

Client Rights

IN PSYCHOTHERAPY & COUNSELLING

A Handbook
of Client Rights
and Therapist
Responsibility

CLIENT RIGHTS PROJECT



This handbook was produced in 1998 by the Client Rights Project:

► **Feminist Advocates for Counselling Ethics (FACE)**

A client directed project for the prevention of client exploitation that developed education on client rights in psychotherapy and counselling.

► **Toronto Rape Crisis Centre/Multicultural Women Against Rape (TRCC/MWAR)**

24 hour crisis line: 416-597-8808 or crisis@trccmwar.ca

Office: 416-597-1171 website: www.trccmwar.ca

TRCC/MWAR is a grassroots, women-run collective working towards a violence-free world by providing anti-oppressive, feminist peer support to survivors of sexual violence through support, education and activism.

► **Women's Counselling Referral & Education Centre (WCREC)**

WCREC empowered women by addressing the systemic barriers that affected their quality of life through counselling, information and educational services.

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We particularly want to acknowledge the courage of those clients who shared their personal experiences as part of breaking the silence around client violation.

We acknowledge and thank the many writers and activists who have contributed to the area of counselling ethics.

We thankfully acknowledge funding from the Ontario Women's Directorate and Health Canada.

THE CLIENT RIGHTS PROJECT

The Client Rights Project was a community based coalition between Feminist Advocates for Counselling Ethics (FACE), Toronto Rape Crisis Centre/Multicultural Women Against Rape (TRCC/MWAR), and Women's Counselling Referral and Education Centre (WCREC) who came together in June 1997 to develop this handbook because of our shared commitment to prevent the violation of clients within psychotherapy and counselling.

As a coalition, we shared an understanding that the violations which occur in the therapy relationship not only harm clients, but also erode the communities where all clients and therapists live and work. If you are violated by your therapist it will affect the lives of many people such as your friends, partner, family, and other clients and therapists. If the violation is not addressed on a community level, the impact will in time, affect the general sense of trust and safety within your community.

Although clients are violated within the privacy of their therapy relationship, we believe challenging violation is a community responsibility. Prevention of abuse and support for violated clients will depend largely on our collective ability and willingness to acknowledge and understand how and why clients are exploited. As with other kinds of abuse, naming the violation and breaking the silence are important steps in stopping violations in therapy.

We consider this project a work-in-progress and offer these rights as a starting point. We encourage you and your therapist to expand on these rights in ways that are relevant to your own experiences and situations. We acknowledge the handbook's limitations as it cannot speak to all situations experienced by all clients and therapists.

HOW TO USE THIS HANDBOOK

To clients

The primary purpose of this handbook is to provide you with an overview of your rights. Since many of the issues in this handbook are complex, we encourage you to use other sources of information to help you learn more about therapy and your rights (see reading list pages 46-48). If you are in therapy, you can use this information to have discussions with your therapist or with other clients. You can use this handbook as one of the ways of determining whether or not you are being treated ethically in your therapy.

This handbook can be used as an educational tool by:

- clients who are in therapy or just entering therapy
- clients who have been violated in therapy
- clients and their support persons (ie. an advocate)
- clients and therapists working together to clarify rights/responsibilities
- therapists wanting to improve their work with clients
- educators training therapists about ethics and client rights
- anyone interested in the area of client rights and therapy abuse

What is a therapist, a client, a therapy community?

The term *Therapist* used throughout this handbook refers to anyone who provides counselling or psychotherapy services – psychotherapists, counsellors or social workers.

The term *Client* refers to anyone using the services of a psychotherapist, counsellor or social worker.

The term *Therapy communities* refers to therapists, counsellors, social service agencies, peer supervisors, clinical consultants, training schools, therapy professional organizations, and other community resources.

(See page 51 for a glossary of terms used throughout this handbook)

Applying this handbook to other professions

The rights and responsibilities in this handbook are based on an understanding of the power differences between client and therapist and can be applied to other professions where similar power differences exist such as: doctors/patients; teachers/students; lawyers/clients; clergy/congregation; bodywork practitioners/clients, etc. Ethical codes that apply to these professions are available through their regulatory boards.

The limits of this handbook

We acknowledge this book's limitations as it cannot speak to the diversity found among clients and therapists. This handbook is most useful for clients in individual therapy and requires some basic knowledge of therapy. It is available, at this time, in English and French. We encourage clients and therapists who use this handbook to adapt and expand on this information in ways that are relevant and appropriate to their communities.

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CLIENT RIGHTS EDUCATION

► Why is it important to you?

Client rights education is important because it informs you about your rights and how these rights give you power. When we say clients have “power”, we are referring to the ways in which you can play an active role in shaping your therapy process. Many clients enter therapy feeling vulnerable and confused, and may not *feel* like they have power. But whenever you are able to exercise your right to make choices and decisions about your therapy, you are using power that is rightfully yours.

► Your power as a client

You have power in therapy when you:

- interview a therapist to assess their skills
- set the goals and direction of your therapy process
- challenge your therapist’s ideas or behaviour
- refuse any technique or practice that you do not want
- ask your therapist to not touch you
- decide when to leave therapy

Although you have power in your therapy process, you are always in a more vulnerable position than your therapist because you:

- reveal personal information to your therapist
- share your pain with your therapist
- rely on your therapist for understanding and knowledge

Your therapist has a responsibility to acknowledge the ways you are vulnerable, and, at the same time, assist you in understanding how you have power in the therapy relationship. When your therapist does not uphold your rights, they undermine your power to make choices and decisions. Therapists who are committed to your well being will support and encourage you to use your rights so that you can be an “expert” in your therapy process.

► Your responsibility as a client

As a client your responsibility is first, and foremost, to yourself. Because you are the expert on your life experiences, you have a responsibility to actively take part in your therapy process and to challenge whatever in your therapy makes you uncomfortable.

clients

CLIENT RIGHTS EDUCATION

► Why is it important to therapists?

Client rights education is important to therapists because it provides them with guidelines that help keep you safe while you explore your personal issues. Clients can easily view their therapist as the “expert” and may believe that a therapist will always act in their best interest. But any therapist can violate your rights because they have power to influence your therapy process.

► Your therapist’s power

Your therapist can influence your therapy process in many ways. Your therapist has power because they:

- decide what fees you will be charged
- determine when/where your therapy will take place
- know more about your personal life than you know about theirs
- choose what personal information they will, or will not, share with you
- influence your understanding of yourself in ways that can have both positive and negative effects
- are respected and valued as someone who has skills and knowledge to help others
- may work with you over an extended period of time

► Your therapist’s responsibility

Therapists are responsible for acknowledging and sharing the power they have. When your therapist “shares” power with you, they are using their knowledge and skill to assist you in your therapy process.

Your therapist is sharing power with you when they:

- validate your personal experiences
- encourage you to question their ideas or behaviour
- share information that will benefit your therapy
- encourage you to make choices about your therapy
- take responsibility for any harm they may cause you

A SUMMARY OF YOUR RIGHTS

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A SUMMARY OF YOUR RIGHTS

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PROTECTING YOUR RIGHTS

- ▶ The protection of your rights is the responsibility of your therapist. Your therapist's ability to protect your rights will depend on the training and education they receive within training programs and their professional organizations, and from their supervisors. Here are some conditions that must exist before your rights will be honoured.

Your rights can be protected if your therapist:

- acknowledges their power and is skilled at sharing it with you
- provides you with information about your rights
- recognizes when your rights have been violated
- upholds your rights under *all* circumstances, even when their own competency or beliefs are being challenged
- challenges the inappropriate actions of other therapists
- receives ongoing training in therapy ethics and education on client rights

Your rights can be protected when you:

- have access to information about your rights
- have access to advocacy/support when your rights are violated
- have access to a process of complaint that is based on an understanding of the power differences between client and therapist

Your rights can be protected if therapy communities*:

- provide therapists with training in therapy ethics and education on client rights
- provide therapists with a process to challenge and monitor the inappropriate actions of their peers
- provide offending therapists with training in therapy ethics and education on client rights
- discipline offending therapists when they violate a client's rights
- provide compensation to clients who have been violated

*See page 2 for a definition of "therapy communities"



Client Rights

IN PSYCHOTHERAPY & COUNSELLING

The following
section details
your rights and
your therapist's
responsibilities

NEGOTIATING FEES

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Negotiate a fee for your therapy.
- ▶ Refuse a therapist's service if their fee is more than you can afford or if you believe it is too high.
- ▶ Refuse to interview a therapist if they charge a fee to be interviewed.
- ▶ Access therapy services you can afford.
- ▶ Have all your rights honoured regardless of how your therapy fees are paid (ie. insurance, personally, family).

