

UKCP's Complaints and Conduct Process
Complaint Hearing

9 & 10 November 2021
Via Zoom

Name of Registrant: Kathryn Finkel

Heard by: Adjudication Panel

Lay Chair: Catherine Hinton

Panel Members: Christopher Hope (HIPC & CCYP)
Serena Jenks (CPJAC)

Legal Assessor: Jon Whitfield QC (Doughty Street Chambers)

Panel Secretary: Lizzy Millar

UKCP Presenting Officer: Charlotte Ferson [UKCP]

Registrant: Kathryn Finkel not present
Represented by Dr Philip Cox

Charges found proved: 1, 2, 3, 5, 6(a) & (b), 7(a), (b), (c), (d), (e), (f), (g), (h)

Charges found not proved: 4 (withdrawn)

Panel decision: Misconduct found proved; current impairment found.

Sanction: 12 months Suspension Order with Conditions

Background – Caution

1. On 29 December 2020 the Registrant telephoned Complainant A and left a voicemail message claiming to be a Social Worker by the name of 'Kathy Irving' and wishing to speak to Complainant A. Shortly thereafter the Registrant phoned a second time and informed Complainant A that as a family member was said to be the subject of a fraud allegation, her vulnerable adult child may be removed and that the police had been contacted. The Registrant said that she had authority and the child may be removed from Complainant A's care. The Registrant said that she would attend their property on 30 December 2020.
2. When no Social Worker arrived at her home Complainant A contacted Social Services who advised her that there was no such Social Worker by the name of Kathy Irving and told her to contact the Police. She did so and the police traced the phone call to the Registrant.
3. The Registrant was interviewed under caution on 20 April 2021 by North Yorkshire Police and denied the offence. Complainant A provided a copy of the voicemail to the police who re-interviewed the Registrant. On 27 April 2021 the Registrant was interviewed again by the police and now being made aware of the recording of her phone call using the alias Kathy Irving, she admitted this conduct.
4. The Registrant admitted the offence of sending an offensive communication on 29 December 2020 contrary to section 1(1)(b) and (4) of the Malicious Communications Act 1988 (sic). She accepted a Police Caution on 5 May 2021.

Background - Letter:

5. In 2018 the Registrant conducted several couples therapy appointments with Clients A and B as a couple.
6. On 4 August 2021 the Registrant sent an unsigned letter to Client B at his request that contained information about Client A without her knowledge or consent.
7. The Registrant declared the above information to the UKCP on 22 September 2021.

Preliminary Matters

8. The complaint was heard under the UKCP Complaints and Conduct Process 2020. The Panel considered the alleged breaches of the UKCP Code of Ethics and Professional Conduct 2019, applicable at the time of the allegations.
9. The Panel considered the following preliminary matters:
 - i. UKCP evidence: bundle amounting to 91 pages, hereafter referred to as C1;
 - ii. UKCP evidence: amounting to one page, hereafter referred to as C2;
 - iii. UKCP evidence: recording of a voicemail message, hereafter referred to as C3
 - iv. UKCP evidence: amounting to two pages, hereafter referred to as C4
 - v. UKCP evidence: amounting to 24 pages, hereafter referred to as C5
 - vi. UKCP written submissions: amounting to 20 pages, hereafter referred to as C6
 - vii. Written submissions on behalf of the Registrant and evidence bundle amounting to 39 pages, hereafter referred to as R1;
 - viii. Submission on behalf of the Registrant amounting to 1 page, hereafter referred to as R2
 - ix. Submission on behalf of the Registrant amounting to 9 pages, hereafter referred to as R3
 - x. Submission on behalf of the Registrant amounting to 8 pages, hereafter referred to as R4
 - xi. An amended and agreed set of Allegations amounting to 2 pages

Preliminary Applications

Joinder of two cases

10. The Registrant faced two sets of allegations. The first involved her impersonating a Social Worker resulting in the Registrant receiving a police caution (“the caution case”). The second set involved breaching the confidentiality owed to a couple as her primary client as opposed to the individuals (“the confidentiality case”). Dr Cox on behalf of the Registrant and Ms Ferson on behalf of the UKCP invited the Panel to join the two cases and hear them together. They both submitted that it was in the public interest and the Registrant’s interests to hear the cases together since there were some common themes and charges could be admitted. The case could, therefore, be dealt with expeditiously.
11. The Panel accepted the advice of the Legal Assessor.

