

**IN THE PROFESSIONAL STANDARDS BOARD ANGLICAN
DIOCESE OF MELBOURNE**

IN THE MATTER of a complaint against Reverend LM

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| BOARD MEMBERS: | Mr Robin Brett QC (Deputy President of the Professional Standards Board) |
| WHERE HELD: | Melbourne |
| DATE OF HEARING: | 28 January 2020 |
| DATE OF DETERMINATION: | 25 February 2020 |
| CASE MAY BE CITED AS: | <i>Professional Standards Committee v. Reverend LM</i> |
| MEDIUM NEUTRAL CITATION: | [2020] PSB 1 (Melb) |

**FITNESS FOR OFFICE – Misconduct – Bullying – Harassment – Emotional abuse –
consideration of complaint being vexatious - complaint misconceived – complaint
dismissed - Professional Standards Uniform Act 2009 (Melb), s 5**

Multiple complaints were made against the respondent alleging that the respondent had engaged in misconduct by bullying, harassing and emotionally abusing two junior clergy that he was supervising, and a parishioner.

Held:

- (1) The complaints against Reverend LM as set out in the Statement of Allegations filed by the Applicant and dated 27 March 2019 are dismissed in exercise of the Board’s powers under section 79 of the Professional Standards Uniform Act 2016.
- (2) The Office of Professional Standards is directed to grant Reverend LM an unconditional clearance for ministry as Priest in Charge or Incumbent at the parish.

APPEARANCES:

For the PSC
For the respondent

Counsel

Ms Michelle Jenkins
Ms Rachel Ellyard

Solicitors

PSC

Referral by the Professional Standards Committee under s 69 of the Professional Standards Uniform Act 2016 (**the Act**) of a complaint against the respondent for raising a question of fitness for office.

The Board: Reasons for Determination and recommendations**Introduction**

1. I indicated that I would make orders along the lines of the final orders above at a preliminary conference held pursuant to section 101 of the *Professional Standards Uniform Act 2016*, which I shall refer to from now on simply as “the Act”. The conference was held on 28 January 2020, having been called by me as presiding member of the Professional Standards Board constituted to deal with the complaints made by the Professional Standards Committee against Rev LM (the respondent). The purpose of the conference was to consider an application made by the respondent for the complaints against him to be dismissed summarily on a number of grounds. As the application raised only questions of law or mixed law and fact, I, as the presiding member, am charged by section by paragraph 116(1)(a) of the Act with deciding them alone. The conference was held on 28 January 2020 and the heading above lists the persons present.
2. By way of background I note that the respondent was a vicar of an Anglican Church. The first and second complainants were also employed in the Anglian Church and supervised by the respondent. The third and fourth complainants were parishioners.

Complaints

3. It is necessary to begin by indicating the nature and substance of the complaints. They are lengthy (7 pages) and it is not necessary to set them out in full; I shall summarise them to the extent that I can do so without losing anything of importance. There are ten complaints, grouped into three allegations. The first comprises three complaints made by the first complainant; the second comprises five complaints made by the second complainant and a sixth complaint made by the fourth complainant about conduct that was witnessed in relation to the second complainant; and the third consists of a single complaint made by the third complainant.
4. The complaints made by the first complainant relate to three incidents that they allege occurred in early to mid-2011. The complaints were not made until 2018, i.e., approximately 7 years after the alleged incidents. The allegation is that the conduct described in the complaints constituted bullying and/or emotional abuse and/or harassment and/or conduct unbecoming or inappropriate for someone in the respondent’s position and thus amounted to misconduct within the meaning of section 5 of the Act.
 - a. Complaint 1 is, in substance, that the respondent was generally over-critical of the first complainant and practised a “training style of negative criticism”. In particular, after the first complainant had conducted their first baptism, in relation

to which the respondent had previously given them “very little direction” and had not given the first complainant a chance to conduct a rehearsal or the “required level of information necessary to meet their expected standards” or any adequate training, the respondent made a large number of criticisms of the first complainant’s conduct of the baptism. The complaint was that the respondent provided criticism that was not commensurate with the extent and nature of the training, guidance and instruction provided beforehand. As a result, the first complainant was “made to feel like a failure in that he had been given a job to do in which he failed in a public setting.”