For more questions you can ask a therapist see
"Interviewing a Therapist"
on pages 39-40

Discussing how much therapy will cost should happen either during the first phone contact or when you interview a therapist.

Therapy is generally paid for either by you or a third party (ie. private insurance, government health plan, family, or funding provided to a social service agency through tax dollars).

Many therapists have a standard fee for therapy sessions, such as \$60. Others have a sliding fee range, such as \$80-\$25, within which a client can negotiate an amount depending on their current financial situation. This is called a *sliding scale*.

When negotiating a fee, first decide on the maximum you can afford to pay and then ask the therapist:

- Are you eligible to have fees paid for by government health plan or private insurance?
- Do you have a sliding scale?
- Can you see me for this amount?
- Can the agreed fee be renegotiated?

TERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ① Ensure that all fees are clearly negotiated during the first contact.
- ② Take into consideration your ability to pay when deciding on a fee.
- ③ Avoid exploitation by prolonging your therapy needlessly or by adding unexpected costs to your fee.
- ④ Provide you with information on which therapy services are eligible to be paid for by government health plan or private insurance.

BARTERING (TRADING SERVICES)

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Refuse a therapist's suggestion to barter.
- ▶ Negotiate how your therapy fees will be paid.

If you are considering bartering as a way of paying for your therapy

YOU HAVE A RIGHT TO

- ▶ Be given information on the risks of bartering in therapy before making a bartering agreement.
- ▶ Have bartering agreements or services explained clearly and put in writing.
- ▶ Renegotiate or end the bartering agreement at any time, and for any reason.
- ▶ Be provided with an evaluation plan where you and your therapist can review the bartering agreement on a regular basis.

Bartering or trading services is when you pay for your therapy by providing some service for your therapist instead of paying them money (ie. accounting, child care, painting, etc.).

Bartering can put you at risk because it involves you and your therapist in a two-way business relationship. Not only are you hiring your therapist for therapy services, your therapist is also hiring you in return.

This can affect your therapy process because you can feel used by your therapist or your therapist can feel resentful if they are not satisfied with your bartered work. These feelings can then interfere with your therapy.

If you are considering bartering, it is important to protect yourself and to ask your therapist for information on the risks of bartering within therapy.

▶ THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- 1 Refuse to barter if they believe it would put you or your therapy at risk.
- 2 Educate themselves about the practice of bartering before making a bartering agreement with you.
- 3 Provide you with information on the risks of bartering before you make a bartering agreement.
- 4 Have regular discussions where you and your therapist can review the bartering agreement.
- 5 Ensure the bartered services are not demeaning or degrading to you.
- 6 Ensure you receive a fair market value for the services you provide.

TRAINING, EXPERIENCE & COMPETENCE

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Ask a therapist about their training, education, experience and credentials.
- ▶ Ask for documented proof of a therapist's training, education or credentials (ie. diploma or certificate).
- ▶ Be informed about a therapist's specialized skills or any approaches or techniques they use.
- ▶ Ask a therapist about the types of client issues they have worked with.
- ▶ Not be used as your therapist's only source of education/information
- ▶ Not have your therapist use your skills to benefit themselves.
- ▶ Ask a therapist if they are willing to educate themselves, on their own time, about issues they have little or no previous experience with.

For more information on
evaluating a therapist's skills
see pages 22 and 41

It is important for your therapist to understand your experiences as an individual. So it is appropriate for your therapist to ask you questions as a way to inform themselves. However, if they rely *only on you* to educate themselves about issues you want to discuss, they are focusing on their own needs rather than on yours.

Your therapist should never use you as their *only* source of information. For example, if you are working with your therapist around the effects of abuse, they have a responsibility to learn about this from sources other than you (ie. supervision, workshops).

Before you begin working with a therapist, decide what issues you want to discuss (ie. stress, abuse, relationships). Then ask the therapist if they have experience working with these issues, and what kinds of therapy approaches they would use.

▶ THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Acknowledge to you the limits of their training and competence.
- ❷ Promptly receive training/education on issues that come up in your therapy when they have little or no previous experience or training in that area.
- ❸ Make their services more accessible by educating themselves in areas where they lack knowledge and experience or where limited support is available (ie. for clients with disabilities, ritual abuse survivors).
- ❹ Refer you to another therapist when they are unable to provide you with the services you require.

ACCESS TO THERAPY SERVICES

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Find a therapist who either has training and experience with the issues you want to work on or who is willing to be trained in these areas.
- ▶ Find a therapist whose office is wheelchair accessible or who is willing to see you in a space that is accessible.
- ▶ Find a therapist who can speak a language you understand.
- ▶ Seek the services of as many therapists, at one time, as you believe is necessary.
- ▶ Have your therapist maintain consistent service unless discussed and agreed upon.
- ▶ Be given referrals of other therapists or help lines for temporary support when your therapist is absent.
- ▶ Define how your needs are met by your therapist and review all agreements and arrangements on a regular basis.

To receive the quality of service you are entitled to, therapists must acknowledge the diversity of clientele they work with. For example, some clients require wheelchair access, or counselling in areas where limited support is available (ie. therapy abuse, anti-racism), while others require access to therapists who can speak a language they understand.

Your therapist is responsible for assisting you in finding the support you need and for providing you with consistent and reliable service. Some examples are:

- returning phone calls promptly
- being on time for sessions
- following through on all agreements and arrangements they make with you
- researching all information before giving you a referral

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- 1 Be aware of areas where there is limited support or service available to clients.
- 2 Inform themselves on a wide range of support networks and resources.
- 3 Make their services accessible to all clients (ie. clients who are deaf or who have hidden disabilities).
- 4 Support your right to work with as many therapists as you choose.
- 5 Negotiate an agreement if there are any changes or disruptions to your regular therapy service.
- 6 Arrange any temporary support you may require when they are absent.

CONFIDENTIALITY & PRIVACY

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Have all written or spoken information in your therapy kept confidential.
- ▶ Be notified before any information relating to your therapy is given out in a situation where your therapist is legally required to release information.
- ▶ Discuss with anyone, at any time, any information about your therapy.
- ▶ Share with your therapist only what you believe is necessary at any given time.
- ▶ Ask for copies of your file or for any information written about you or your therapy process.
- ▶ Have your files kept private within an agency even if your files are being shared by other departments.

You may discuss with anyone, at any time, any information about your therapy
Only your therapist is required to keep all information confidential.

Confidentiality means your therapist must keep all information that relates to your therapy process private. Your therapist may discuss their work with their supervisors but they must never reveal your identity (ie. using your name or revealing details that may easily identify you).

Some exceptions or limits are:

- Your therapist may release information about your therapy *only* if a third party is in danger (ie. a child) or when legally required (ie. insurance company).
- Your therapy records can be subpoenaed by the courts (ie. sexual assault case). So it is important to discuss with your therapist how your records will be kept and what will be included.
- When receiving more than one service from a social service agency, your files may be shared between departments. Therefore, confidentiality will be limited.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Keep all information concerning your therapy process confidential.
- ❷ Notify you immediately of any legal obligation which would require them to release information about your therapy process.
- ❸ Respect your privacy by never pressuring you into revealing information (ie. using shame, humour, ridicule or persistent questioning).
- ❹ Encourage you to speak with others about your therapy process.

MAKING DECISIONS & SHARING INFORMATION

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Have your therapist share any information that will assist you in making a decision.
- ▶ Have all procedures, policies, theories and techniques explained in ways that are clear and understandable.
- ▶ Ask how any suggested theory or technique will assist you in your therapy.
- ▶ Be given an explanation of the possible risks and benefits when making a decision.
- ▶ Question or refuse any information, advice or suggestions given by your therapist.
- ▶ Seek information from sources other than your therapist.
- ▶ Take as much time as you need before giving your consent or making a decision.