12. The Panel determined that the two cases should be heard together. Both cases involved concerns over breaches of professional boundaries. The Panel understood that joining the cases together would facilitate the early resolution of all matters and allow the Panel to take an overview of the cases involving the Registrant. It determined that it was in the Registrant's best interests to do so, meeting the overarching objective of regulatory proceedings to protect the public.

Hearing the case on the papers

13. Dr Cox, on behalf of the Registrant, requested that this hearing be held on the papers in accordance with paragraph 7.12 of UKCP's Complaints and Conduct Process ("CCP") which states:

"Cases will normally be decided after oral hearings at which the parties have the opportunity to make submissions, to give evidence and to call witnesses; but if the Adjudication Panel and the parties agree, cases may also be decided:

.....7.12.2 without an oral hearing, with all submission, as well as the evidence, being presented in the form of written statements. This may be particularly appropriate where the Registrant admits the allegations and wants to make representations/submissions only in relation to the admitted breach(es), [her] suitability to be on the UKCP register and any sanction."

14. UKCP agreed this request and had prepared written submissions to facilitate this.
15. Following a preliminary discussion between Dr Cox and Ms Ferson, the Panel heard brief representations as to the final form of the allegations and whether they were admitted or denied. Both advocates submitted that the Panel could deal with the case on the papers but agreed to make themselves available to answer any queries the panel may have.
16. The Panel accepted the advice of the Legal Assessor.
17. The Panel were content for the matter to be heard on the papers. Following the above-mentioned discussions and representations the Panel was satisfied that the case to be presented by the UKCP was clear; the Registrant had presented her full response including

the fact that she would admit all the allegations and did not contest either misconduct or impairment (albeit these are matters for the Panel).

18. The Panel considered that the case could be dealt with on the papers. However, should the Panel have any questions, both Ms Ferson and Dr Cox would be available to answer them. This would allow for an expeditious hearing which met the overarching objective namely the protection of the public.

Hearing the case partly in private

19. Dr Cox asked that any references to the Registrant's particular personal circumstances be heard in private. The UKCP conceded this would be appropriate.
20. The Panel accepted the advice of the Legal Assessor.
21. The Panel accepted the joint application under the provision of rule 7.8 that those parts of the hearing relating to the Registrant's particular personal circumstances be held in private. The remainder of the hearing and any reporting regarding the remainder would be public. The Panel considered that the personal and family interests of the Registrant are sensitive matters and her right to privacy outweighed the public interest. This permitted the Registrant to refer to her personal circumstances and their impact upon her practice without the weight of public scrutiny. It would also enable the UKCP to test that information and the Panel to assess its impact appropriately. The Panel was satisfied that this struck a fair balance between the public interest, the Registrant's interests and, it facilitated a fair hearing in accord with the overarching objective.
22. As stated above Ms Ferson and Dr Cox agreed to remain available for the Panel should any issues arise.

Determination on the facts

23. The Panel considered all the documentary evidence submitted by Ms Newton on behalf of UKCP and Dr Cox on behalf of the Registrant.
24. Dr Cox on behalf of the registrant admitted all the factual allegations.
25. Ms Newton submitted that the facts admitted should be found proved by way of admission.

26. The Panel heard and accepted the advice of the Legal Assessor.

27. On balance, having fully considered the above, the Panel made the following findings:

Allegations:

Allegation one – Admitted and found proved.

On 5 May 2021, you Kathryn Finkel accepted a Police caution for the following offence which was contrary to the Malicious Communication Act (1988) namely:

Send communication/article of an indecent/offensive nature 20/12/29 – On 29/12/2020 at [redacted] sent to [redacted] an electronic communication, namely a phone call, which was, in whole or part, of an indecent or grossly offensive nature for the purpose of causing distress or anxiety to the recipient or to any other person to whom you intended that it or its contents or nature should be communicated.

