages from the case

The Medical Board is clear: doctors who breach the guidelines on sexual boundaries in the doctor-patient relationship are placing their registration at risk and could be committing a criminal offence. This case illustrates the harm that can occur.

Details of the decision

Boundary violation – sexual assault

Psychiatrist, Dr T pleaded guilty to a charge of sexually assaulting a patient.

Ms AB had been a patient for over four years. The medication Dr T prescribed for her mental health condition affected her sex drive and she had discussed her concern about this with Dr T. Following this discussion, Dr T began asking the patient personal questions about her masturbation practices and showing her explicit material on his computer.

In one session Ms AB told Dr T about a one night stand, and after this he began to sit closer to her and touch her inappropriately. He told her he had had an affair with a patient.

Ms AB cancelled several appointments after this because she was afraid to see Dr T, but it was difficult to find another psychiatrist who bulk-billed. Eventually Ms AB had to make another appointment because she had run out of medication.

At this appointment Dr T assaulted her, touching her on the stomach, fondling her breasts and telling her he wanted to suck her nipples.

Dr T offered to massage Ms AB and began to rub her back and try to lift up her top. When she froze, he kept trying to touch her and asked her to show him how she masturbates. Dr T then touched Ms AB's vaginal area over her pants, attempted to remove her bra and tried to kiss her.

After multiple requests he stopped and gave her the scripts for her medication.

Registration after criminal conviction

Dr T initially denied the assault, but after DNA evidence was produced, he pleaded guilty.

Victim impact evidence at the time of Dr T's trial outlined how much Ms AB's health, work, relationships and quality of life had been harmed by Dr T's boundary violations and assaults.

Dr T was criminally charged, convicted and sentenced. His registration was suspended when he was charged. When he was released on parole the Board had to consider whether he could be re-registered.

Dr T was aged 71 at the time of the hearing and evidence indicated he had some cognitive issues. (It was never suggested that his condition led to the offending.)

Outcome

Dr T admitted that his actions constituted professional misconduct and was in breach of the Code.

Both parties considered it was unlikely that Dr T would practise again.

Dr T was reprimanded and prohibited from applying for re-registration for a further five years.

Key lessons

It is never appropriate to have a sexual relationship with a current patient. This is so, even if you believe the relationship is consensual.

The Royal Australian and New Zealand College of Psychiatrists will not tolerate a sexual relationship with a current or former patient under any circumstance.

Be aware of your own health and wellbeing. Having relationship problems, feeling personally or professionally isolated, being under stress or unwell may make you more vulnerable to boundary violations. Take active steps to seek professional support – for example ensure that you have your own GP, find a mentor or peer support network.

References and further reading

Avant factsheet – [Boundary issues](#)

Avant eLearning – [Sexual boundaries in the doctor–patient relationship](#)

Medical Board of Australia Guidelines – [Managing sexual boundaries](#)

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