



**UKCP's Complaints and Conduct Process  
Complaint Hearing**

**14 & 15 November 2024  
ONLINE**

**Name of Registrant:** Zeb Kaylique

**Heard by:** Adjudication Panel

**Panel Members:** Catherine Hinton  
Maureen Anderson (HIPC)  
Ian Roberts (UTC)

**Legal Assessor:** Jon Whitfield, Doughty Street Chambers

**Panel Secretary:** Kat Zhou

**UKCP Presenting Officer:** Alice Love, UKCP  
Nabil Mekkaoui, UKCP

**Registrant:** Not present and unrepresented

**Charges found proved:** **1, 2, 3a, 3b, 4, 5, 6a, 6b, 6c, 6d, 6e, 7, 8, 9a, 9b, 10  
11a,11b, 11c in respect of allegations 2-10  
11c in respect of allegations 2-9  
12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12i, 12k**

**Charges found not proved:** **11a,b,c in respect of allegation 1  
11c in respect of allegation 10**

**Panel decision:** **Misconduct and Impairment found**

**Sanction:** **Removal from UKCP Register**

**Interim suspension order:** **ISO granted to cover the appeal period**

## Detail of allegations

That being a UKCP-registered psychotherapist since 7 October 2021, you Zeb Kaylique (the Registrant):

1. Between in or around January 2021 - February 2024, you were in a therapeutic relationship with Client A.  
**Denied. Found proved**
2. In or around February 2022, you suggested to Client A that you conduct therapy via WhatsApp message between scheduled sessions as an “experiment” to build your therapeutic relationship.  
**Denied. Found proved**
3. Between at least February 2022 - April 2022, you:
  - a. sent hundreds of WhatsApp messages to Client A outside of scheduled sessions, including messages of an intimate and personal nature (**Appendix A**);  
**Denied. Found proved**
  - b. offered extra sessions or longer sessions to Client A at no extra cost.  
**Denied. Found proved**
4. In or around August 2022, you sent a WhatsApp message to Client A stating that you found her “attractive” and “seductive”.  
**Denied. Found proved**
5. On or around 30 August 2022, you met Client A outside of your scheduled therapy sessions and kissed her.  
**Denied. Found proved**
6. Between August 2022 - February 2024, you:
  - a. engaged in a personal and sexual relationship with Client A;  
**Denied. Found proved**
  - b. helped Client A with paperwork for her divorce proceedings;  
**Denied. Found proved**
  - c. gave gifts to Client A and her family;  
**Denied. Found proved**
  - d. sent money to Client A;  
**Denied. Found proved**
  - e. stayed in hotels with Client A.  
**Denied. Found proved**
7. On 8 September 2022, you refunded Client A the £10 fee she had sent you for a therapy session with the note, “[Client A], I told you no more fees please. You’re my pro bono [sic] client with benefits”.  
**Denied. Found proved**

8. On 15 September 2022, you sent Client A an email in which you spoke of your “constant enquiry into experimenting with threesomes” with her and a dream you had in which you wanted to see Client A “degraded” and “as a slut”.

**Denied. Found proved**

9. Between February 2024 and June 2024, you:

- a. contacted Client A on an ad hoc basis;

**Denied. Found proved**

- b. told Client A that you were not able to cut all contact with her because you owed her a duty of care as her psychotherapist.

**Denied. Found proved**

10. On 28 June 2024, having been notified of the complaint by UKCP, you called Client A on two occasions, contrary to UKCP’s express instruction not to contact Client A.

**Denied. Found proved**

11. Your actions at paragraphs 1 - 10 above were:

- a. inappropriate; and/or

**Denied. Found proved in respect of allegations 2-10**

**Found not proved in respect of allegation 1**

- b. unprofessional; and/or

**Denied. Found proved in respect of allegations 2-10**

**Found not proved in respect of allegation 1**

- c. sexually motivated.

**Denied. Found proved in respect of allegations 2-9**

**Found not proved in respect of allegation 1 and 10**

12. The behaviours set out at paragraphs 1 - 11 above are in breach of UKCP’s Code of Ethics and Professional Practice (2019) (the Code). In particular, you:

- a. failed to act in Client A’s best interests, thereby breaching clause 1 of the Code;

**Denied. Found proved**

- b. failed to treat Client A with respect, thereby breaching clause 2 of the Code;

**Denied. Found proved**

- c. failed to respect Client A’s autonomy, thereby breaching clause 3 of the Code;

**Denied. Found proved**

- d. had sexual contact or a sexual relationship with Client A, thereby breaching clause 4 of the Code;

**Denied. Found proved**

- e. abused and/or exploited your relationship with Client A for any purpose including your sexual or emotional gain, thereby breaching clause 5 of the Code;

**Denied. Found proved**

- f. harmed Client A, thereby breaching clause 6 of the Code;  
**Denied. Found proved**
- g. engaged in a dual relationship with Client A, thereby breaching clause 8 of the Code;  
**Denied. Found proved**
- h. failed to take reasonable care (taking into account the length of therapy and time lapsed since therapy) before entering into a personal relationship with Client A, thereby breaching clause 9 of the Code;  
**Denied. Found proved**
- i. failed to act in a way which upholds the profession's reputation and promotes public confidence in the profession and its members including outside of your professional life as a UKCP practitioner, thereby breaching clause 32 of the Code;  
**Denied. Found proved**
- j. communicated with Client A in a manner inconsistent with the Code, thereby breaching clause 34 of the Code;  
**Denied. Found proved**
- k. failed to report potential breaches of the Code to UKCP, thereby breaching clause 37 of the Code.  
**Denied. Found proved**

For the reasons set out above, your fitness to practise is impaired by reason of misconduct.

## Documents

The Panel had placed before it the following documents:

- A principal bundle on behalf of UKCP amounting to 621 pages, hereafter referred to as C1;
- A secondary bundle on behalf of UKCP amounting to 21 pages, hereafter referred to as C2;

## Hearing

1. The complaint was heard under the UKCP Complaints and Conduct Process 2022, and the Panel considered the alleged breaches of the UKCP Code of Ethics and Professional Conduct 2019 (the Code).