Allegation two – Admitted and found proved.

You failed to notify UKCP of the caution at 1 above.

Allegation three – Admitted and found proved.

You wrote and sent a letter dated 4 August 2021 to Client B which contained information about Client A in the absence of Client A's verifiable consent.

Allegation four

This allegation was withdrawn by the UKCP.

Allegation five – Admitted and found proved.

You failed to obtain legal or ethical advice prior to writing the letter at 3 above.

Allegation six – found proved.

Your actions at 1, 2, 3, 5 above were:

- (a) Inappropriate – Admitted and found proved in respect of Allegations 1, 2, 3 and 5 and/or
- (b) Unprofessional - Admitted and found proved in respect of Allegations 1, 2, 3 and 5

Allegation seven

The behaviours set out at 1 – 6 above are in breach of the UKCP Code of Ethics and Professional Practice (the Code). In particular you failed to:

- a) act in your client's best interests, thereby breaching clause 1 of the Code;
Admitted in respect of Allegation 3 and found proved
Admitted in respect of Allegation 5 and found proved
- b) recognise that your behaviour outside your professional life may have an effect on your relationship with clients, thereby breaching clause 10 of the Code;
Admitted in respect of Allegation 1 and found proved
Admitted in respect of Allegation 2 and found proved
- c) respect, protect and preserve client A's confidentiality, thereby breaching clause 18 of the Code
Admitted in respect of Allegation 3 and found proved
Admitted in respect of Allegation 5 and found proved
- d) notify Client A when appropriate or on request that there are legal and ethical limits to confidentiality, and circumstances under which confidential information might be disclosed to a third party, thereby breaching clause 21 of the Code.
Admitted in respect of Allegation 3 and found proved
Admitted in respect of Allegation 5 and found proved
- e) obtain legal and ethical advice before providing writing the letter, thereby breaching clause 22 of the Code;
Admitted in respect of Allegation 3 and found proved
Admitted in respect of Allegation 5 and found proved
- f) 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;
Admitted in respect of Allegation 1 and found proved
Admitted in respect of Allegation 2 and found proved
Admitted in respect of Allegation 3 and found proved
Admitted in respect of Allegation 5 and found proved

- g) report potential breaches of the above Code to UKCP, thereby breaching clause 37 of the Code;
Admitted in respect of Allegation 1 and found proved
Admitted in respect of Allegation 2 and found proved
- h) inform UKCP that you had accepted a Police caution, thereby breaching clause 39(b) of the Code.
Admitted in respect of Allegation 1 and found proved
Admitted in respect of Allegation 2 and found proved

28. In total the Panel found 18 breaches of UKCP's Ethical Principles and Code of Professional Conduct proved.

Determination on misconduct

29. This determination should be read in accordance with the Panel's above determinations.
30. The Panel went on to consider the question of misconduct. In addressing this question, the Panel took into account the relevant information before it. This included representations by Dr Cox regarding the Registrant's training in couples therapy and a subsequent email on this topic.
31. The UKCP invited the Panel to find that by virtue of the Registrant's admissions regarding the facts and in respect of the admitted breaches of the Code she had departed from the standards required of her. The only question that remained is whether that departure was 'serious'.
32. Regarding the conduct that gave rise to the caution, the UKCP submitted that the allegations were serious. The Registrant had committed a criminal offence; one of the victims of this offence was a vulnerable person; the Registrant initially lied to the Police in interview and only made admissions when faced with indisputable evidence namely a recording of her own voice.
33. The Registrant impersonated a Social Worker, a title which is protected by statute in recognition of its status and importance in society. The Registrant pretended to be a person in authority telling a mother that her adult child, for whom she was a full-time carer, would be removed from her care. An act which caused considerable distress to a mother and adult child.