Before giving consent or making any decision that will affect your therapy, ask yourself the following:

- What information do I want or need from my therapist at this time?
- Do I feel this is an appropriate time to receive information or to give my consent? (ie. Am I feeling unsure, scared, tired or ill?)
- Do I fully understand the information my therapist has given me? Have I been given explanations of the risks/benefits?
- Have I been given time to consider the possible consequences and outcomes?
- Have I considered other sources of information? (ie. friends, other clients)
- How might my relationship with my therapist change if I don't give consent?

Although it is important for you to consider these questions, it is *always* your therapist's responsibility to ask you these questions whenever they are seeking your permission. This process is called *informed consent*.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ① Use a process of informed consent whenever seeking your permission.
- ② Share knowledge and information to assist you in making decisions.
- ③ Never withhold any information that would put you at risk.
- ④ Give you clear explanations on the risks and benefits of any decision.
- ⑤ Be sensitive to other areas of your life while you are making a decision (ie. stress in your job, illness or loss).
- ⑥ Not pressure you to make decisions.

UNDERSTANDING OPPRESSION

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Have the effects of oppression acknowledged and understood by your therapist.
- ▶ Have your therapist validate your personal experiences of prejudice or discrimination.
- ▶ Be treated without bias or judgement regardless of how you define yourself (ie. gender, class, race, health condition/disability, age, ethnicity or sexuality).
- ▶ Have your therapist take responsibility for their oppressive actions by not relying on *you* to challenge them as a way of monitoring their own behaviour.
- ▶ Have your therapist be respectful and familiar with issues of diversity (ie. your use of language, way of dressing).

For more information
on challenging your therapist see
**"Challenging & Evaluating
a Therapist"**
on page 22

Oppression is the misuse of power based on privilege, prejudice, bias or discrimination.

Most clients experience the impact of oppression on a daily basis (ie. gender, age, race, health condition/disability, class, sexual orientation, cultural or religious background).

Therapy is a place to explore the ways in which oppression affects your life. Your therapist is responsible for helping you understand the effects of oppression and for being aware of their own biases. In this way, they will not contribute further to your oppression.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Learn about various forms of oppression and their effects from sources *other* than you.
- ❷ Explore with you how oppression impacts on your life.
- ❸ Not use theories or techniques that are biased or discriminatory.
- ❹ Relate to you in ways that do not promote stereotyping.
- ❺ Treat you respectfully and accept how you define yourself.
- ❻ Be open and communicative when you challenge them about their biases.
- ❼ Acknowledge when their behaviour is oppressive by compensating you (ie. an apology, an extra or free session or ask you how you would like to be compensated).

SUPPORTING WOMEN'S RIGHT TO ABORTION

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Ask a therapist what their beliefs are about abortion.
- ▶ Be provided with information on abortion or prenatal care services.
- ▶ Have your therapist support whatever decisions you make about your body.
- ▶ Refuse abortion as an option and still be supported by your therapist (ie. teenage women, economically challenged women, women with disabilities).
- ▶ Refuse a therapist's service if they do not respect your right to make decisions about your body.

Even if your therapist does not agree with your actions toward your own body,
they must respect your right to make your own decisions

Pro-choice therapists support your right to abortion or to carry out a pregnancy to childbirth.

Anti-choice or pro-life therapists do not support women's right to abortion.

The role of your therapist is to explore with you all your options and rights concerning the decisions you make about your body and to do so without interference.

Examples of a therapist interfering with your right to make decisions about your body include:

- enforcing abortions within certain communities (ie. women with disabilities, women with psychiatric histories or sex trade workers/prostitutes)
- withholding or enforcing medication
- physical restraints or enforced hospitalization
- making negative comments about body size

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Inform you of their beliefs about abortion.
- ❷ Assist you in making decisions about your body without interfering.
- ❸ Support whatever decision you make about your body.
- ❹ Refer you to another therapist if they are unable to support you in making a pro-choice decision.
- ❺ Provide you with information on abortion or prenatal care services.

IMPULSIVE REACTIONS BY A THERAPIST

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Be free from your therapist's unplanned careless reactions.
- ▶ Be compensated by your therapist when they disrupt your therapy by reacting impulsively.
- ▶ Express any feelings or thoughts that come up in your therapy and be helped in understanding their meaning and importance in your life.
- ▶ Have your therapist respond to all your feelings and thoughts with understanding and compassion.
- ▶ Be provided with a comfortable space where you are encouraged to express yourself.

For more information on inappropriate responses by a therapist see **"Self Disclosure by a Therapist"** on page 20

Impulsive reactions by a therapist are any unplanned acts that involve the careless blurting out of feelings or thoughts (ie. expressing sexual attraction or anger toward a client). These reactions are always disruptive and inappropriate.

Sometimes your therapist can have emotional responses or opinions that can be useful to your process. However, these kinds of responses differ from reactions that are impulsive because they require your therapist to first consider the timing and appropriateness of their responses.

Therapy is a place for *you* to express all of your feelings, thoughts, ideas and desires.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Acknowledge and examine any strong feelings or opinions they experience in your therapy through discussions in their personal therapy or supervision.
- ❷ Compensate you when they have reacted impulsively (ie. an apology, an extra or free session or ask you how you would like to be compensated).
- ❸ Be alert, awake and attentive in all your therapy sessions.
- ❹ Assist you in determining how to communicate your feelings and thoughts with respect and clarity.

OVERLAPPING/DUAL RELATIONSHIPS

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Expect that your therapist has been trained about the risks and dangers of overlapping relationships.
- ▶ Expect that your therapist will not participate in any overlapping relationship that has great potential for harm.
- ▶ Discuss any overlapping relationships that exist between you and your therapist.
- ▶ Ask how overlapping relationships will be managed on an ongoing basis.
- ▶ Ask for and be provided with information on the risks and dangers of entering into overlapping relationships.

For information on sexual, social and other violations see
“How Therapists Violate Clients”
on pages 28-29

An *overlapping/dual relationship* occurs when a therapist comes in contact with a client outside of the therapy process or has another role in a client’s life.

Some examples are:

- your therapist attends the same public event as you
- your therapist counsels your close friend
- your therapist is a relief worker at your place of residence (ie. shelter, group home)
- your therapist’s partner is your co-worker

Some therapists believe all overlapping relationships are manageable. Others believe they should be avoided whenever possible because of their potential to harm clients, but that some will be unavoidable.

All overlapping relationships have the potential to harm a client because they are a conflict of interest. Some overlaps are such high risk they should never be entered into (ie. counselling a close friend).

As a client, you can develop your own beliefs about overlapping relationships through discussions with others, reading, and by listening to your feelings when there is interaction between you and your therapist outside of therapy.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Avoid overlapping relationships whenever possible.
- ❷ Understand overlapping relationships within the diverse communities of clients (ie. attending events where clients are present, accepting gifts from clients or offering after hours counselling).
- ❸ Discuss and negotiate how to handle all overlaps or potential overlaps with you.

SELF DISCLOSURE BY A THERAPIST

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Be free from your therapist's inappropriate self disclosure.
- ▶ Direct how and when your therapist uses self disclosure (ie. ask your therapist why they have disclosed personal information).
- ▶ Be asked if you want your therapist to share personal information as part of your therapy process.
- ▶ Determine whether or not your therapist's self disclosures are appropriate or useful to you.

Some information should never be disclosed to you by your therapist such as giving you detailed accounts of their sexual experiences, complaining about their financial difficulties or talking in detail about other clients

Self disclosure is when a therapist tells you something about themselves. It is a technique used by therapists which involves sharing personal experiences to assist you in your therapy process.

Inappropriate self disclosure is any personal information a therapist shares with you that is not useful to your therapy process.

Appropriate self disclosure requires skill and careful monitoring by your therapist at all times.

If you do not understand why your therapist has revealed personal information, you have a right to ask why.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ➊ Offer only carefully timed, appropriate, and useful self disclosures.
- ➋ Ask if you are comfortable with them sharing personal information or experiences as part of your therapy.
- ➌ Never use self disclosure as a way to vent their feelings or opinions.
- ➍ Monitor their own comfort and skill level when giving you personal information about themselves.
- ➎ Explain why they choose *not* to answer any personal question you have asked.

