

**Counsellor's relationship with former patient
(14HDC00525, 25 June 2015)**

*Counsellor ~ Professional boundaries ~ Inappropriate relationship ~ Former patient
~ Code of Ethics ~ Right 4(2)*

A woman was referred to a counsellor, whom she saw in a professional capacity on eight occasions. Both parties agree that approximately two weeks after their counselling relationship ended, they began a personal relationship. Both the counsellor and the woman confirm that their relationship was sexual. Their recollections regarding the dates that the personal relationship began and ended differ.

During the course of the personal relationship, the counsellor changed his employer. Neither employer had been aware of the counsellor's relationship with the woman while the counsellor was in their employment.

Approximately eight years later the woman complained to the counsellor's current employer about the counsellor's previous relationship with her. Following an internal investigation, the counsellor resigned from his employment.

It was held that the counsellor acted unprofessionally and unethically by failing to maintain appropriate boundaries and engaging in a personal relationship with his former patient. The counsellor failed to comply with professional and ethical standards and, accordingly, he breached Right 4(2).

Neither employer was held vicariously liable for the counsellor's breach of the Code.