34. The Registrant by her own admission agreed that her action in impersonating a Social Worker was a deliberate course of conduct. She specifically chose to do this knowing that the complainant would not speak to her otherwise.
35. The UKCP requires that Registrants report criminal charges and sanctions so that it may exercise its function as a regulator and undertake appropriate risk assessments, protect patients and the reputation of the profession. This is clearly set out in UKCP's Code which all UKCP Registrants agree to adhere to.
36. The Registrant failed to do this and UKCP was only made aware of the Police Caution by the complainant.
37. Regarding allegations 3 and 5, and the letter the Registrant wrote dated 4 August 2021, UKCP submitted that as a former client, the Registrant had a duty to respect, protect and preserve Client A's confidentiality. The Registrant failed Client A by referencing her in the letter. The UKCP acknowledged that the Registrant had made attempts to remain neutral (as between Client A and Client B) but failed in this regard and failed to seek either Client A's consent or any other ethical or legal advice.
38. The UKCP asserted that the Registrant had been careless in not seeking the consent of Client A or ethical/legal advice before providing a letter to Client B and failed to consider that once the letter had been provided to Client B, she had no control over it. The Panel agreed with this assertion.
39. In view of the above UKCP submitted that the Registrant's conduct would be regarded as "deplorable" by fellow members of the profession and amounted to misconduct.
40. Dr Cox on behalf of the Registrant submitted that misconduct was admitted.
41. 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.
42. In addressing whether the facts proved amounted to misconduct, the Panel had regards to the comments of Lord Clyde in the case of *Roylance v General Medical Council* [No.2] [2000] 1 AC 311 in which 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.”

43. Having considered the facts found proved, submissions from the parties and the above guidance, the Panel determined that the facts found proved did amount to misconduct.
44. The Panel regarded the conduct of the Registrant that led to the caution to be extremely disturbing. She committed a criminal offence by impersonating a Social Worker (a protected title). She did so deliberately to speak to Complainant A who she knew would not otherwise speak to her. The Registrant used this subterfuge to threaten Complainant A and take her adult child from her, knowing this person was vulnerable. The Registrant claimed to be someone in authority who worked with vulnerable persons, investigating a fraud and to have liaised with the police. Not only was the Registrant's conduct serious in itself but, the consequences of the conduct were also serious both to Complainant A and her vulnerable family member.
45. The Panel noted that when the Registrant was questioned by the police regarding the above matters, she denied that this was her. She lied to and misled the police. It was only subsequently when confronted with a recording of her phone call that the Registrant admitted her conduct. The Panel considered this to be a serious aggravating feature of the Registrant's conduct.
46. The Registrant has said that she made the phone call when under the influence of alcohol and panicked when she lied to the police having realised the seriousness of what she had done. Whilst the Panel considered that people may panic when confronted with their conduct, it is the mark and duty of a professional to admit error, not to lie about it. Whilst neither of these facts is a mitigating feature, the Panel was mindful of the wider personal context of this case heard in private. It took this into account when considering her conduct.
47. Considering the breach of confidence appertaining to Client A (the confidentiality case), the Panel was of the view that this met the threshold of serious misconduct. When dealing with couples, the Registrant's duty of care was to the couple as her primary client. That duty precluded her from acting for or advising either half of the couple as an individual. In writing a draft letter for Client B the Registrant neglected her duty to Client A and to them as a couple.

48. In assessing this aspect of the case, the Panel took into account the training said by the Registrant to be relevant. The Panel noted that this was a five-day non-accredited training course in group and couple work. This took place 10 years ago, did not cover the concerns raised in this case and no other professional development has been brought to the Panel's attention.

49. The Panel found the Registrant's conduct amounted to serious professional misconduct.

Determination on impairment

50. The Panel then went on to consider the question of impairment.

51. Ms Newton on behalf of UKCP invited the Panel to conclude that the Registrant was currently impaired. Dr Cox conceded that the Registrant was currently impaired.