## Preliminary Matters

2. The Panel considered the following preliminary matters:

### Service of notice

3. Ms Love, on behalf of UKCP, relied upon the documents contained in the bundle C2 and submitted that the UKCP had served notice on the Registrant and that the Panel should proceed in his absence.

### Decision on Service

4. The Panel accepted the advice of the legal assessor. It considered the overarching objective of the proceedings and the UKCP's Complaints and Conduct Process document.
5. Within bundle C2 the Panel noted that the UKCP notified the Registrant of these proceedings by email dated 9 September 2024 and by recorded delivery post on 19 September 2024. The Panel noted that the Registrant was reminded of the hearing date by email dated 9 October 2024 and was provided with the bundle C1. The Registrant was informed that he could ask for an adjournment and that the hearing could proceed in his absence if he chose not to attend.
6. The Panel noted that in an email dated 10 October 2024 the Registrant stated that he had received the documentary bundle C1 sent to him by UKCP. He confirmed he had reviewed it and stated "*I will not be taking partaking with any hearing on advice of my solicitor*". The Registrant was informed he may apply for an adjournment, but no application has been received. The Panel also noted that the Registrant was again notified of the hearing by email dated 6 November 2024.
7. Having considered the documentation, the Panel was satisfied that all reasonable effort had been made to notify the Registrant of this hearing and that notification had been received.

#### Application to proceed in absence

8. Ms Love submitted that it was in the public interest to proceed in the Registrant's absence.

#### Decision on proceeding in absence

9. The Panel accepted the advice of the legal assessor.
10. The Panel determined that the hearing should proceed in the absence of the Registrant.
11. The Panel took account of all the information it had received including the written correspondence between the UKCP and the Registrant outlined above. It considered the overarching objective of these proceedings which is to protect the public. Meeting that objective required a fair and timely hearing to consider the evidence. The Panel recognised that the Registrant had a right to participate in this process and attend the hearing. However, the Panel concluded that the Registrant had made a settled decision not to attend. He had not asked to attend, nor had he sought an adjournment. In correspondence the Registrant had made it clear he did not wish to participate in the regulatory process and, other than confirming receipt of the hearing-bundle, he had not done so. The Panel noted that he referred to receiving advice from a solicitor.

12. The Panel determined that the Registrant had taken the decision not to participate in the hearing and that adjourning for him to do so would not result in his attendance, rather it would simply delay the case. The Panel affirmed that it could and would fairly test and assess the evidence in his absence.

Application for special measures and/or to hear the case in private

13. Ms Love submitted that owing to the nature of the allegations, Client A should be treated as a vulnerable witness and that the hearing should be conducted in private.

Decision on special measures and on privacy

14. The Panel accepted the advice of the Legal Assessor.

15. The Panel recognised that there is a clear public interest in regulatory proceedings being conducted in public. However, in cases involving allegations of sexual misconduct or which refer to other personal matters such as the health or welfare of a witness or Registrant, there is clear authority and guidance as to the use of special measures and/or for hearings to be conducted in private. Such measures are designed to enable a witness to give their best evidence.

16. The Panel balanced the public interest of open justice and the private interests of Client A and the Registrant. It noted that the allegations involved matters of a personal and sexual nature and that there were details private to both Client A and the Registrant. Bearing these matters in mind the Panel made the following decisions:

- (i) Due to the nature of the allegations, Client A is entitled to special measures to enable her to give her best evidence. Should the Registrant attend any part of the hearing, he would be required to turn off the camera on his computer so that Client A could not see him. No inference adverse to the Registrant could or would be drawn by the use of such special measures. They are now part of the normal fabric of hearings such as this.
  
- (ii) For the same reasons as above, [REDACTED] the Panel determined that the facts-finding stage of the hearing should be conducted in private. Following the conclusion of the fact-finding stage the Panel would consider whether the case should remain in private or whether it should thereafter be heard in public. The Panel determined that this approach balanced the public interest against the private interests of those involved.

**Determination of Facts**

17. The Panel considered all of the documentary evidence before it, the oral evidence from Client A and the written and oral submissions from Ms Love on behalf of UKCP.

### **Summary of Case**

18. In around October 2020, Client A was referred to the [REDACTED] Centre having lived for a time in a crisis residence due to the traumatic breakdown of her marriage. In January 2021, Client A was referred to the Registrant and commenced therapeutic sessions with him. At first these sessions were online due to the restrictions imposed during the pandemic. Thereafter the Registrant commenced in private practice and Client A remained a client of his. Subsequently Client A and the Registrant met in face-to-face sessions. Over time the Registrant started to disclose difficulties in his own marriage and conversed in friendly and intimate terms toward Client A. They conversed by email and many WhatsApp messages outside the therapeutic sessions. These messages referred to private personal and sexual matters rather than therapy and therapeutic matters.

19. In August 2022 the Registrant messaged Client A to say he found her attractive and seductive. Shortly thereafter they met and from 30 August 2022 they conducted an intimate and sexual relationship. The Registrant provided gifts and money to Client A and, they attended social events and went away on weekends together. Despite this, the Registrant continued to act as Client A's therapist. This remained the case until December 2023 when Client A said she realised that the relationship was not appropriate. In February 2024 Client A terminated their professional relationship and personal relationships and asked the Registrant not to contact her. He reacted strongly to her actions and despite her ending the relationship(s) he continued to try and contact her, and he did contact her on several occasions.

20. In June 2024, Client A submitted a complaint against the Registrant to UKCP following which the Registrant again contacted her despite clear instructions not to do so.

### **Evidence on behalf of UKCP**

21. The Panel took account of the above-mentioned bundles and heard oral evidence from Client A. Client A took the oath and adopted the contents of her statement and her exhibits as true. Ms Love did not ask any questions.

22. In answer to questions from the Panel, Client A said that she had not experienced therapy before. She said that the Registrant had suggested she contact him on his personal mobile number if she was having a panic attack. He could then experience how she felt in real time.

### **Evidence on behalf of the Registrant**

23. The Panel noted that the bundle C1 contains correspondence from the Registrant in which he denied any wrongdoing and denied being in a therapeutic relationship with Client A as alleged. However, he did not submit any sworn statements, nor did he attend to give evidence in person.