THERAPIST SUPERVISION/CONSULTATION

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Work with a therapist who uses supervision/consultation when issues are outside of their expertise or when their own personal issues are interfering with your therapy.
- ▶ Ask your therapist to receive supervision when you believe it is necessary.
- ▶ Ask your therapist who their supervisors or consultants are and what kinds of training and experience they have.
- ▶ Ask your therapist if they are involved or have access to a diverse group of supervisors or consultants.
- ▶ Know if an overlapping relationship exists between you and any of your therapist's supervisors or consultants.

You will benefit from your therapist's supervision only as much as your therapist is open and honest with their supervisors or consultants

Supervisors, consultants, or peer supervision/consultation groups provide your therapist with an opportunity to discuss their work with other experienced and trained therapists who will evaluate it and give them feedback.

Supervision/consultation is only effective when your therapist's supervisor practices in an ethical manner (ie. acknowledges their power, is trained in therapy ethics, honours the rights of clients, etc.).

Your therapist's supervision may increase your safety as a client because it can:

- hold your therapist accountable for their actions, decisions and behaviour
- prevent your therapist from working in isolation
- increase your therapist's level of knowledge about therapy

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ① Attend to their professional and personal needs by using supervision, consultation, peer support, continuing education, and personal therapy to evaluate, maintain and improve their work with clients.
- ② Use supervision or consultation on a regular or as needed basis.
- ③ Use supervisors or consultants who reflect the diverse community and their clientele in terms of age, race, sexual identity, etc.
- ④ Receive supervision from supervisors or consultants who are aware of and sensitive to oppression and how it can affect the counselling process.

CHALLENGING & EVALUATING A THERAPIST

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Be provided with opportunities to review and discuss your therapist's skills and effectiveness.
- ▶ Challenge, question or ask for clarification on any of your therapist's ideas, theories, decisions, behaviours or actions.
- ▶ Have your therapist actively participate in any discussion you want to have concerning their effectiveness.
- ▶ Continue to voice your concerns when you are not satisfied with your therapist's responses to your challenges.
- ▶ Bring in a third person if your therapist does not respond to your challenges in a respectful and non-defensive way.

For more information on
**evaluating your therapist
and your therapy process**
see page 41

Challenging your therapist is when you confront your therapist with concerns you have regarding their ideas, theories, decisions, behaviour or actions.

Evaluating your therapist and therapy process is when you review what is working well, what is not, and what changes need to be made.

As a client, it is understandable that you may feel uncomfortable or reluctant challenging your therapist because you are the more vulnerable person. As a result, you may:

- fear your therapist will punish you
- want your therapist's approval
- doubt your perceptions of what is happening in your therapy

You can ask yourself these questions as a way of evaluating your therapist's response to your challenge:

- Was I listened to and understood?
- Are there any changes in the way my therapist interacts with me?
- Has my therapist made the changes we have agreed on?
- Am I being punished in any way?

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Provide you with an evaluation plan where you can review their effectiveness on a regular basis.
- ❷ Encourage you to question, evaluate and challenge their effectiveness.
- ❸ Listen to your questions, feedback and challenges openly.
- ❹ Ask you what changes you want to your process and make appropriate changes promptly.

RESOLVING CONFLICTS

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Be provided with a process of mediation to resolve conflicts between you and your therapist.
- ▶ Be a part of deciding how a conflict will be resolved.
- ▶ Find or ask for third party consultation when there is a conflict between you and your therapist.
- ▶ Be a part of deciding who the mediator/third person will be.
- ▶ Have your therapist actively participate in resolving all conflicts in ways that are respectful and supportive.
- ▶ Terminate therapy if your therapist refuses to participate in a process of conflict resolution that is acceptable to you.

It is always unethical for your therapist to:
leave a conflict unresolved,
refuse your request for third party
consultation, or charge a fee for
resolution when your rights
have been violated

A positive therapy process can involve a degree of conflict and disagreement between you and your therapist.

If a disagreement prevents you from continuing your therapy, you and your therapist can:

- seek advice and support from others
- agree on a time limit to work through your differences
- develop a process to resolve a conflict

If a conflict continues over an extended period of time you can:

- ask for a third person to help resolve the conflict (*third party consultation*)
- take a break from therapy to get some distance from the problem

Third party consultation can be a valuable resource for you when the third person has:

- mediation/conflict resolution skills
- an understanding of the imbalance of power between a client and therapist
- an ability to remain neutral

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Promptly resolve all conflicts that come up between the two of you.
- ❷ Have skills in conflict resolution.
- ❸ Acknowledge when third party consultation is required.
- ❹ Provide third party consultation when you request it.
- ❺ Use third party consultation to benefit your therapy process and not as a way to fulfill some need of their own.

TERMINATION & CLOSURE

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Be provided with information on closure.
- ▶ Define your own closure process (ie. when it takes place, length of time and what is discussed).
- ▶ Decide if the closure process has been sufficient enough for you to comfortably leave therapy.
- ▶ Ask for closure at a later time (ie. if you leave therapy suddenly and do not receive closure).
- ▶ Be promptly informed if your therapist plans to end your therapy and to be given reasons why.
- ▶ Not have your therapist end your therapy suddenly or without an adequate process of closure.
- ▶ End therapy at any time, and for any reason.
- ▶ Refuse a process of closure and simply end your therapy.
- ▶ Be provided with appropriate support or referrals when your therapy ends.

Termination is when your therapy process comes to an end.

Closure is the process you and your therapist go through, together, to bring therapy to an end. Closure is one of the most important aspects of the therapy process because it gives you an opportunity to review and reflect on the work you have done and is also an opportunity to say goodbye. Closure involves a series of discussions between you and your therapist to answer questions such as:

- Why is my therapy ending?
- How long will closure take?
- What have I learned or gained?
- Did I reach my goals?
- How has my therapist been helpful and/or not helpful?
- Where will I receive future support?
- Will we have any future contact?
- Can I re-enter therapy with you?
- Do I have anything else I want to discuss with my therapist?

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- 1 Provide you with information on the closure process.
- 2 Initiate a process of closure when your therapy comes to an end.
- 3 Participate in closure at a later time if you leave therapy suddenly and do not receive closure.
- 4 Help you find appropriate support or referrals when therapy ends (ie. groups, other therapists, community agencies).
- 5 Promptly inform you if they plan to end your therapy and the reasons why.



CLIENT RIGHTS Violation

The following
section deals
with issues
of client rights
violation

VIOLATION OF CLIENT RIGHTS

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ Be free from any behaviour by your therapist that violates your rights.
- ▶ File a complaint, take legal action, or challenge your therapist directly if they violate your rights.
- ▶ Be believed and supported when you disclose details of violation to others (ie. other clients, therapists, professional organizations, and advocates).
- ▶ Have social service agencies, professional organizations, and training institutes challenge and hold responsible any therapist who violates your rights.
- ▶ Have access to resources that provide you with support and advocacy when your rights have been violated.

For information on the
warning signs of violation
see page 31

Your therapist can violate your rights in a number of ways. Here is an example of each type of violation:

- **Emotional violation:** tells you that you are their favourite client
- **Physical violation:** hugs you without negotiating an agreement
- **Sexual violation:** comments regularly on your attractiveness
- **Social violation:** socializes with you outside of therapy
- **Violation relating to client identity and diversity:** relies on you to educate them on issues of racism or cultural practices, etc.
- **Financial violation:** lends you money/borrows money from you

See pages 28-29 for more details on each type of violation.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ① Acknowledge and share their power.
- ② Keep their own needs out of your therapy process.
- ③ Receive ongoing supervision and consultation as needed.
- ④ Receive training in ethical practice and education on client rights.

COMMUNITY RESPONSIBILITY

Therapy communities have a responsibility to protect clients by:

- ① Challenging and holding all offending therapists accountable for their harmful and inappropriate actions.
- ② Providing education and training for therapists who have violated clients.

