

Zero tolerance policy on proven sexual boundary violations

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The Royal Australian and New Zealand College of Psychiatrists (RANZCP) is a fellowship of psychiatrists working with and for the general community to achieve the best attainable quality of psychiatric care and mental health. To realise this vision and to continue to earn the community's trust in the profession, the RANZCP seeks to cultivate and maintain the highest ethical standards. This policy serves to maintain those high standards, by outlining the RANZCP's zero tolerance policy on proven sexual boundary violations.

Background

Good medical practice relies on trust between doctors and patients and their families. It is always unethical and unprofessional for a doctor to breach this trust by entering into a sexual relationship with a current or former patient, regardless of whether the patient has consented to the relationship or not.

In psychiatry, the obligation to avoid unethical or unprofessional behaviour is particularly important because of the intense therapeutic relationship with patients and the powerful emotional forces that can be released during treatment. The RANZCP has a 'zero tolerance' policy to *proven* sexual boundary violations. A 'proven sexual boundary violation' refers to a person who has been subject to registration or removal conditions by the relevant Medical Board or Council because of a sexual boundary violation, as interpreted by the relevant Medical Board or Council. This RANZCP policy came into effect, and was applicable from, May 2011.

'Zero tolerance' means that the RANZCP will not tolerate a proven sexual boundary violation of any kind between psychiatrists and their current or former patients regardless of whether they were consensual.

The RANZCP considers that such sexual relationships between psychiatrists and their current and former patients are never acceptable and constitute unethical behaviour. This is set out in Principle Two of the RANZCP *Code of Ethics* (4th edition) (RANZCP, 2010).

The RANZCP's zero tolerance policy applies to all Fellows, trainees and affiliates of the RANZCP, and those seeking to engage in RANZCP activities as set out below.

Recommendations

In light of the RANZCP's position on proven sexual boundary violations, the following applies:

- If a Fellow, trainee or affiliate is found to have committed a proven sexual boundary violation by a regulatory authority, the RANZCP will revoke their Fellowship or membership by a Board approved process.
- The RANZCP will not allow reinstatement of any Fellow, trainee or affiliate who has been found to have committed sexual boundary violations by a regulatory authority and:
 - whose Fellowship or membership has been revoked as a consequence of committing sexual boundary violations
 - who has resigned as a consequence of committing sexual boundary violations.
- The RANZCP will not accept applications from practitioners applying to:
 - become trainees, supervisors of trainees, Fellows or affiliates of the RANZCP where the practitioner has been found to have had a previous proven sexual boundary violation

- engage in RANZCP activities such as the Continuing Professional Development Program where the practitioner has been found to have had a proven sexual boundary violation.

Further information about what constitutes sexual boundaries between doctors and patients can be found in the Medical Board of Australia's *Sexual Boundaries: Guidelines for Doctors* and the Medical Council of New Zealand's *Sexual Boundaries in the Doctor-Patient Relationship: A Resource for Doctors*.

Additional resources

Australian Medical Association (2012) *Sexual Boundaries between doctors and their patients*. Available at: ama.com.au/position-statement/sexual-boundaries-between-doctors-and-their-patients-1994-revised-2012.

Medical Board of Australia (2011) *Sexual Boundaries: Guidelines for doctors*. Available at: www.medicalboard.gov.au/News/2011-10-28-Sexual-Boundaries-Guidelines-for-doctors-released.aspx .

Medical Council of New Zealand (2009) *Sexual Boundaries in the Doctor-Patient Relationship: A Resource for Doctors*. Available at: www.mcnz.org.nz/assets/News-and-Publications/Statements/Importance-of-boundaries.pdf.

Royal Australian and New Zealand College of Psychiatrists (2010) *Code of Ethics*. 4th edition. Available at: www.ranzcp.org/Files/Resources/College_Statements/code_ethics_2010-pdf.aspx.

Disclaimer

This information is intended to provide general guide to practitioners, and should not be relied on as a substitute for proper assessment with respect to the merits of each case and the needs of the patient. The RANZCP endeavours to ensure that information is accurate and current at the time of preparation, but takes no responsibility for matters arising from changed circumstances or information or material that may have become subsequently available.

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