- b. Complaint 2 is that the respondent “regularly undermined the first complainant’s confidence and self-worth”, and specifically that in about mid-2011 the respondent informed the first complainant that training him was taking time away from other ways the respondent could be doing ministry and that less ministry was happening at the parish while the first complainant was there. As a result the first complainant felt that the respondent was doing him a huge service by training them and putting them under a burden of obligation to the respondent and the parish and made them feel guilty, and that the parish was somehow suffering.
 - c. Complaint 3 is that in early to mid-2011, after the first complainant had read aloud from the Bible in a public setting, the respondent asked them in private if they might suffer from dyslexia. The first complainant found this comment humiliating and confronting and suggestive that they might have a flaw that would disqualify them from ministry, and complained that it related to “personal and private information” about which the respondent had no right to comment.
5. The complaints made by the second and fourth complainant relate to the period 2015-2017. The conduct described in the complaints is alleged to amount to bullying and/or emotional abuse and/or harassment and/or conduct unbecoming a person in the respondent’s position and thus misconduct within the meaning of section 5 of the Act. The six complaints comprising allegation 2 are as follows.
- a. Complaint 4 is that the respondent told the second complainant, shortly before they commenced their position, that the first complainant and another clergy person had been disappointments in their roles and revealed that the first complainant had been suffering from clinical depression. The respondent said that they hoped that the second complainant would not also be a disappointment. These comments made the second complainant feel that they were being put in the same category as the others, did nothing to give the second complainant hope that they could meet the respondent’s standards and made them feel that they could not confide in the respondent for fear that the respondent would be disappointed in them.
 - b. Complaint 5 is that at a supervision meeting in July or August 2015, and on subsequent occasions, The respondent said to the second complainant that they had low “people intelligence” or “EQ intelligence”, which the second complainant found insulting, hurtful and demeaning.
 - c. Complaint 6 is that in mid-2015 the respondent told the second complainant to keep an hour-by-hour record of what they did each day, and subsequently, on examining that record, criticised how the second complainant spent their time, but failed to provide guidance as to how the second complainant should better use their time, as a result of which the second complainant felt that they were being

deliberately set up for failure and that the respondent was looking for opportunities to criticise them.

- d. Complaint 7 is that in about August 2016 the respondent told the group volunteers of a program, which was run by the second complainant, that the program was “pathetic, hopeless and embarrassing”, and that the group would have to lift its game. The second complainant felt that these statements were inappropriate and an attack on him personally.
 - e. Complaint 8 is on about 12 October 2017, when the second complainant told the respondent that they were thinking about starting an Anglican church plant, the respondent said that the idea was like “pissing in the wind”, that the second complainant was “barely trained”, and that it would be a very bad idea. The second complainant felt that these statements were rude, inappropriate and personally hurtful.
 - f. Complaint 9, which was made by the fourth complainant, is that on about 27 April 2015, at a debriefing following an event attended by a number of volunteers (including the fourth complainant) and the second complainant, The respondent scathingly and personally criticised the second complainant’s attempts to engage with non-parish children and their style of reading from a storybook rather than the Bible, admonishing and humiliating the second complainant in the presence of others in a manner that shocked and embarrassed the fourth complainant and left them speechless.
6. The third allegation is that the respondent engaged in conduct in relation to the third complainant that constituted bullying and/or harassment and/or conduct unbecoming or inappropriate of someone in the respondent’s position and thus misconduct within the meaning of section 5 of the Act. The allegation arises out of an incident on 7 March 2018. On that date the respondent asked the third complainant, who was walking out of church, “What’s your problem,” to which the third complainant replied, “You.” The respondent then said that the two of them needed to sort things out, and met with the third complainant by agreement on 11 April 2018. In that meeting the respondent accused the third complainant of upsetting two different people, but refused to provide them with any information about the identity of the people or the manner in which the third complainant had upset them, so that the third complainant was “left wondering” and denied any right of reply.