PROCESS OF COMPLAINT

CLIENT RIGHT

YOU HAVE A RIGHT TO

- ▶ A safe, fair and clear process of complaint when your rights have been violated.
- ▶ Be supported by the organization where you are filing a complaint (ie. your complaint is taken seriously and is promptly processed, and you are provided with a contact person who is knowledgeable about issues of client violation).
- ▶ Be supported through a complaints process by advocates, friends, and other therapists.
- ▶ Be compensated by your therapist when they have violated your rights (ie. fees paid back, verbal or written apology or be asked how you would like to be compensated).

For more information on
reporting violations
see pages 35-36

When your therapist violates your rights it is always their responsibility to acknowledge the harm they have caused you. If you have been violated by a therapist you can file a complaint through their professional organization or their agency, or take legal action.

Most therapists belong to some kind of professional organization which may have a complaints and discipline procedure available for clients who have been violated. If your therapist is not a member of any organization, challenging their actions and behaviour can be more difficult.

THERAPIST RESPONSIBILITY

Your therapist has a responsibility to:

- ❶ Acknowledge to you when they have violated your rights.
- ❷ Compensate you when your rights have been violated.
- ❸ Promptly receive supervision when they have violated your rights.
- ❹ Educate themselves about ethics and client violation.

COMMUNITY RESPONSIBILITY

Therapy communities have a responsibility to protect clients by:

- ❶ Supporting and advocating for clients who have been violated.
- ❷ Creating a process where therapists can challenge and monitor the inappropriate actions of their peers.
- ❸ Providing therapists with training in ethical practice and education on client violation.

HOW THERAPISTS VIOLATE CLIENTS

- ▶ All therapists, at times, will act in ways that violate a client's rights because of the power of their role. A rights violation occurs whenever a therapist intentionally or unintentionally exploits a client to meet their own needs.

The impact of some violations can be repaired, and if adequately handled, trust can be restored for a client. Other violations cause a client such harm that the therapy relationship cannot continue.

Your therapist is responsible for protecting your rights to your: body, feelings, opinions and beliefs; choices and decisions; and sense of self and identity.

- ▶ Your rights can be violated by your therapist in different ways. Here are some examples of each type of violation:

Emotional violations occur when your therapist:

- tells you that you are their favourite client
- asks you for advice concerning their personal problems
- uses you as a source of entertainment, education, friendship
- does not believe you when you say you have a disability
- acts out their anger or frustration during your session
- uses therapy jargon or labels to silence you or devalue your experiences

Physical violations occur when your therapist:

- touches or physically assists you without your consent
- insists that touching must be a regular part of your therapy
- does not take physical disability into account when suggesting therapy techniques to clients
- withholds or inappropriately prescribes medication

Social violations occur when your therapist:

- socializes with you outside of therapy
- talks/brags in social situations about clients to impress others
- pays or asks you or someone close to you to do their personal work (ie. home repairs, accounting, child care)
- reveals private information about your therapy to their friends or partner/spouse

HOW THERAPISTS VIOLATE CLIENTS

Sexual violations occur when your therapist:

- tells you details of their sexual experiences
- asks for more details about your sexual experiences than is necessary
- comments regularly on your attractiveness (ie. clothes, hair)
- tells you they are in love with you and suggests ending therapy to become intimately involved
- brings up sexual issues out of context
- uses terms of endearment (ie. sweetheart, honey)
- uses therapeutic techniques that involve touching your breasts or genitals
- makes sexual contact even if initiated by a client (ie. kissing, stroking, rubbing up against your body)

Violations relating to client identity and diversity occur when your therapist:

- assumes an understanding of a client from a particular racial/cultural identity because they once knew someone with the same background
- assumes you will act a certain way because of your age, health condition/disability, gender, class, status, etc.
- uses stereotypes to justify their actions and behaviour
- makes negative comments about your body size
- relies on you to educate themselves on issues of racism, anti-semitism, lesbo/homophobia, etc.
- does not educate themselves in certain areas where they know resources and support for clients are lacking (clients with disabilities, anti-racism, therapy abuse)
- assumes you are not motivated or committed if you are paying a low fee or no fee for therapy

Financial violations occur when your therapist:

- allows you to become financially indebted
- lends you money or borrows money from you
- asks you to arrange and pay for an interpreter or translator
- increases your fee without any negotiation with you
- does not end therapy with you because it would mean a loss of income
- blames you when they have difficulty collecting payment from a third party (ie. private insurance, family member)

WHY THERAPISTS VIOLATE CLIENTS

- ▶ Your therapist has a responsibility to know when they are more likely to violate your rights and for taking action to prevent any violation.

Your therapist is more likely to violate your rights when they:

- are not aware of their power as a therapist and/or do not share power with you
- allow their own needs to become more important than yours
- are experiencing a life crisis or are burnt out
- are not receiving ongoing supervision and support
- do not take adequate breaks between sessions
- are feeling isolated in their practice or are feeling lonely in their personal life
- do not have regular self care (ie. time off, eat well, exercise, sufficient rest)
- work in areas where they have no experience or training
- do not understand how their personal problems interfere with your therapy process
- have been violated in their own therapy and use your therapy to work through issues concerning their own violation
- lack the skill, insight or experience to recognize when a client is in crisis
- lack knowledge of client rights and therapy violation
- feel resentful toward the needs and rights of clients
- routinely violate any person in their life who is in a more vulnerable position
- are in the counselling profession primarily to be in a position of power

WARNING SIGNS OF VIOLATION

▶ **Here are some warning signs that may indicate your rights have been violated:**

- you feel as though you are your therapist's favourite client
- you feel confused or that something is not "right"
- you feel as though you are "crazy" and do not trust your own thoughts and feelings
- you have become the "strong one" – the one who takes care of your therapist's needs
- you feel as though you are betraying your therapist if you speak with others about your therapy process
- you feel as though your needs are not being met
- you are in therapy for years with the same therapist and are not provided with an evaluation plan to assess your progress
- your therapist makes unrealistic promises (ie. tells you they will always be there for you)
- your therapist talks more than you do in your sessions
- your therapist gives you gifts
- your therapy has no specific goals or direction
- your therapist's silence begins to feel like punishment
- you dread going to therapy and often think about leaving
- your therapist's comments often make you feel as though you should be grateful for their services
- your therapist's comments often make you feel as though you are not capable of taking care of yourself

▶ **If you experience any of the above warning signs and/or you believe your rights have been violated you can:**

- leave therapy immediately
- seek support from friends or family who you trust
- seek support from crisis/help lines or crisis centres
- discuss your concerns with other clients
- discuss your concerns with other therapists
- read articles and books on boundary violations (available at libraries, women's centres, book stores)
- challenge your therapist by letter or in person
- consider filing a complaint or taking legal action

See page 35 for information on challenging a therapist

IMPACT OF VIOLATION ON CLIENTS

- ▶ If your rights are violated by your therapist, the impact is similar to other kinds of abuse. The effects of the violation will depend on factors such as: the length of your therapy and how long the violation went on; your degree of vulnerability while in therapy; your history of abuse; and the kinds of support available to you.

If your rights have been violated you may experience any of the following:

- general distrust and fear of others (especially anyone in the helping profession)
- rage and anger at the therapist who has violated you
- deep sense of betrayal and abandonment
- loss, grief, sadness and helplessness
- self blame, shame and guilt (“if only I’d been a smarter, nicer or an easier client”)
- self doubt (“maybe I’ve misunderstood or maybe I’m being too critical of my therapist”)
- overwhelmed and in crisis (wanting to harm yourself)
- fear that others will not believe you
- depression or deep sense of despair
- feeling as though you have been “raped”, even if the violation was not sexual
- a need to protect the therapist who has violated you
- a need to protect other clients who are at risk
- a need for resolution and compensation
- confusion when other clients working with the same therapist are not violated
- confusion because the therapist was also helpful to you
- fear the therapist may cause you further harm if you speak out
- resentment for the loss of time and money
- isolation from the lack of resources and support
- a disruption in your intimate relationships
- an inability or disruption of carrying out your daily activities

IMPACT OF VIOLATION ON COMMUNITIES

- ▶ The personal violation of one client, by one therapist, will affect the lives of many people. If the violation is not addressed on a community level, the impact of the violation will, in time, erode the general sense of trust and safety within that community.