52. The Panel was invited to consider the cases set out below which provide guidance for the way in which regulatory panels should approach impairment in cases such as this namely that the issue of impairment is a matter of judgment taking account of the misconduct and any insight, remediation, reparation, or evidence of the capacity for the same

- Cohen v GMC [2008] EWHC 581 (Admin);
- Zygmunt v GMC [2008] EWHC 2643 (Admin);
- Cheatle v GMC [2009] EWHC 645 (Admin);
- Yeong v GMC [2009] EWHC 1923 (Admin);
- CHRE v NMC and Grant [2011] EWHC 927 (Admin).

53. The Registrant's conduct towards Complainant A, the mother of a vulnerable person, was a deliberate act. She threatened Complainant A that she would remove her vulnerable adult child from her care. Page 37 of R1 (the Registrant's bundle) shows a social media post written by the complainant in which she details the effects that the Registrant's actions have had on her and the vulnerable person. Page 85 of C1 the UKCP's bundle is a statement to similar effect.

54. When interviewed by the police the Registrant denied her conduct in an attempt to evade detection and punishment. Her admission was only forthcoming following notification of irrefutable evidence. She accepted that her initial denial to the police was not truthful.

55. The Registrant's behaviour was criminal and merited the sanction of a caution.
56. In her responses to UKCP the Registrant has shown a lack of insight into her misconduct and failed to recognise the impact that it had on the complainant and her vulnerable family member. Rather she sought to blame Complainant A for the effect to this person. Mr Cox stated that the Registrant no longer held this position and now 'owned' her misconduct without caveat.
57. The Panel was invited to conclude that the Registrant was currently impaired. The UKCP submitted that public confidence in the psychotherapeutic profession would be seriously undermined if a finding of current impairment were not made and it should be made in order to uphold the proper professional standards.
58. Dr Cox on behalf of the Registrant admitted that the Registrant was currently impaired.
59. The Panel accepted the advice of the Legal Assessor
60. The Panel applied the approach as set out in the 5th Shipman Enquiry and Dame Janet Smith's approach to determine the question of impairment.
- "Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her fitness to practise is impaired in the sense that s/he:*
- a. Has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
 - b. Has in the past brought and/or is liable in the future to bring the medical 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 medical profession; and/or*
 - d. Has in the past acted dishonestly and/or is liable to act dishonestly in the future.*
61. The Panel considered whether the Registrant's misconduct is easily remedied; has already been remedied; and whether it is likely to be repeated.
62. In addressing the issues of current impairment, the Panel also had regard to issues of insight.

63. The Panel concluded that the Registrant is currently impaired.

64. The Panel noted that the Registrant was a practitioner of many years standing nonetheless she had behaved in ways that were harmful to both Complainant A and Client A. Her conduct toward Complainant A was serious and when confronted with the allegation her reaction was to falsely deny her conduct. When she finally admitted it, she sought to blame Complainant A for the effect upon the vulnerable person. The Panel detected little if any insight into this aspect of the case nor any real understanding of the damage caused by her conduct. The Panel observed that the Registrant had made no apology to Complainant A or her family. Whilst the Panel accepted the submission that an apology could not be made directly, that did not preclude an apology through a third party.

65. Whilst the Panel accepted the submission that the Registrant had 'owned' her misconduct this was a recent turn of events. The Panel detected little if any insight into why it had occurred, the consequences, or the risk of repetition. Rather the Registrant had lied and then cast blame elsewhere. The Panel was far from satisfied that the Registrant had demonstrated she would not conduct herself in a similar fashion in the future.

66. Regarding the breach of confidentiality, whilst the Registrant had admitted this conduct, the Panel had seen little if any information to explain why the Registrant acted as she did. She was a practitioner of many years' standing and should have known her duty was to the couple. This precluded her from providing information, advice, or documentation to Client B, more so since it referenced Client A.

67. Overall, the Panel saw little acknowledgement by the Registrant for her misconduct other than her admissions. She characterised her conduct in the Police Caution case as an error. That is to minimise what occurred, namely a deliberate course of conduct that was both criminal and harmful. Regarding the breach of confidentiality, the Panel had received no explanation as to why this Registrant of many years standing failed in her duty to Client A.