Submissions

7. The respondent’s application for the complaints to be dismissed was not opposed by the Committee, for whom Ms Jenkins appeared.
8. Ms Ellyard provided me with a written outline of submissions in support of her application, and also an opinion by the Church Ombudsman. I have read the Ombudsman’s opinion, but both Ms Ellyard and Ms Jenkins agreed that it was not binding on me, and it has not influenced my decision in relation to the application. I was informed that it had influenced the Committee’s decision not to oppose the application.
9. The written outline of submissions commenced by citing sections 79, 97, 98 and 116 of the Act in support of the proposition that the complaints should be dismissed on the basis that they are vexatious and misconceived, and/or struck out as an abuse of process. The outline accepted that the Board must deal with the application on the basis that the facts alleged in the complaints can be proved, but submitted that the

“highly emotional descriptors used in the allegations” should be disregarded. It was further submitted that the highly emotional nature of the descriptors was itself a basis for dismissing the proceeding.

10. In general I do not agree with the implicit proposition that the allegations of fact in the complaints contained highly emotional descriptors. It is true that there are many strong words used, but they are almost always used to describe the reactions of the complainant to the alleged conduct of the respondent, not the conduct itself. The descriptions of the alleged conduct are, for the most part, reasonably neutral. There are exceptions (in one complaint in particular), and where they occur I have disregarded the descriptions and had regard only to the actual conduct alleged.

Legislation

11. Sub-section 79(1) of the Act provides, so far as relevant, that if the Board is satisfied that the complaint is false, vexatious or misconceived, it must determine accordingly and dismiss the complaint. The Board may, having dismissed the complaint, take no further action, or it may make certain recommendations to the Church Authority.
12. Section 97 provides that the Board must act with fairness and in accordance with the rules of equity, good conscience, natural justice and the substantial merits of the case without regard to technicalities or legal forms, and that the Board is not bound by the rules of evidence.
13. Section 98 of the Act sets out certain powers of the Board and requires the Board to give both the Committee and the respondent a reasonable opportunity to be heard. Section 116, to which I have already referred, provides that any question of law, including any question of mixed law and fact, must be determined by the presiding member of the Board alone.
14. In oral discussion I was also referred by Ms Ellyard to Part 1.3 of the Act, which sets out its overriding purposes. These are stated in section 9 to be –
 - a. to facilitate the just, quick and inexpensive resolution of the real issues in the complaint or matter; and
 - b. to regulate fitness for ministry or service, to uphold standards in the Church and for the protection of the community.

Section 10 provides that the PSC and the Board must both seek to give effect to the overriding purpose when exercising any power given by the Act or interpreting any of its provisions. I have done so throughout my consideration of this application.

15. It is necessary now to consider the definition of “misconduct”, for the allegations against the respondent are all of misconduct. It is defined in section 5 of the Act, which so far as relevant provides that misconduct means bullying, emotional abuse, harassment or conduct, other than excluded conduct, that is unbecoming or inappropriate to the role, office or position of the Church worker concerned. The definition also includes numerous other forms of conduct, but it is not necessary to consider them for present purposes. All of the allegations use those terms to describe the alleged misconduct of the respondent, and they are all themselves defined, with the exception of conduct that is unbecoming or inappropriate. It is therefore necessary to consider the definitions.
16. “Bullying” is defined in section 3 of the Act as meaning behaviour directed to a person which –

- a. Is repeated;
 - b. is unreasonable (being behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening); and
 - c. creates a risk to the person's health and safety –
but not including excluded conduct as defined in the Act.
17. "Emotional abuse" is defined in the same section as –
- a. subjecting a person to excessive and repeated personal criticism;
 - b. ridiculing a person, including the use of insulting or derogatory terms to refer to that person;
 - c. threatening or intimidating a person;
 - d. ignoring a person openly and pointedly;
 - e. behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected; or
 - f. any other act or omission in relation to a person
which has caused, or is likely to cause, physical or mental harm including self harm but not including excluded conduct.
18. "Harassment" is defined, also in the same section, as unwelcome conduct, whether intended or not, in relation to a person in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person would be offended, humiliated or intimidated, but not including excluded conduct.
19. It may be seen that each of the relevant terms is defined in a way that specifically excludes "excluded conduct". The term "excluded conduct" is defined in section 4 of the Act as follows:
- a. any act or omission or refusal of that person to appoint, correct, discipline, counsel, admonish, transfer, demote, suspend, retrench or dismiss a person; or
 - b. any other act or omission or refusal of that person in the course of ministry or service; or
 - c. any decision of that person relating to the same
if that person has acted or omitted or refused to act or decided—
 - d. in good faith;
 - e. reasonably; and
 - f. in the lawful discharge of the duties and functions of the role office or position held by that person.