### **Submissions on the evidence**

24. Ms Love submitted that the burden of proving the case was on UKCP and the standard was the balance of probabilities. She submitted that the Panel could rely on Client A's evidence of and the documents in Bundle C1. In addition, Ms Love submitted that the Panel would be entitled to draw an inference against the Registrant where he had declined to attend to answer the case.
25. Ms Love submitted that Client A was consistent and insightful in her evidence; she was reliable and the integrity of her evidence was clear. She submitted that her evidence was supported by a large quantity of emails and messages. In addition, she submitted it was clear by his reaction to Client A's complaint that the Registrant knew and understood his actions to be wrong.
26. Regarding the Registrant's assertion that he did not have an inappropriate relationship with Client A and that any professional relationship ended in 2021, Ms Love submitted this was clearly contrary to the contents of the messages and the rest of the evidence. It was contrary to the Registrant's own description of their relationship in messages he sent to Client A.
27. Regarding Allegation 12k (the Registrant's failure to report breaches of the Code) Ms Love submitted that the Registrant's messages to Client A where he describes her as destroying his reputation make it clear he knew he had broken the rules.

### **DECISION ON THE FACTS**

28. The Panel heard and accepted the advice of the Legal Assessor.
29. On balance, having fully considered the above, the Panel made the following findings:

#### **Allegation one**

Between in or around January 2021 - February 2024, you were in a therapeutic relationship with Client A.

**Denied. Found proved.**

#### **Reasons for determination**



In her statement at p234 and p236 of the bundle “C1,” Client A refers to commencing a therapeutic relationship with the Registrant and ending that relationship. Her statement confirms the timeline. In addition, at C1 p483-484 in WhatsApp messages the Registrant refers to himself as her therapist and in an email at p515-516 the Registrant refers to Client A as “*a client like you*”. In addition, the Panel noted that there was no closing contract from the Registrant to end the professional relationship and, he suggested that she could not end the relationship due to his supposed duty of care toward her. The Panel determined that there is clear evidence the Registrant and Client A were in a therapeutic relationship as alleged.

### **Allegation two**

In or around February 2022, you suggested to Client A that you conduct therapy via WhatsApp message between scheduled sessions as an “experiment” to build your therapeutic relationship.

**Denied. Found proved.**

### **Reasons for determination**

At C1 p234 Client A states that the Registrant suggested communication by way of WhatsApp messages as an experiment. At C1 p9 (and at p250) there is a WhatsApp message sent by the Registrant to Client A during which he says they “*informally agreed to have more regular contact*”. He mentions modalities of therapy including the use of messages and texts. He describes such communication as “*In a way its my sort of experiment to see if that works for me and I hope to do a case study on it.*” He goes on to say “*you could just message me an emotion or feeling that you're experiencing . . . Then I can respond if I have time. You can message me anytime of the day or night.*” The Panel had no reason to question Client A’s account or the record of the WhatsApp message that confirmed her assertion. The Panel therefore found this allegation proved.

### **Allegation three**

Between at least February 2022 - April 2022, you:

- a. sent hundreds of WhatsApp messages to Client A outside of scheduled sessions, including messages of an intimate and personal nature (**Appendix A**);

**Denied. Found proved.**

### **Reasons for determination**

In her statement at C1 p234 Client A refers to communication between herself and the Registrant by WhatsApp. The bundle C1 contains numerous such WhatsApp messages filling 228 pages of typed evidence and dated between 3 December 2021 and 29 May 2022 which includes the time period alleged. These messages occurred on numerous dates and at all times of the day and at night. They are clearly outside the normal hours of therapy. They include comment, innuendo, inquiry and disclosure by the Registrant of personal and sexual matters regarding both Client A and himself. The Panel had no reason to question

Client A's account or the record of the WhatsApp messages that confirmed her assertion. The Panel therefore found this allegation proved.

- b. offered extra sessions or longer sessions to Client A at no extra cost.

**Denied. Found proved.**

#### **Reasons for determination**

In her statement at C1 p235, Client A said that the Registrant would offer her extra or longer sessions at no charge. At p33 in bundle C1 there is a WhatsApp message from the Registrant to Client A in the following terms: *21/02/2022, 14:27 - Zeb: If you ever an extra session or wanted twice weekly then Wed works for me. No additional charge [smile emoji]*. In addition, at C1 p504 Client A also provided an example of where the Registrant has refunded monies to her. The Panel determined that the Registrant offered Client A longer or free sessions as alleged and, where she paid, he refunded monies to her. The Panel thus found the allegation proved.

#### **Allegation four**

In or around August 2022, you sent a WhatsApp message to Client A stating that you found her "attractive" and "seductive".

**Denied. Found proved.**

#### **Reasons for determination**

In her statement at C1 p235 Client A said that the Registrant sent a WhatsApp message which included the terms set out in the allegation. She produced a screen-print of her phone which is in the bundle C1 at p481. This shows a message from the Registrant which includes the term - *"A woman like you . . . I do find you attractive and seductive."* The Panel had no reason to doubt the reliability of Client A or the screenshot and thus found the allegation proved.

#### **Allegation five**

On or around 30 August 2022, you met Client A outside of your scheduled therapy sessions and kissed her.

**Denied. Found proved.**

#### **Reasons for determination**

In her statement at C1 p235 Client A stated that shortly after the above mentioned message was sent and received *"Zeb and I met outside of our scheduled therapy sessions on 30 August 2022 to discuss the message. We kissed during this meeting...."* Again, the Panel had no reason to disbelieve Client A's evidence. It has not been challenged or questioned. In addition, the innuendo and personal comments contained in the WhatsApp messages from the Registrant show he introduced personal and/or sexual content into their communication. This revealed the 'direction of travel' in their relationship was toward the personal and demonstrated that he was encouraging this. The Panel therefore found this allegation proved.