When your rights have been violated your community may experience any of the following:

- general sense of fear or distrust of therapists and the helping profession in general
- feelings of division and suspicion (dividing therapists into “the unethical” and “the ethical”)
- therapists protecting themselves or one another instead of the rights of clients
- feelings of betrayal and abandonment by those who witness the violation and by clients who are not believed or are unsupported
- feelings of guilt and confusion by community members who struggle to find ways to support violated clients
- feelings of confusion by community members who are searching for ways to confront and hold offending therapists accountable for their actions
- loss of solidarity and faith among clients and therapists, among clients, and among therapists
- the disruption or destruction of intimate relationships because of the distress the violation brings to the lives of violated clients, offending therapists, and other members of a community who witness the violation
- frustration because of the lack of education and training about ethics and client rights

WHY CLIENTS MAY NOT BE SUPPORTED

- ▶ If you believe your rights have been violated it is important to trust your own feelings and to find people to support you.

You may not always receive the support you need because other people may:

- not want to become involved or be seen as “trouble makers”
- believe that because you are “a client of therapy” you are confusing your therapist’s actions with a past experience
- blame or hold you responsible for the violation
- believe you could have prevented the violation
- not believe that your therapist would violate a client
- try to minimize the violation by telling you to “just forget about it and find another therapist”
- not understand how a client can be violated
- try to protect the therapist’s reputation
- fear retaliation from the therapist or therapist’s colleagues
- believe that the therapy relationship is a private matter between only you and your therapist
- not know how to support a client who has been violated

- ▶ If you have been violated and are seeking support, the risk of being revictimized can be high. *Revictimization* is when a violated client is further harmed by others while seeking support and justice around the violation.

Clients can be revictimized when they:

- file a complaint through a professional organization or take legal action where the organization or court does not understand or recognize the rights of clients
- re-enter therapy with a therapist who lacks training or experience in the area of client violation
- seek advocacy or support from community resources which do not provide training to counsellors on therapy abuse

Seeking support around the violation and taking action against a therapist who has violated you can be an important part of your healing process. To reduce the risk of being further harmed, it is important to protect yourself by seeking support from people who are trained or experienced in the area of client violation.

OPTIONS FOR CHALLENGING A THERAPIST

If you have been violated by your therapist you can:

- ❶ **Ask to meet with your therapist** to discuss your concerns. Be as clear as possible about your concerns before you agree to a meeting. You can take someone you trust for support before, during and/or after the meeting.
- ❷ **Ask to meet with your therapist and their supervisor** to discuss your concerns. You can take someone you trust for support before, during and/or after the meeting.
- ❸ **Write a letter to your therapist** stating your concerns. If you want a response, you can ask for a reply by mail or phone.
- ❹ **Ask for support letters** from friends, family, colleagues or other therapists who know about the violation. These letters can be used as a way of encouraging your therapist to take responsibility for their harmful actions.
- ❺ **Contact a community organization** that offers advocacy to clients who have been violated by a therapist. Your advocate can arrange a meeting or can send letters to your therapist or to your therapist's professional organization on your behalf.
- ❻ **File a formal complaint** through your therapist's professional organization. Remember that professional organizations serve the interests of their members and, as a client, you may not necessarily receive the justice you are entitled to.

▶ **Before filing a complaint, consider the following:**

- seek an advocate who is trained in advocacy and who is not a member of the organization where you are filing your complaint
- ask for a copy of the organization's code of ethics and complaints procedure and review it carefully with an advocate
- ask about the possible outcomes of a complaints process and what kinds of disciplinary action(s) the organization can take against a therapist
- make sure the violations are reflected in the organization's code of ethics (most codes do not define a client's rights, so "proving" the violation can sometimes be difficult)
- throughout the complaints process, use any documentation you have as "proof" (ie. your journal, statements from other people who witnessed the violation, photographs, taped messages or letters from your therapist)

TAKING LEGAL ACTION

Here are some legal options to consider:

- 1 **Professional Disciplinary Boards (for licensed therapists)**
You file your complaint through your therapist's organization
- 2 **Civil Suits**
A dispute between you and your therapist which is usually settled out of court with the possibility of financial compensation
- 3 **Criminal Charges**
When you lay criminal charges against your therapist with police
- 4 **Criminal Injuries Compensation Board (CICB)**
The province provides you with financial compensation if you are a survivor of abuse or a violent crime
- 5 **Human Rights Commission**
You file your complaint against your therapist through the commission

When considering legal action against a therapist it is important to take into account that the legal system may not recognize the many ways that clients can be violated by therapists. For example, courts may only recognize some kinds of sexual abuse. More subtle forms of sexual exploitation, and other types of violations such as emotional, physical, financial, racial/cultural and social may not be recognized at all.

Legal action against a therapist involves a high level of "proof and evidence". This makes clients who have been violated vulnerable within the legal system. Often the therapist will use their status as "the expert" to deny the charges or will claim the client gave "consent" (such as when a therapist violates a client through sexual involvement).

Taking legal action against a therapist who has violated you can be an important step in seeking justice and compensation. If you are considering legal action, it is best to seek as much information as possible from a lawyer(s) before making a decision. Protect yourself throughout the proceedings with the support of client advocates, friends, colleagues, partner, or family.



FINDING & Interviewing a Therapist

The following section details how to find, interview and evaluate a therapist and your therapy process

FINDING A THERAPIST

As a client, you are hiring a therapist to provide a service. It is important, therefore, to learn how to evaluate a therapist's skills before deciding to work with them. Whether a therapist is regulated or not, you must assess for yourself who is competent to work with you.

► **Before choosing a therapist consider the following:**

- Why do I need or want therapy? Can I afford it? What are my goals and expectations? What qualities am I looking for in a therapist? Do I need or want short or long term therapy?
- Use skills that you have developed in other parts of your life to evaluate a therapist. Ask yourself how you choose a doctor, day care or home contractor. Your answers can help you to trust the decisions you make when choosing a therapist.
- Regardless of a therapist's qualifications, experience or skills, do not assume they are necessarily competent or committed to a process of growth. As in all professions, there are people who are competent and trustworthy and those who are not.
- Seek referrals from friends and colleagues or use a referral service that screens therapists rather than picking someone out based on their advertisement or flyer.
- Evaluating the skills and competency of a therapist can be difficult even at the best of times. If you are considering therapy and you are in crisis, you can ask someone you trust to come to the interview with you so they can help you evaluate the therapist later. Ask yourself what other support is available to you that will help you make the best decision under the circumstances.
- Before setting up an interview ask the therapist if they charge a fee. Some therapists do not charge a fee to be interviewed because they are not providing counselling services. You have a right to refuse to interview any therapist who charges an "interview/consultation fee". Not being charged an interview/consultation fee allows you to interview as many therapists as you feel is necessary.
- Listen to your "gut" feelings when interviewing a therapist. Remember that most therapists are skilled at being interviewed and may answer all your questions "correctly". This does not necessarily mean they are competent or skilled in the therapy process. Trust your first impressions. If you feel uncomfortable continue to interview other therapists.

A SAMPLE INTERVIEW

You may want to familiarize yourself with the information in this handbook before starting to look for a therapist. Before setting up an interview, write a list of questions you would like to ask the therapist. Below are some questions you may want to consider. If after interviewing a therapist you feel doubtful, continue to interview other therapists. The more therapists you interview the better chance you will have of finding someone you can work well with.

FEES, SERVICES & RECORD KEEPING

- Am I charged a fee to interview you?
- What is your hourly fee? Is your fee negotiable?
- Do you have regular fee increases? When & how do you inform clients?
- Are you eligible to have fees paid by government health plan/insurance?
- Do you have a sliding scale?
- Can I come to therapy as often as I need? (weekly, monthly, etc.)
- What hours do you have available?
- How long is a session? Can I vary the length of my sessions?
- Am I charged for missed appointments? Are there any exceptions?
- Do you offer phone contact or crisis intervention between sessions?
- If so, is this service included in your fee?
- When you are ill or on vacation do you provide back-up support?
- Do you keep written records or files? Do I have access to them?
- If yes, do you charge a fee if I want copies of my records?
- Can I negotiate what is written in my file and how?