Submission that complaints should be dismissed as vexatious

20. It is submitted in the outline of submissions that the complaints should be dismissed on the ground that they are vexatious. In support of that submission Ms Ellyard pointed out the unexplained delay in making the complaints and the time at which the complaints were made. They were made at a time when the respondent was being considered for a role within the Anglican Church. The Ombudsman, in his opinion, stated that the timing of the complaints had the effect, and may reasonably be regarded

as having had the intention, of influencing incumbency committee processes and ultimately preventing the respondent from being appointed to the role.

21. I note the Ombudsman's remarks, but I am not prepared to dismiss the complaints as vexatious on those grounds in circumstances where the complainants have not had any opportunity to respond to the submission. If I were to accept the submission, it would involve me accepting as a fact that the complaints had been lodged for improper purposes and not out of any sense of genuine grievance. I cannot accept that as a fact without the proposition having been put to the complainants so that they could respond to it.

Allegation 1 – Complaints by the first complainant

22. I turn now to consideration of the application in relation to each of the complaints. It is convenient to deal with the complaints in groups consisting of the complaints made by the first complainant, the complaints made by the second complainant, the complaint made by the fourth complainant and the complaint made by the third complainant.
23. As noted above, three complaints were made by the first complainant. I shall refer to them for convenience as “the baptism complaint”, “the time-consumption complaint” and “the dyslexia complaint”; but it should not be thought that by referring to them in this shorthand way I have not had regard to the full statement of the complaints or the detail and background provided in the records of the investigation of the complaint or any of the other material relied on by the Committee.
24. The baptism complaint commences with the statement that the respondent was generally over-critical of the first complainant and practised a training style of negative criticism. That statement, which is entirely general, cannot of itself be regarded as an allegation of misconduct or as adding anything to the complaint as a whole. The complaint then goes on to describe a particular incident, which may be summarised as an occasion when the respondent, having not previously given detailed instructions to the first complainant about how to conduct a baptism, pointed out “eight or so very specific things that he had done wrong.”
25. The respondent was the first complainant's supervisor and it was their duty to train the first complainant in the duties of a priest, including the conduct of baptisms. On the face of the complaint, that is what the respondent was doing on the occasion in question. In describing aspects of the baptism that the first complainant needed to attend to or improve on future occasions the respondent was correcting and counselling the first complainant in the performance of their duty to train the latter.
26. The first question that has to be considered when dealing with this complaint is whether the conduct alleged fits within the definition of misconduct. It does not in my opinion meet the definition of bullying as I cannot see that it can be described as unreasonable in the circumstances. In order to teach the first complainant how to conduct baptisms in the future, it was perfectly reasonable for the respondent to point out the specific areas of deficiency in their first attempt. I understand that the complaint is that the respondent should have given that instruction beforehand, but the fact that he had not done so does not in my opinion render the method he adopted unreasonable.
27. Nor does the alleged conduct fit the definition of emotional abuse. It was not personal criticism, but rather objective criticism of their actions; it is not alleged that the respondent was ridiculing, threatening or intimidating the first complainant or behaving

in any sense in a hostile manner; it cannot in my view be described as conduct likely to cause physical or mental harm.

28. The conduct complained of also does not in my opinion meet the definition of harassment. It was not conduct that the respondent would have anticipated would offend, humiliate or intimidate the first complainant.
29. Finally, I cannot regard the conduct complained about as in any way amounting to conduct unbecoming or inappropriate for someone in the respondent's position.
30. Furthermore, even if the conduct described met any part of the definition of misconduct, it was clearly in my view excluded conduct. As pointed out above, it took place in the context of a review by a supervisor of a piece of work performed by the person it was their duty to supervise and I cannot see anything to suggest that the respondent did not act in good faith, reasonably and in the performance of their duties.
31. For these reasons I consider that the complaint is misconceived and I shall dismiss Complaint 1 under section 79 of the Act.
32. The time-consumption complaint, which is Complaint 2, also in my view fails to meet the definition of misconduct. The alleged conduct consisted of remarks made about the time that the first complainant's training was taking. The first complainant says that as a result of the remark made them feel that they were being put under a burden of obligation and that this added to their anxiety and made them feel guilty. The conduct described in complaint 2 manifestly fails to meet the description of bullying, emotional abuse, harassment or unbecoming or inappropriate conduct, and for that reason it is also misconceived I shall also dismiss it under section 79 of the Act.
33. Similarly, Complaint 3, the dyslexia complaint, fails to meet the definition of misconduct. The respondent asked the first complainant a question, in private, that was perfectly reasonable in the circumstances. There is no suggestion that the respondent was in any way aggressive or hostile; on the contrary, their question seems to have been motivated by a desire to assist the first complainant. Complaint 3 is also misconceived and I shall dismiss it under section 79.
34. I have considered whether the alleged conduct described in these three complaints, taken together, might as a whole amount to misconduct. In my opinion it cannot. Three incidents, none in itself involving improper conduct, do not by being grouped together take on a different character.