### **Allegation six**

Between August 2022 - February 2024, you:

- a. engaged in a personal and sexual relationship with Client A;

**Denied. Found proved**

#### **Reasons for determination**

Following the above comment regarding the kiss, at C1p235 Client A goes on to say “*Thereafter, [the Registrant] and I began a personal and sexual relationship.*” Client A describes aspects of that relationship including where the Registrant assisted her in her personal life, where he provided gifts and money to her and her family and where they stayed in hotels together. The many WhatsApp messages discuss aspects of the relationship between Client A and the Registrant. Some of these are sexual in their content and the Registrant speaks of crossing boundaries. Client A also provided photographs at pp 491-494 of C1 which show Client A and the Registrant in each other’s company at non-clinical locations some of which appear to be hotels. In an email date 15 September 2022, the Registrant wrote in explicit terms of his sexual fantasies regarding Client A. Taking all these matters into account, the Panel found the allegation proved.

- b. helped Client A with paperwork for her divorce proceedings;

**Denied. Found proved**

#### **Reasons for determination**

In her statement at C1 p236 Client A says the Registrant was a trained tax accountant and he helped her with her divorce paperwork. She exhibited emails from the Registrant to support her claim. These were in C1 at pp 526 – 544 and pp548-552 and included financial assessments, budgeting and advice pertinent to a divorce. The Panel therefore found this allegation proved.

- c. gave gifts to Client A and her family;

**Denied. Found proved**

#### **Reasons for determination**

In her statement at C1 p236 Client A says the Registrant “*would give me gifts and send me money*”. She then described examples such as a Hoover, shoes, a watch and gifts for her children such as boots and a Samsung tablet & keyboard. At bundle C1 pp553-557 the Panel observed an order by the Registrant for the Samsung with delivery being to Client A’s address. The Panel accepted Client A’s account noting that it was corroborated by documents such as those referred to above.

- d. sent money to Client A;

**Denied. Found proved**

#### **Reasons for determination**

Client A's statement at C1 p236 continues from the above with the assertion that the Registrant sent her sums of money including £172.40 and £86. She provided PayPal documentation to corroborate this at C1 pp563-564. The Panel accepted Client A's account noting that it was corroborated by documents such as those referred to above.

- e. stayed in hotels with Client A.

**Denied. Found proved**

**Reasons for determination**

In her statement at C1 p 236 Client A says: "*[the Registrant]*" and *I went on dates and spent nights away together in hotels.*" She provided documentary and photographic evidence at p559-560 in C1 with references to hotels in Leicester, Stratford upon Avon and Lincoln which she said were "*hotel bookings I made to stay with Zeb*". In addition, Client A exhibited photographs she said were "*photographs of me and Zeb on dates*". She also referred to spending two nights in a hotel in Chester in December 2023. The Panel accepted her account of the two staying at hotels supported as it was by the documentary evidence she produced.

**Allegation seven**

On 8 September 2022, you refunded Client A the £10 fee she had sent you for a therapy session with the note, "[Client A], I told you no more fees please. You're my pro bond [sic] client with benefits".

**Denied. Found proved**

**Reasons for determination**

Client A makes this allegation in her statement at C1 p235. At C1 p512 Client A produced an email dated 8 Sept 2022 received from PayPal and headed "*Refund from [the Registrant]*". The email contains the comment that "*[the Registrant] has just sent you a refund*" and "*[the Registrant] has sent you a full refund for £10...*". The email records the Registrant as the "merchant" and his comments that "*I told you no more fees please. You're my pro bond client with benefits.*" The email also confirms that the original purchase was from the Registrant and was for £10 and this was refunded. The Panel found the allegation proved.

The Panel considered that this was not an act of kindness by the Registrant but was an indicator of him further disempowering Client A and him taking control of the relationship. It is subsequent to this that he speaks of her, and to her, in sexually explicit and degrading terms.

**Allegation eight**

On 15 September 2022, you sent Client A an email in which you spoke of your "constant enquiry into experimenting with threesomes" with her and a dream you had in which you wanted to see Client A "degraded" and "as a slut".

**Denied. Found proved**

### **Reasons for determination**

At C1 p235 Client A described receiving an email from the Registrant on 15 September 2022. She produced the email at C1 p515-516. In the email the Registrant refers to his “. . . *constant enquiry into experimenting with threesomes . . .*” his desires and/or dreams concerning what he describes as sexual experimentation. He refers to sex-acts between two women and a man or two men and a woman and a dream in which he “*actually wanted to see you degraded . . . I wanted to see you only as a slut. . .*”. He goes on to refer to himself as “*a somewhat complex and deviant man.*” The Panel therefore found this allegation proved.

The Panel considers that the Registrant has started to exhibit sexually abusive and/or deviant behaviour toward Client A in accord with his own description of himself.

### **Allegation nine**

Between February 2024 and June 2024, you:

- a. contacted Client A on an ad hoc basis;

**Denied. Found proved**

#### **Reasons for determination**

In her statement at C1 p236 Client A states that the Registrant continued to remain in contact with her after she had terminated their professional and personal relationship. In the bundle C1 pp476-479 and at p567-569 Client A has provided copies and screen-prints of messages and/or contact from the Registrant. The Panel noted that the Registrant was in repeated contact or attempted contact with Client A. The number and frequency of messages suggested conduct that could fairly be described as bombardment or harassment. The Panel found this allegation proved.

- b. told Client A that you were not able to cut all contact with her because you owed her a duty of care as her psychotherapist.

**Denied. Found proved**

#### **Reasons for determination**

Further to the contact mentioned above, at C1 p236 Client A said that the Registrant claimed he had a duty of care toward Client A so she could not terminate contact. The Panel had no reason to doubt her assertion regarding this and found the allegation proved.

### **Allegation ten**

On 28 June 2024, having been notified of the complaint by UKCP, you called Client A on two occasions, contrary to UKCP’s express instruction not to contact Client A.

**Denied. Found proved**

#### **Reasons for determination**

Client A asserts in her statement at C1 p236 that on 28 June 2024 she submitted a complaint against the Registrant with the UKCP. At pp 567-569, Client A provides screenshots of her phone which show he sent a message to her at 11.11hrs and tried to call her at 13.10hrs and 13.36hrs. By email dated 28 June 2024 sent at 13.44hrs and produced at p17 of C2 the UKCP reinforce that the Registrant is not permitted to contact Client A, something he has already been advised. The Panel inferred from the email that the Registrant had been informed of the complaint and had been told not to contact Client A. The Panel accepted the evidence of Client A as demonstrated by the phone-evidence that the Registrant did indeed try to contact her contrary to the UKCP's instructions.

