

## Disciplinary Tribunal

**Member Name:** Member Name Withheld - FIPA FFA

**Division:** NSW

**Date of Hearing:** 7 November 2024

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The IPA Disciplinary Tribunal (Tribunal) of 7 November 2024 determined that the following case presented against the Member was proven:

The Tribunal determined on the balance of probabilities:

1. that, under Clause 7.0 Sexual Harassment of the IPA Code of Conduct, there were sufficient grounds for a reasonable person in the circumstances to have anticipated the possibility that the Complainant would be offended, humiliated or intimidated in contravention of Clause 98(2)(f);
2. is satisfied that there was conduct which may have been of a perceived nature but was, nevertheless, sufficient, on balance, to be construed as an unwelcome sexual advance causing the complainant to feel offended, humiliated or intimidated in contravention of Clause 98(2)(f);
3. is of the view that, due to the Member's position of responsibility at the time, a reasonable person, on balance, would have anticipated the possibility that the Complainant would be intimidated in the circumstances in contravention of Clause 98(2)(f); and
4. did not find any further breaches related to the conduct the subject of the Complaint.

The Tribunal further resolved that the penalties imposed are:

- Admonishment.
- Costs of \$3,000 plus GST.

**Date of Notice: 10 January 2024**