Allegation 2 – Complaints by the second complainant

35. Complaint 4 is that the respondent told the second complainant, just before they commenced their curacy, that the previous curate (the first complainant) had been a disappointment, weak and added no value to the ministry, and mentioned that the first complainant had had clinical depression. The respondent also stated that another priest, had also been a disappointment and expressed the hope that the second complainant would not also be a disappointment. These comments were said to be harsh and insensitive and the second complainant felt that they did nothing to give them hope that they could meet the respondent's "exacting standards", and made them feel that he could not confide their own issues to the respondent without the possibility of provoking their disappointment when support was required.

36. I do not think that the alleged conduct could reasonably be regarded by anyone as amounting to bullying, emotional abuse, harassment or unbecoming conduct. I have considered whether the alleged conduct may be regarded as “inappropriate to the role or position” or the respondent or their duties or functions within the meaning of the definition of misconduct. The only aspect of the alleged conduct that gives me pause in relation to this is the disclosure of the first complainant’s depression, to which I shall return in a moment. Merely to say that previous curates had been disappointing cannot in my view be regarded as “inappropriate conduct”, although others in the respondent’s position may not have made such a remark. The disclosure of information regarding a previous curate’s psychological condition is closer to the borderline, but in the end I have reached the conclusion that the disclosure, in the context of a private discussion between two priests, albeit one senior and the other very junior, falls outside the definition.
37. For those reasons I shall dismiss complaint 4 under section 79 as misconceived.
38. Complaint 5 is that the respondent told the second complainant on several occasions that they lacked “people intelligence” or “EQ intelligence”, and that the second complainant felt that the respondent was calling them stupid. This complaint is in my opinion similar to the first complainant’s complaint about the query as to whether they had dyslexia. It was manifestly an attempt by the respondent to explain to the second complainant that they needed to pay more attention to a particular area of their ministry, i.e., it was exactly the sort of remark that might be expected in private discussions between a supervising priest and a junior curate. In my view it does not meet any part of the definition of misconduct and I shall dismiss this complaint also under section 79 on the ground that it is misconceived.
39. Complaint 6, which concerns the second complainant being asked to keep an hour-by-hour account of their working days, is likewise not within the definition. While it may or may not have been an effective way of assisting the second complainant to make their days more productive, it was very obviously a task imposed on the second complainant for that purpose and again exactly the sort of thing that a supervising priest might be expected to do. I shall also dismiss complaint 6 under section 79.
40. Complaint 7 is that at a meeting of volunteers in August 2016, the respondent told the group that the program the volunteers were running was “pathetic, hopeless and embarrassing”. The second complainant, who was the leader of the group, considered the words to be disparaging, disrespectful, cutting and cruel and an inappropriate attack on the group, on him personally and on their program’s ministry.
41. The respondent’s words were undoubtedly strong, and other priests might have used more moderate language. The words nevertheless cannot properly be described as bullying, emotional abuse or harassment in my view; nor do they constitute unbecoming conduct; but were they inappropriate for a priest in the position of the respondent?
42. “Inappropriate” is a word that has an absolutely vast range of meaning, from the worst kind of misconduct to the trivial. Eating with bad table manners is in one sense inappropriate conduct for a priest, but it cannot be supposed that it should expose the priest to a finding of misconduct. I do not equate the conduct alleged or the respondent with bad table manners, but I do think the word “inappropriate” must be read in the context in which it appears, which is in a definition of misconduct alongside terms such as bullying, sexual abuse, spiritual abuse and wilful violation of Church law.