### **Allegation eleven**

Your actions at paragraphs 1 - 10 above were:

- a. inappropriate; and/or

**Denied. Found Proved in respect of allegations 2 – 10.**

**Found not proved in respect of allegation 1**

#### **Reasons for determination**

The Panel determined that Allegation 1 was a neutral factual matter namely that the Registrant was in a therapeutic relationship with Client A.

The Panel noted that immediately prior to meeting the Registrant, Client A had experienced considerable trauma in her life. She was vulnerable and was referred by the [REDACTED] Centre to the Registrant for help and support. The Panel found that rather than assisting Client A, the Registrant indulged in conversations about himself, his sexual fantasies and breached the professional and sexual boundaries between himself and Client A that he was expected to uphold. He failed to protect Client A, and it is plain from her evidence that he caused harm to her. She is still in therapy due to his conduct. The Panel determined that the Registrant's conduct as found proved was grossly inappropriate.

- b. unprofessional; and/or

**Denied. Found Proved in respect of allegations 2 – 10.**

**Found not proved in respect of allegation 1**

#### **Reasons for determination**

The Panel adopts the reasoning as set out in Paragraph a. above. In addition, the Panel observed that the Registrant was in a fiduciary position with regard to Client A. There was a clear power imbalance between them and he, as the professional, should have managed that imbalance. Instead, he took advantage of it and engaged in sexualised behaviour toward Client A and then indulged in a sexual relationship. When she sought to terminate that relationship, he reacted with considerable verbal aggression. The Panel had no doubt that the public and fellow professionals would regard the Registrant's conduct as grossly

unprofessional involving as it did behaviour of a most egregious kind. The Panel found this allegation proved.

c. sexually motivated.

**Denied. Found proved in respect of allegations 2 – 9**

**Found not proved in respect of allegations 1 and 10**

#### **Reasons for determination**

The Panel adopts the reasoning as set out in paragraphs a. and b. above. In addition, the Panel noted that it was the Registrant who started to introduce references to personal matters and sexual behaviour in the WhatsApp messages. Even if some such matters were raised by Client A, rather than either closing down such conversations or supporting Client A to move away from such conversations, the Registrant participated and introduced his own sexual fantasies and his 'deviant' nature as he called it. The Registrant told Client A he found her attractive and seductive, he kissed her and entered into a sexual relationship with her. He provided gifts and engaged in social contact with her. In addition, he maintained the power imbalance between them by returning funds to her, disempowering her and increasing her reliance upon him. The Panel determined that all his conduct was with a view to his own sexual gratification and/or to engage in a sexual relationship and/or to maintain that sexual relationship.

Regarding the Registrant's attempts to contact Client A after she had complained, Allegation 10, the Panel inferred that this was more likely to be the Registrant acting in his own professional interests rather than sexually motivated.

#### **Allegation twelve**

The behaviours set out at paragraphs 1 - 11 above are in breach of UKCP's Code of Ethics and Professional Practice (2019) (the Code). In particular, you:

a. failed to act in Client A's best interests, thereby breaching clause 1 of the Code;

**Denied. Found proved**

#### **Reasons for determination**

The Panel determined that the Registrant took advantage of Client A who was extremely vulnerable having experienced considerable trauma at the time. His actions caused harm to her as was evident from her statement and from her evidence today. The Registrant conducted the relationship in such a way that it centred upon him, his flaws, his needs and fantasies. He indulged in degrading language toward her, and he entered into a sexual relationship with her. None of this was of benefit to Client A rather it was harmful and contrary to her best interests.

- b. failed to treat Client A with respect, thereby breaching clause 2 of the Code;

**Denied. Found proved**

**Reasons for determination**

The Panel adopts the reasoning set out in a. above. In addition to the damage caused to Client A, the Panel noted that the Registrant used disrespectful terms toward her including a desire for her to be degraded or seen as a slut. The Panel found such terms to be disrespectful and, it noted Client A's assessment of their relationship namely *"My new counsellor has helped me to realise the harm that [the Registrant] caused me. [The Registrant] made himself an indispensable person in my life and I trusted him more than anyone. I now understand that [he] abused his position of power as my therapist..."*

- c. failed to respect Client A's autonomy, thereby breaching clause 3 of the Code;

**Denied. Found proved**

**Reasons for determination**

Again, the Panel adopts the above reasoning from paragraphs a and b and noted that the Registrant directed the contact between them toward his own needs. He spoke of his own sexual fantasies, repaid funds calling Client A a client 'with benefits' and took away her ability to bring her concerns to therapy. Rather than closing down matters harmful to Client A, such as sexualised discussions, he amplified and acted upon them.

- d. had sexual contact or a sexual relationship with Client A, thereby breaching clause 4 of the Code;

**Denied. Found proved**

**Reasons for determination**

For the reasons set out above, the Panel determined that the Registrant did conduct a sexual relationship with Client A. He discussed sexual matters and fantasies, and Client A is clear in her description of their relationship progressing toward a sexual relationship. The Panel had no doubt that the Registrant engaged in such a relationship and breached this part of the Code.

- e. abused and/or exploited your relationship with Client A for any purpose including your sexual or emotional gain, thereby breaching clause 5 of the Code;

**Denied. Found proved**

**Reasons for determination**

The Panel adopts the reasoning above, having no doubt that the Registrant used the relationship between himself and Client A for his own sexual and/or emotional gain. He



expressed his desires with respect to sexual conduct, he expressed how he viewed or wanted to view Client A, thereafter they engaged in a sexual relationship. The Panel determined that as the professional with the duty to control and manage the relationship the Registrant abused his position and exploited Client A.

- f. harmed Client A, thereby breaching clause 6 of the Code;

**Denied. Found proved**

**Reasons for determination**

As set out above, Client A was clear in her own assessment of the harm occasioned to her. She exhibited considerable distress when relating matters to the Panel. The Registrant's actions moved from innuendo to abusive or potentially abusive statements and then to sexual conduct. The Panel determined that it has had a serious and harmful impact upon Client A who still undertakes therapy in part due to the harm caused by the Registrant.