TRAINING, EDUCATION & EXPERIENCE

- How long have you been working as a therapist? Full or part time?
- In what areas have you received training/education?
- Have you worked with clients from cultural/racial backgrounds different from your own?
- Have you received anti-oppression, anti-racist or ethics training?
- What kinds of therapy do you practice? Please define each type.
- Do you have experience or training in the areas I want to explore?
- What is your approach to these areas?
- Do you have access to training or education in these areas?
- Have you been in therapy? If so, how has it influenced your work?

A SAMPLE INTERVIEW

SUPERVISION/CONSULTATION

- Do you receive regular supervision? Individual or peer group?
- Do you provide clients with the names of your supervisors and can I have contact with them?
- Please define the role of your supervisors/consultants or peer group.
- Are you in supervision with: your partner or former partner; a former therapist; a business partner; family member or close friend?
- If so, how do you manage the overlapping relationship?

ETHICAL GUIDELINES

- Do you have an ethical code you practice by? How often is it reviewed?
- Can I have a copy of the code?
- Do you provide information that outlines the therapy process?
- Do you provide information on client rights?
- Do you support a woman's right to make choices about her body? (ie. abortion)
- How do you negotiate physical touch with clients?
- Have you ever been in any kind of relationship with a client or former client? (ie. partner, friend, colleague, business partner)

PROFESSIONAL ORGANIZATIONS & SOCIAL SERVICE AGENCIES

- Do you belong to a therapy or social work organization?
- Are you involved with your organization in any other way?
- Does your organization or agency have a code of ethics?
- How does your organization or agency process complaints (including anonymous complaints)?
- What kinds of client advocacy does your organization or agency provide?
- Have you ever had a formal complaint or legal suit filed against you?
- What was the outcome?
- Have you ever had a client challenge you? What was the outcome?
- If conflict arises when working with a client, do you have a conflict resolution process in place?

SOME PERSONAL QUESTIONS YOU CAN ASK

- Have you had personal experience with the issues I want to explore?
- Why did you become a therapist?

EVALUATING YOUR THERAPIST/THERAPY

- ▶ As a client, it is important to evaluate your therapy process on a regular basis. *Evaluation* involves you and your therapist setting aside time to review what is working in your therapy process, and what changes need to be made.

Your therapist has a responsibility to encourage evaluation and to help you plan how and when you will review your therapy process. A constructive evaluation process is partly dependent on your therapist's ability to receive your feedback without being defensive and to carry out all the changes you agree on. If you are uncertain about the results of an evaluation your therapist has a responsibility to encourage you to seek advice from others.

- ▶ You and your therapist can plan scheduled evaluations (ie. every 3 months) or you can ask for one whenever you believe it's necessary.

For example, you can ask for an evaluation when:

- you are feeling stuck and there is little progress in your therapy
- your needs are not being met
- you have serious questions about your therapist's skills/behaviour
- something in your life has changed significantly that affects the direction of your therapy process

If you are unsure as to when you would need an evaluation, consider asking yourself the following. If you answer "no" to any of these questions you may want to consider doing an evaluation.

- Do I trust my therapist?
- Are my needs the focus of therapy and are they being met?
- Am I supported, respected and listened to by my therapist?
- Am I sure of what my goals are? Am I reaching any of my goals?
- Do I feel therapy is a joint effort between my therapist and me?
- Do I feel safe discussing my feelings and thoughts with my therapist?

- ▶ **If you want to evaluate your therapy here are some areas you can review with your therapist.** You can read the client rights section (pages 10-24) to help you decide what areas need discussion:

- **Goals** – What do you want to achieve? When and how?
- **Progress** – What has changed and what has not?
- **Relationship with your therapist** – How do you feel about your therapist? Is it a good match? Do you feel comfortable and safe with your therapist? Does therapy feel like a joint effort?
- **Structure** – Are you satisfied with the approaches your therapist takes, the length of your sessions and the set fee, etc?
- **Your therapist's responsibility** – Does your therapist maintain confidentiality, carry out all agreements and share information?

SIGNS OF ETHICAL THERAPY

Part of a safe and effective therapy process is being treated ethically by your therapist. *Ethical therapy* is when your therapist treats you fairly and with respect, and honours and protects your rights at all times. Sometimes determining whether or not you are being treated ethically can be difficult. However, your therapist has a responsibility to provide you with information on the ethical guidelines they practice by. Your therapist also has a responsibility to educate themselves about ethics and to have discussions with you where you can review and evaluate your therapy relationship on a regular basis.

Some signs that indicate you are in an ethical therapy process:

- 1** You are provided with information on your rights and explanations of how your therapist will honour these rights.
- 2** Your therapist is your ally who consistently honours and protects your rights as a client.
- 3** Your therapist takes responsibility for their mistakes by acknowledging their impact on your process and compensates you for their errors.
- 4** Trust and safety have developed over time because your therapist remains consistent, open and non-judgmental.
- 5** Disagreements and conflict are present but you and your therapist are able to work with them in ways that benefit your therapy.
- 6** You question and challenge your therapist's actions, behaviour and ideas without being punished or silenced.
- 7** Your experiences are supported by your therapist, and at the same time, you are asked to look at how your beliefs and actions may be limiting your growth.
- 8** Your therapy process is a joint effort between you and your therapist and your needs are consistently the focus of your therapy.
- 9** Your therapist trusts your abilities to take care of yourself and does not try to "fix" a situation as a way to make themselves feel better.

COMMUNITY RESOURCES

The following are community resources in the Toronto area for clients who have been violated in therapy. For other cities and towns outside of Toronto, consult your local phone book for these types of agencies and organizations in your area.

Counselling & Advocacy

Toronto Rape Crisis Centre/Multicultural Women Against Rape
416-597-8808 www.trccwar.ca

Crisis Counselling (Phone and In-Person)

Assaulted Women's Helpline
416-863-0511 or 1-800-863-0511 www.awhl.org

Barbara Schlifer Clinic
416-323-9149 www.schliferclinic.com

Toronto Rape Crisis Centre/Multicultural Women Against Rape
416-597-8808 www.trccwar.ca

Women's Health in Women's Hands
416-593-7655 x229 www.whiwh.com

A Note to Service Providers

Resources for clients who have been violated are limited. If your agency, organization or group provides support to violated clients please make your services known by including them in your publicity and informational material.

COMMUNITY RESOURCES

Legal Consultation

Law Society of Upper Canada
1-800-268-7380 Complaints Line: 1-800-268-7568
www.lsuc.on.ca

Lawyer Referral Service
Helps people find a private lawyer in Ontario. A \$6.00 charge will be added to your phone bill when you use this service unless you are in a crisis situation. The first half-hour consultation with the lawyer is free.
1-900-565-4577
www.lawyersreferraldirectory.com

Community Information Services

211 is a directory to over 20,000 services about community, social, health and government agencies in Toronto and the GTA.
www.211.ca

Professional Organizations

The following are organizations in Ontario where you can report a violation or file a formal complaint against any of their members. For regions outside of Ontario, consult your local phone book for the professional organizations in your area.

Ontario College of Social Workers and Social Service Workers
416-972-9882 www.ocswssw.org

College of Physicians and Surgeons
416-967-2603 www.cpso.on.ca

College of Psychologists of Ontario
1-800-489-8388 and 416-961-8817 www.cpo.on.ca

Ontario Association of Consultants, Counsellors,
Psychometrists, Psychotherapists (OACCPP)
416-298-7333 www.oaccpp.ca

Ontario Association of Jungian Analysts
416-961-9767 www3.sympatico.ca/cgjungontario

Ontario Psychological Association
416-961-5552 www.psych.on.ca

COMMUNITY RESOURCES

Other Places to Report Violation

The following are places where you can report a violation or file a complaint. Consult your local phone book for these types of organizations in your area.

- 1 Social Service Agencies – Board of Directors**
When you want to make a complaint against a counsellor who works within an agency or against a private practice therapist who is referred by an agency.
- 2 Therapy Referral Services**
When you want to make a complaint against a therapist who is currently on a referral list.
- 3 Community-based Services (ie. Crisis/Help Lines)**
When you want to make a complaint against a counsellor who works within a community-based service or against a private practice therapist who is referred by a community-based service.