Understood in that way, I do not think it applies to the conduct alleged of the respondent in complaint 7. The respondent's language may have been forceful, but in my opinion it cannot be regarded as inappropriate conduct amounting to misconduct. For that reason I shall dismiss complaint 7 under section 79 as misconceived.

43. Complaint 8 falls into the same class as complaints 5 and 6. It is the complaint that the respondent spoke disparagingly of the second complainant's proposal to establish an Anglican churchplant. Again it is exactly the sort of advice that a supervising priest might be expected to give a curate in a private conversation. The fact that the second complainant was disappointed by it is irrelevant; it was the duty of the respondent to advise them about the desirability of such an endeavour. I shall dismiss complaint 8 under section 79 as misconceived.
44. As with the complaints made by the first complainant, I have considered whether the conduct alleged by the second complainant in the complaints made by them might, if taken together as a whole, amount to misconduct. However for similar reasons my view is that it cannot.

Allegation 2 – Complaints by the fourth complainant

45. Complaint 9 was made by the fourth complainant and it alleges conduct similar to that alleged in complaint 7. That is to say, it concerned criticism made by the respondent of the second complainant in front of others. It concerned a program for young children. The complaint itself is worded very strongly. The respondent is alleged to have "scathingly and personally criticised" the second complainant, to have "openly and publicly embarrassed, belittled, humiliated and demeaned" the second complainant, and to have "inappropriately admonished, humiliated and put [them] down in the presence of others."
46. This is the complaint in which it is particularly important to disregard the descriptors attached to the respondent's conduct by the complainant. The only actual conduct specified by the fourth complainant is that the respondent stated that the second complainant had read to children from a story book instead of the Bible, and that their reading had not been engaging so that the children had been difficult and restless. Saying such things, even in front of others, cannot in themselves be said, in my opinion, to amount to scathing criticism, or to open and public humiliation, etc. I can properly have regard only to the actual conduct alleged, not to the descriptions applied to it by the complainant; and when I do so I cannot see anything in it that meets any part of the definition of misconduct.
47. I note also that this incident was not complained of by the second complainant.
48. I shall also dismiss complaint 9 under section 79 as misconceived.

Allegation 3 – Complaints by the third complainant

49. Complaint 10 is that the respondent did not reveal to the third complainant the names of two persons whom the respondent said had been upset by the third complainant or any details about the circumstances or manner in which they had been upset. This is alleged possibly to amount to bullying, emotional abuse, harassment or unbecoming or inappropriate conduct and thus misconduct within the meaning of section 5 of the Act.

50. In my opinion it is impossible to regard the conduct alleged of the respondent in this complaint as coming within the definition. There are any number of reasons why the respondent might have chosen to withhold the names of the persons concerned. On the face of it there was nothing at all in any way improper or inappropriate about the respondent's alleged conduct and I shall dismiss this complaint. I shall dismiss it under section 79 as misconceived.

Conclusion

51. The result therefore is that the respondent's application succeeds fully, and I shall dismiss all the complaints against the respondent. The basis of the dismissal is in each case that the complaint was misconceived, in that the conduct alleged does not fall within the definition of misconduct in section 5. The dismissals are therefore made under section 79 of the Act.
52. As the complaints have been dismissed there is no reason for refusing the respondent an unconditional clearance for ministry as Priest in Charge or Incumbent at and I shall direct the Office of Professional Standards to give him such a clearance.
53. The draft orders with which I was provided asked me to note that I had made no findings of fact, and also that my orders may be relied upon as a basis for the dismissal of any further complaints arising from the facts alleged in the Statement of Allegations. I do not consider that it is necessary or appropriate to make such notes. I have stated in these reasons that I have proceeded on the basis that the allegations of fact set out in the complaints can be proven, but I have quite evidently made no inquiry as to their accuracy. I do not see any need to make a statement to that effect in the orders I shall make.
54. Similarly, I have stated very clearly in these reasons that I am dismissing the complaints because the conduct alleged does not amount to misconduct. I see no need to make any statement in the orders about what complaints may or may not be made in the future. Quite clearly, if any new complaint is to be made it will need to allege different or additional facts, because the facts alleged in the present complaints are insufficient.

NOTE:

1. *These anonymised reasons are made public pursuant to s108 of the Professional Standards Act 2016 (Melb).*