- g. engaged in a dual relationship with Client A, thereby breaching clause 8 of the Code;

**Denied. Found proved**

**Reasons for determination**

The Panel determined that there was a clear dual relationship between the Registrant and Client A. He was in the position of therapist and he conducted a sexual relationship with her. The Registrant was in a position of power and authority and he engaged in and was responsible for the dual nature of the relationship.

- h. failed to take reasonable care (taking into account the length of therapy and time lapsed since therapy) before entering into a personal relationship with Client A, thereby breaching clause 9 of the Code;

**Denied. Found proved**

**Reasons for determination**

The Panel adopts the above reasoning. It was plain that the Registrant directed the relationship between himself and Client A toward sexualised behaviour and then sexual conduct. Not only did he fail to take reasonable care to prevent a personal relationship, he actively promoted this.

- i. failed to act in a way which upholds the profession's reputation and promotes public confidence in the profession and its members including outside of your professional life as a UKCP practitioner, thereby breaching clause 32 of the Code;

**Denied. Found proved**

**Reasons for determination**

For all the reasons set out above, the Panel found this breach proved. The Registrant's conduct was wholly undermining of and damaging to Client A, the profession, and fellow professionals. The public expect to consult a psychotherapist for help and not to become the subject of sexual fantasies or sexual conduct.

- j. communicated with Client A in a manner inconsistent with the Code, thereby breaching clause 34 of the Code;

**Denied. Found proved**

**Reasons for determination**

The Panel has already characterised some of the WhatsApp messages as akin to a bombardment. In addition, the Registrant introduced sexualised behaviour and comments into such messaging. He was disrespectful and exploitative. In addition, the Panel noted that WhatsApp is primarily a social contact platform rather than a professional contact platform such as email. The number and content of the Registrant's messages went far outside any form of professional contact with Client A and were inconsistent with the Code.

- k. failed to report potential breaches of the Code to UKCP, thereby breaching clause 37 of the Code.

**Denied. Found proved**

**Reasons for determination**

The Panel determined that the Registrant would have been fully aware of the serious nature of his conduct. He would know it breached the fundamentals of professional behaviour. His communications make this clear as does his reaction to Client A's complaint. There is no record of any self-reporting by the Registrant indeed he continues to deny any wrongdoing.

30. In total the Panel found **12** breaches of UKCP's Code of Ethics and Professional Practice proved.

**Determination of Misconduct and Impairment**

31. This determination should be read in accordance with the Panel's previous determination.

32. In accordance with rule 7.23 of the UKCP's Complaints and Conduct Process, the Panel went on to consider the question of misconduct. In addressing this the Panel took account of all the information before it.

33. Ms Love, on behalf of UKCP, invited the Panel to conclude that the facts found proved constituted misconduct and that the Registrant was currently impaired. She relied upon her written submissions and amplified these with short oral submissions.
34. Regarding misconduct, Ms Love submitted that this involved an act or omission that fell far short of the standards expected of a professional. She referred the Panel to the case of *Roylance v General Medical Council (No. 2) [2001] 1 AC 311* and reminded the Panel that to amount to misconduct such a falling short must necessarily be serious *Nandi v General Medical Council (2004) EWHC 2317 (Admin)*.
35. Ms Love submitted that the Registrant's failings were indeed serious since they involved a breach of the "very clear" guidance provided by the UKCP that a Registrant "must not enter into a sexual relationship with a client". She said the Code describes sexual misconduct as "particularly serious" if a client was particularly vulnerable or if a Registrant abused their position of power and/or trust.
36. As to current impairment, Ms Love reminded the Panel that it should consider this from the viewpoint of misconduct & risk and from the viewpoint of maintaining standards and public confidence in the profession. She relied upon the four questions set out in the case of *CHRE v Grant (2011) EWHC 927 (Admin)* regarding past and current/future conduct (the "Grant Questions") and risk and submitted that the first three could be answered in the affirmative. Ms Love submitted that the Registrant had put Client A at risk and had caused harm; he had brought the profession into disrepute, he had breached a fundamental tenet of the profession and, in respect of current and future risk, there was no evidence the Registrant had insight into his conduct or expressed any remorse or understanding. She submitted there was a clear risk of repetition. (The questions are set out in full below.)

### **Misconduct**

37. The Panel accepted the advice of the Legal Assessor as to the approach it should adopt in considering the question of misconduct. The Panel recognised that the question of misconduct is a matter of independent judgement and is not a matter of proof for the parties.
38. In addressing whether the facts proved amounted to misconduct, the Panel had regard to all the evidence, its findings of fact and the written and oral submissions. The Panel also had regard to the multiple breaches of the Code as potential indicators of misconduct.
39. The Panel paid regard to the words of Lord Clyde in the case of *Roylance v. General Medical Council*. He stated:  
*"Misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required by...a practitioner in the particular circumstances."*

40. The Panel also took note of the judgement of Collins J in the case of *Nandi v General Medical Council (2004) EWHC 2317 (Admin)* in which he said: *“The adjective “Serious” must be given its proper weight, and in other contexts, there has been reference to conduct which would be regarded as deplorable by fellow practitioners. It is, of course, possible for negligent conduct to amount to serious professional misconduct but the negligence must be to a high degree.”*
41. The Panel determined that the Registrant was guilty of misconduct.
42. As set out above in its determination on the facts, the Panel found that the Registrant indulged in an exploitative and harmful sexual relationship with a vulnerable client over an extended period of time. The Registrant had not just failed to uphold professional and sexual boundaries he had actively breached them and taken the lead in engaging in the sexual relationship with Client A. It was evident Client A was still suffering from the impact the Registrant’s misconduct had upon her.
43. In coming to the above conclusion, the Panel reminded itself that there had been multiple instances in which professional and sexual boundaries had been breached and the Registrant had breached twelve sections of the Code.
44. The Panel concluded that the public and professionals alike would consider the Registrant’s actions to be serious misconduct and deplorable.

