

Tribunal dismisses psychologist's application for finding to be suppressed

13 May 2015

The ACT Civil and Administrative Tribunal has dismissed an application by psychologist Mr Ziji Fox to suppress details of a finding that he had engaged in unprofessional conduct.

In 2008 the former ACT Psychologist Board began investigating a complaint about Mr Fox which was transferred to the Psychology Board of Australia when the National Scheme was established in July 2010.

In 2011, the Board referred the matter to a [performance and professional standards panel](#), but the practitioner exercised his right to ask it to be heard by the tribunal.

In November 2013 the tribunal published its decision on an [interlocutory \(interim\) hearing](#). The Board alleged that between 1991 and 2005 Mr Fox had provided psychological services to multiple members of the same family, and also had various instances of non-professional contact with a number of those family members.

The Board alleged that the practitioner's conduct constituted unprofessional conduct in breach of the Board-endorsed [Australian Psychological Society Code of Ethics](#), which states that practitioners must avoid dual relationships that could impair their professional judgement or increase the risk of exploitation.

The Board and Mr Fox reached an agreement about the facts of the conduct at a tribunal-ordered mediation conference in February 2014. Mr Fox agreed that his conduct could have given rise to multiple and dual relationships, which could have impaired his professional judgement. Mr Fox also agreed that his conduct was in breach of the code.

The Board and Mr Fox filed the agreed statement of facts with the tribunal in July 2014. In August the tribunal found that Mr Fox had engaged in unprofessional conduct and cautioned him.

Mr Fox applied to suppress publication of the caution and the statement of facts, which he said had only been reached because he thought it would not be public.

The Board argued that the publication of this information was in the public interest and not subject to negotiation. The tribunal dismissed Mr Fox's application, but ordered a new statement of facts be prepared that did not name the practitioner's clients.

The reasons for the tribunal's decision are on [AustLII](#).

For more information

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