68. The Panel was aware of the Registrant's particular personal difficulty (referred to above). It considered whether this had impacted upon the Registrant's conduct and judgement and concluded that this was quite likely. Whilst the Panel acknowledged that the Registrant was undergoing personal reflection it had not been provided with sufficient information to determine whether this could or would address the issue of insight and the risk of repetition.

69. In considering the issue of impairment the Panel took account of the admitted breaches of the Code namely Clauses 1, 10, 18, 21, 22, 32, 37 and 39(b) as indicating misconduct and impairment. Having examined the Code the Committee concluded that the following clauses were also engaged in this case:

Clause 2: not treating Client A with respect

Clause 3: not respecting the couple's autonomy

Clause 6: Not harming a client (applicable to Client A; the principle of doing no harm was also applicable to Complainant A and her vulnerable family member)

Clause 8: Regarding breaches of professional boundaries

Clause 12: Using a false title in communication

Clause 29: the Registrant had abused her knowledge of Complainant A's vulnerable family member

Clause 33: the Registrant had failed to comply with her professional obligations

Clause 34: the Registrant had failed to comply with her professional obligations regarding communications

Clause 35: the registrant had failed to safeguard a vulnerable person.

Determination on Sanction

70. 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.

71. The Panel heard further submissions from Ms Ferson on behalf of UKCP and Dr Cox on behalf of the Registrant.

72. Dr Cox on behalf of the Registrant submitted that all of the allegations had been admitted and the UKCP bundle of evidence had been accepted in its entirety.

73. Dr Cox invited the Panel to decide sanctions on compassionate grounds and consider paragraph 18.6 of R1 (the Defence Bundle) that states that the Registrant had formulated a plan to address her personal issues, to manage stress and her workload.

74. The Panel were asked to consider the Registrant's character references from her employer and supervisor and blemish-free career history.

75. Dr Cox invited the Panel to consider a Conditions of Practice Order as the most appropriate sanction, given the Registrant's willingness to comply and insight into her own failings. He said that the Registrant's failures were capable of being remedied and that she did not pose a risk to the public.
76. Dr Cox invited the Panel to consider mitigating factors, adding that the Registrant's insight and learning were: professionally in relation to the UKCP's Code of Ethics and Professional Practice and personally in relation to her private life, in which case the two spheres had overlapped.
77. In September 2020 the Registrant stopped practising privately for personal reasons of which the Panel was made aware.
78. The Registrant returned to work in October 2020 on reduced duties until January 2021. The Registrant's pet dog died on 24 April 2021 four days after she was first interviewed by police under caution.
79. For reasons which the Panel is aware, the Registrant has not worked in private practice since September 2020.
80. Ms Ferson on behalf of UKCP submitted that termination was not required in this case given the Registrant's "fledging" insight however she invited the Panel to consider the seriousness of the case.
81. It was UKCP's submission that nothing less than a suspension was appropriate in this case. Conditions of Practice were unsuitable because they failed to mark the seriousness of the Registrant's departure from the required standards.
82. The UKCP submitted that the facts found proved by the Panel would mean that the only sanction appropriate was a suspension for a period of 6 months, in combination with the following conditions:
- a. reflective report to show what the Registrant has learned from the experience;
 - b. personal therapy with a named practitioner for a minimum length of time determined by the Panel, identifying the goals to be achieved.
83. The Panel heard and accepted the advice of the Legal Assessor. The Panel recognised that the purpose of any sanction was not to punish the Registrant, although sanctions may have a

punitive effect. The Panel recognised that any sanction must be proportionate and balance the public interest with that of the Registrant.

84. The public interest includes the protection of members of the public; clients; the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and behaviour within the profession.

85. The Panel considered the sanctions available to it under rule 7.25 of the Complaints and Conduct Process in ascending order and was mindful that any sanction imposed should be the minimum that would be considered proportionate and appropriate in the circumstances.

86. The panel first considered the overall seriousness of the case. By her own admission the Registrant, a practitioner of considerable seniority and experience, committed a criminal offence that adversely impacted Complainant A and a vulnerable person. When questioned regarding this she compounded her conduct by behaving dishonestly. Following this she sought to minimise her conduct and blamed another for the impact of her own acts. The Panel regarded her dishonesty and lack of candidness to be aggravating features. The Registrant's lack of insight and remediation of her own conduct remained a concern.