## **Impairment**

45. The Panel next considered the question of current impairment mindful that the question of impairment is a matter for the Panel’s professional judgement. The Panel recognised that it should assess the current position and looking forward. However, in order to form a view of the Registrant’s fitness to practise today, the Panel would necessarily take account of the way in which he has acted in the past. The Panel acknowledged that a finding of misconduct did not automatically lead to a finding of current impairment. It understood that a panel may conclude that misconduct on the part of a registrant was isolated and the chance of repetition so remote that their fitness to practise was not impaired.
46. The Panel considered the four Grant Questions referred to above as follows:  
*“Do our findings of fact in respect of the [Registrant/s] misconduct . . . show that his fitness to practise is impaired in the sense that he:*
- a. Has in the past acted and/or is liable in the future to act so as to put a [client or clients] at unwarranted risk of harm; and/or*
  - b. Has in the past brought and/or is liable in the future to bring the . . . profession into disrepute; and/or*

- c. *Has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the . . . profession; and/or*
- d. *Has in the past acted dishonestly and/or is liable to act dishonestly in the future.*

47. Regarding question 'd', the Registrant did not face an allegation of dishonesty.
48. Considering the remaining three questions in terms of the past conduct found proved and outlined in detail above, the Panel determined that all three were to be answered in the affirmative. Regarding 'a', the Registrant had put Client A at risk of harm indeed the Panel found that he had caused harm to her. As to question 'b' the Panel has determined that the Registrant's conduct was exploitative, harmful, driven by his own desires and breached professional, personal, and sexual boundaries. It was deplorable and brought the profession into disrepute thereby harming the reputation of the profession and fellow professionals. Finally in respect of question 'c' the Panel was satisfied that the Registrant had breached several fundamental principles of the profession including not causing harm, not exploiting a client and not entering into a sexual relationship with a client.
49. The Panel next considered each of the questions in the future tense and whether the Registrant was liable to act in such a way in the future. To determine the level of risk, the Panel had regard to any admissions of wrongdoing by the Registrant; any insight, remorse or remediation shown by him. In so doing the Panel had regard to the decision in the case of *Cohen v GMC (2008) EWHC 581* and considered whether the Registrant's misconduct is easily remedied; has already been remedied; and whether it is likely to be repeated.
50. The Panel found no evidence that the Registrant had reflected upon his conduct or that he had sought support from colleagues, discussed matters in supervision or attended CPD training relevant to this case. Rather he had denied any wrongdoing and declined to participate in the regulatory proceedings. In addition, there was no evidence to suggest the Registrant had the capacity to reflect or remediate indeed quite the reverse since he sought to blame Client A and accused her of damaging him and his career.
51. The Panel concluded that the Registrant demonstrated no insight into his misconduct and no remorse for the damage he had caused to Client A or the profession. He took no responsibility for what he had done but rather he blamed Client A. That being the case the Panel concluded that the three questions should all be answered in the affirmative in respect of future risk – there was a likelihood that the Registrant would in the future harm clients, bring the profession into disrepute and breach its fundamental tenets.
52. The Panel determined that the Registrant was currently impaired by reason of his serious misconduct and the risk of repetition.

53. The Panel was also mindful that when considering impairment, it was entitled to have regard to the wider public interest in maintaining public confidence in the profession and declaring and upholding proper standards. The Panel had regard to the following part of the judgement in the case of Grant: *“In determining whether a practitioner’s fitness to practice is impaired by reason of misconduct, the panel should generally consider not only whether the practitioner constitutes a present risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.”*
54. For the reasons it has outlined the Panel also determined that the Registrant is currently impaired as a matter of public interest. To find otherwise would undermine public confidence in the profession.

### **Reconsideration of hearing the case in private**

55. Having made its findings of fact, determined that the Registrant was guilty of misconduct and concluded that he is currently impaired, the Panel considered whether the case should continue to be heard in private or whether it should now be heard in public.
56. The Panel again balanced the private interests of Client A and the Registrant against the public interest and the principle of open justice. Having done so, the Panel determined that stages two and three of the case (misconduct, impairment and sanction) should be heard in public. The Panel considered that it was important for the public to understand the reasons why it found the Registrant guilty of misconduct, why it regarded him as currently impaired and why a sanction was necessary. Such public understanding is an important factor in declaring and upholding standards and maintaining public confidence in the profession.
57. In coming to the above conclusion, the Panel is aware that if the UKCP publishes a report of this case, it will contain no information that could be used to identify Client A.

### **Determination on Sanction**

58. In accordance with rule 7.25 of UKCP’s Complaints and Conduct Process, the Panel then went on to consider the question of sanction. This determination should be read in accordance with the Panel’s previous determinations on the facts, misconduct and impairment.
59. The Panel heard further submissions from Mr Mekkaoui on behalf of UKCP. He relied upon Ms Love’s written submissions and amplified them in oral argument. Mr Mekkaoui reminded the Panel that the purpose of a sanction is to protect the public and the public interest which includes declaring and upholding standards of practise. He submitted that the Registrant was guilty of serious departures from the standards expected of a registered professional and that the only appropriate sanction was

that of removal from the register. Mr Mekkaoui said that the Registrant had abused his position of trust, and the evidence showed that this was not a mistaken act, rather the Registrant had made the conscious decision to depart from expected standards and had done so. Mr Mekkaoui said that the Registrant demonstrated no insight into his misconduct and had provided no evidence to suggest he was committed to remediation. Finally, Mr Mekkaoui said that there were no previous complaints against the Registrant.

60. In reaching its decision, the Panel had regard to the UKCP's Indicative Sanctions Guidance 2019 ("the ISG") but exercised its own independent judgement.
61. The Panel accepted the advice of the Legal Assessor. The Panel recognised that the purpose of any sanction is not to punish the Registrant although that consequence may flow from a sanction. The Panel recognised that any sanction must be proportionate taking account of the public interest and the Registrant's interests.
62. The public interest includes the protection of members of the public, including clients; the maintenance of public confidence in the profession; and the declaring and upholding of proper standards of conduct and behaviour within the profession.
63. Despite the Registrant's non-attendance, his assertion that he no longer practised as a psychotherapist and his resignation from the UKCP register, the Panel considered the sanctions available to it under rule 7.25 of the Complaints and Conduct Process in ascending order. It did so in order to publicly consider and declare the seriousness of this case and the appropriate sanction. The Panel was mindful that any sanction should be the minimum that was proportionate and appropriate in all the circumstances.
64. The Panel considered this to be a serious case involving breaches of sexual and personal boundaries. In addition, the case was aggravated by the following: the number, breadth and longevity of the breaches; the particular vulnerability of Client A; the fact that Client A was harmed by the Registrant; the fact that the Registrant exploited Client A and took the lead in engaging in a sexual relationship with her.
65. The Panel recognised that the Registrant was entitled to absent himself from proceedings. This did not aggravate the case against him however it meant that no mitigation was presented on his behalf beyond the fact that the UKCP had received no prior complaints against the Registrant. However, the comments made by him such as blaming Client A and his resignation from the register underlined the finding that the Registrant demonstrated no insight into his failings, no remorse for what he had done and was unwilling to engage in remediation.

66. The Panel went on to consider the appropriate sanction(s) in order of seriousness keeping the principles of public protection and proportionality at the forefront of its consideration.

*a. Apology:*

The Panel concluded that this sanction did not meet the risk to the public it had identified, nor did it meet the public interest. The Registrant's misconduct was at the highest end of seriousness involving sexual misconduct that had a profound and lasting impact on a vulnerable client. The Registrant expressed no regret for what he had done, rather he accused Client A of blackmailing him and trying to ruin him and his career. It was clear to the Panel that an apology would be meaningless to the Registrant and could therefore be harmful to Client A. In any event the Registrant had made it clear that he would not cooperate.

*b. Warning:*

The Panel adopted the reasoning set out above. The Registrant accepted no responsibility for what had occurred and had withdrawn from the proceedings. He had clearly expressed his position regarding regulation by UKCP. The Panel was of the view that the Registrant would treat a warning in the same way as he now treated these proceedings.

*c. Written report or oral statement:*

The Panel adopts the reasoning set out above. The Panel concluded that the Registrant has no insight into his failings and this sanction would not result in any self-reflection. The Panel concluded this sanction would not protect the public or the public interest. The Registrant's conduct also indicated that he would not comply with such an order.

*d. Further training:*

The Panel adopts the reasoning set out above. The Registrant denied any wrongdoing, showed no insight into his failings and demonstrated a complete unwillingness to remediate. The Panel concluded that this sanction would not meet the risks it had identified or protect the public or public interest. The Registrant's refusal to engage with the regulatory process and his resignation from the UKCP register made such a sanction unworkable.

*e. Further supervision or therapy:*

The Panel was of the view that therapy may benefit the Registrant however whatever therapy training or supervision the Registrant may have engaged in to date, if any, it has not prevented him from committing serious and prolonged misconduct. The Panel determined that this sanction would not protect the public or meet the public interest for the same reasons as set out above.

*f. Conditions of Practise order*

The Panel next considered whether the impairment could be addressed by placing conditions on the Registrant's practise. The Panel was again of the view that this sanction would not protect the public or meet the public interest for the reasons set out above. The Panel had seen no evidence to suggest the Registrant would abide by any conditions. The Registrant had resigned from the register and, as outlined above, he took no responsibility for what he had done.

*g. Suspension Order*



The Panel went on to consider whether a suspension order would protect the public or meet the public interest. The Panel considered that the Registrant had demonstrated a complete lack of integrity. He had abused his position as a professional who was expected to stand alongside, support and enable Client A to heal. The Panel received no evidence to suggest the Registrant would accept the suspension and the need for him to change. Rather he denied all responsibility, blamed Client A and had declined to engage with the regulatory process. The Panel had no evidence from which to conclude the Registrant was even capable of addressing his failings, or that he would cooperate with a review of his fitness to practise toward the end of any suspension period. The Panel was of the view that a suspension order would not remediate the risks it had identified, and such an order was unworkable by reason of the Registrant's lack of cooperation.

*h. Removal from UKCP Register*

Finally, the Panel considered whether removal from the register was necessary in this case. In so doing it considered paragraph 3.9.2 of the ISG which provides that:

*“ . . . Termination of registration should be used when the panel considers there no other way to sufficiently protect the public or there is an unwillingness by the Registrant to show insight or resolve their failings. . . ”*

The Panel adopted the reasons set out above. It has already determined that the Registrant had engaged in conduct of a most serious and damaging nature and that he continued to pose a risk to the public. He had demonstrated a complete lack of professionalism and integrity; showed no insight or remorse and there was no evidence from which to conclude he was willing to remediate his failings or capable of remediation. In those circumstances the Panel had no option but to remove the Registrant from the register.

### **Application for an interim suspension order**

67. Mr Mekkaoui submitted that an Interim Suspension Order (ISO) was necessary to cover the appeal period in this case. He submitted that an ISO would protect the public and that public confidence would be undermined if an order was not imposed.

68. The Panel accepted the advice of the Legal Assessor.

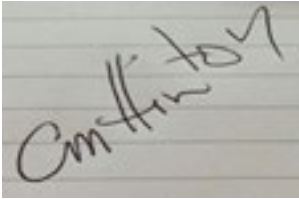
69. The Panel considered that an ISO was necessary to protect the public and was otherwise in the public interest. In coming to this conclusion, the Panel took account of its findings as outlined above and in particular the Registrant's lack of insight into and remediation of the serious risks the Panel has identified. It considered the public interest and the interests of the Registrant including the potential impact such an order may have and concluded that an order was necessary. The Panel was of the view that not to impose an ISO was inconsistent with the findings that there was a continued risk to the public and to the public interest.

### **Right of Appeal**

70. Both the Registrant and UKCP have 28 days from when the written decision is served in which to exercise their right of appeal.

71. The sanction outlined above will not take effect until after the 28-day period has lapsed. If no appeal is received the decision will take effect after the 28<sup>th</sup> day.

Signed,

A photograph of a handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read 'Catherine Hinton'.

Catherine Hinton, Lay Chair

15 November 2024