87. However, in considering the mitigating factors the Panel took into account of the careful and detailed references attesting to the Registrant's otherwise good character and her previous good conduct. Additionally, the Panel was aware of personal factors that it considered should be taken into account. The Panel determined that the Registrant's actions were those of someone in crisis rather than the actions of someone who wholly lacked integrity. Finally, the Panel noted that the Registrant had sought to address her personal issues and failings and had withdrawn from private practice.

88. The Panel considered the sanctions in the following order:

a. Apology

The Panel determined that this sanction was insufficient to meet the seriousness of this case. It did not remediate the registrant's failings nor prevent repetition and thus would not protect the public.

b. Warning

The Panel determined that this sanction was insufficient for the same reasons set out above.

c. Written report or oral statement

The Panel determined that this sanction was insufficient for the same reasons set out above.

d. Further training

Whilst the Panel considered that further training would benefit the Registrant, the Panel determined that this sanction was insufficient to meet the seriousness of this case for the reasons set out above.

e. Further supervision or therapy

Whilst the Panel considered that further supervision and therapy would benefit the Registrant, the Panel determined that this sanction was insufficient to meet the seriousness of this case for the reasons set out above.

f. Conditions of Practice order

Whilst the Panel considered that the framework and training provided by a Conditions of Practice order would benefit the Registrant it determined that this sanction was insufficient to meet the seriousness of this case and in particular mark the gravity of the Registrant's misconduct.

g. Suspension Order:

The Committee determined that a suspension order would reflect the gravity of the Registrant's misconduct. It sent a clear signal to her and the public that such conduct was unbecoming of a UKCP registrant. It would provide time for the Registrant to reflect upon her misconduct and the necessary pathway she must take to rectify her failings.

h. Removal from UKCP Register

Having determined that the overarching objective of protecting the public was met by a Suspension Order with conditions, the Panel determined that this sanction was unnecessary and to impose it would be punitive.

89. The Panel determined that the appropriate sanction is one of a Suspension Order for 12 months together with the following:

- a) Weekly therapy for 12 months with particular focus on the personal issues, the Registrant's lack of honesty and impulsivity that manifested themselves in this case. The Registrant is to propose a suitable therapist to the UKCP for approval. A report is to be submitted to the Case Manager by the therapist every six months.

- b) In person training during the 12 months provided by a UKCP accredited body with particular focus on working with couples and families and the issues of boundaries, contracts, and confidentiality. The Registrant is to propose the training she wishes to attend to the UKCP for approval.
- c) The Registrant is to produce a certificate (or certificates) of completion of the above training to the Case Manager.
- d) Twelve sessions of supervision during the 12 months suspension period to focus upon her failings, the outcome of this hearing and how she may address these in order to return to private practice. The Registrant is to propose a suitable supervisor to the UKCP for approval. A report is to be submitted to the Case Manager by the supervisor after six sessions and again after twelve sessions.
- e) The Registrant is to provide a reflective report to the Case manager setting out the knowledge she has acquired from the above training and the insight she has gained into her personal failings as set out in this determination and how these issues impacted upon her professional practice.

90. The Panel determined that no lesser sanction than a Suspension Order of 12 month would meet the seriousness of this case, protect the public or meet the wider public interest.

Interim Suspension Order

91. Ms Ferson submitted that an Interim Suspension Order (ISO) was necessary in this case. Dr Cox accepted that an ISO was appropriate.

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

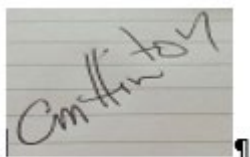
93. Bearing in mind the seriousness of this case and the risks to the public outlined above the Panel considered that an ISO was necessary to protect the public.

Right of Appeal

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

95. 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 28th day.

Signed,

A handwritten signature in dark ink on a light-colored, lined background. The signature is written in a cursive style and appears to read "Catherine Hinton".

Name, Catherine Hinton

10 November 2021