If for any reason you are not satisfied with the response or result after you've filed a complaint about an individual or an organization, you have the right to contact the organization's funders, for example, the Ontario Ministry of Health. The names of funders are readily available in the organization's promotional material.

THE INTERNET

Feminist Therapy Institute
www.feminist-therapy-institute.org
Includes a printable copy of the “Feminist Therapy
Code of Ethics”

Advocate Web: Helping Overcome Professional Exploitation
www.advocateweb.org

BOOKS

Ballou, Marcia and Mary Hill (editors), 2006
The Foundation and Future of Feminist Therapy
The Haworth Press

Ballou, Mary, 2002
**Rethinking Mental Health and Disorder: A Feminist
Perspective**
The Guilford Press

Brown, Laura S., 2006
Still Subversive After All These Years
Psychology of Women Quarterly, Volume 30, Issue 1

Cohen, Elliot D., 1998
**The Virtuous Therapist: Ethical Practice of Counselling
and Psychotherapy**
Wadsworth Publishing

Corey, Gerald and Marianne Schneider Corey, 1998
Issues and Ethics in the Helping Professions
Brooks/Cole

Cottone, Robert R., 2006
Counselling Ethics and Decision Making
Pearson Education Canada

Dominelli, Lena, 2002
Anti-Oppressive Social Work Theory and Practice
Palgrave Press

- Engler, Jack and Daniel Goleman, 1992
The Consumer's Guide to Psychotherapy
Simon & Shuster
- Gartrell, Nanette, 2000
**Bringing Ethics Alive: Feminist Ethics in
Psychotherapy Practice**
The Haworth Press
- Guttman, David, 2006
Ethics in Social Work: A Context of Caring
The Haworth Press
- Hatherleigh Press Staff, 1997
The Hatherleigh Guide to Ethics in Therapy
The Hatherleigh Company
- Hill, Marcia (editor), 2005
For Love or Money: The Fee in Feminist Therapy
The Haworth Press
- Houser, Rick, 2006
Culturally Relevant Ethical Decision-Making in Counselling
Sage Publications
- Jones, Caroline, 2000
Questions of Ethics in Counselling and Therapy
Taylor and Francis
- Kaschak, Ellyn and Marcia Hill (editors), 1999
**Beyond the Rule Book: Moral Issues and Dilemmas in the
Practice of Psychotherapy**
The Haworth Press
- Lawrence, Marilyn and Marie Maguire (editors), 1999
Psychotherapy with Women: Feminist Perspectives
Routledge
- No More Blaming the Victim: Therapy in the Interest
of Social Justice**
Psychology of Women Quarterly, Volume 29, Issue 4, 2005
- Palmer, Fiona Barnes (editor), 2001
**Values and Ethics in the Practice of Psychotherapy
and Counselling**
Taylor and Francis

BOOKS

Peterson, Marilyn R., 1992

At Personal Risk: Boundary Violations in the Professional-Client Relationship

WW Norton & Co.

Rader, Jill and Lucia Albino Gilbert, 2005

The Egalitarian Relationship in Feminist Therapy

Psychology of Women Quarterly, Volume 29, Issue 4

Roberts, Francine M., 1997

The Therapy Sourcebook

Lowell House

Russo, Nancy Felipe and Kim Vaz, 2001

Addressing Diversity in the Decade of Behaviour: Focus on Women of Color

Psychology of Women Quarterly, Volume 25, Issue 4

Snyder, Maryhelen (editor), 1995

Ethical Issues in Feminist Family Therapy

The Haworth Press

Tribe, Rachel (editor), 2004

Handbook of Professional and Ethical Practice for Psychologists, Counsellors and Psychotherapists.

Routledge

Walk-in Counseling Center – Minneapolis, Minnesota, 1989

Psychotherapists' Sexual Involvement with Clients: Intervention & Prevention

Welfel, Elizabeth Reynolds, 2005

Ethics in Counselling and Psychotherapy: Standards, Research and Emerging Issues

Wadsworth Publishing

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Ethical Standards and Practice in Lesbian Therapy Community (Guidelines)
- Brown, Laura S., 1991**
Anti-racism as an Ethical Imperative: An Example from Feminist Therapy
Ethics and Behavior. 1 (2), 113-127
- Brown, Laura S., 1990**
Confronting Ethically Problematic Behaviors in Feminist Colleagues.
In Hannah Lerman and Natalie Porter (Eds.), *Feminist Ethics in Psychotherapy*, (pp. 147-159). Springer Publishing
- Brown, Laura S., 1994**
Subversive Dialogues: Theory in Feminist Therapy. HarperCollins, New York
- Brown, Laura S., 1991**
Ethical Issues in Feminist Therapy
Psychology of Women Quarterly, Number 15, (pp. 323-336)
- Brown, Laura S., 1989**
Beyond Thou Shall Not: Ethics in the Lesbian Therapy Community
The Haworth Press, Binghampton, New York
- Brown, Laura S., 1994**
Boundaries in Feminist Therapy: A Conceptual Formulation
The Haworth Press, Binghampton, New York
- Brown, Laura S. and Maria Root, 1990**
Diversity and Complexity in Feminist Therapy
Harrington Park Press, London
- Burstow, Bonnie, 1992**
Radical Feminist Therapy. Sage Publications, California
- Comas-Diaz, Lillian and Beverly Green (Eds.)**
Women of Color: Integrating Ethnic and Gender Identities in Psychotherapy
The Guilford Press, New York
- Elkind Nathanson, Sue, 1992**
Resolving Impasses in Therapeutic Relationships. Guilford Press, New York
- Engler, Jack and Daniel Goleman, 1992**
The Consumer Guide to Psychotherapy. Simon & Schuster/Fireside, New York
- Epstein, Richard, 1994**
Keeping Boundaries: Maintaining Safety and Integrity in the Psychotherapeutic Process. The American Psychiatric Press, Washington, DC
- Feminist Therapy Institute, 1990**
Feminist Therapy Code of Ethics. In Hannah Lerman & Natalie Porter (Eds.), *Feminist Ethics in Psychotherapy.* Springer Publishing, New York
- Gartrell, Nanette (Ed.), 1994**
Bringing Ethics Alive: Feminist Ethics in Psychotherapy Practice
Harrington Park Press

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Guildford Press, New York

Kitzinger, Celia and Rachel Perkins, 1993

Changing Our Minds: Lesbian Feminism and Psychology
Springer Publishing Co., New York

Lerman, Hannah and Natalie Porter (Eds.), 1990

Feminist Ethics in Psychotherapy. Springer Publishing Co., New York

Pearlman, Laurie Ann and Karen W. Saakvitne, 1995

Trauma and the Therapist. WW Norton & Co., New York

Peterson, Marilyn R., 1992

At Personal Risk: Boundary Violations in the Professional-Client Relationship
WW Norton & Co., New York

Pope, Sonne and Holroyd, 1994

Sexual Feelings in Psychotherapy: Explorations for Therapists
American Psychological Association, Washington, DC

Pope, Kenneth S., 1994

Sexual Involvement with Therapists
American Psychological Association, Washington, DC

Pope, Kenneth S. and M. Vasquez, 1991

Ethics in Psychotherapy and Counseling
Jossey-Bass, San Francisco

Ragsdale Hancock, Katherine (Ed.), 1996

Boundary Wars. Pilgrim Press, Ohio

Rave, Elizabeth and Carolyn Larsen, 1995

Ethical Decision Making in Therapy: Feminist Perspectives
Guildford Press, New York

Ridley, Charles, 1995

Overcoming Unintentional Racism in Counseling and Therapy
Sage Publications, California

Russell, Janice, 1993

Out of Bounds: Sexual Exploitation in Counselling and Therapy
Sage Publication, London

Walk-in Counseling Center, 1989

Psychotherapists' Sexual Involvement with Clients: Intervention and Prevention
Minneapolis, Minnesota

Advocate – someone who provides support to a client or who acts on a client's behalf with consent, such as writing letters or arranging a meeting.

Back-up support – when a therapist provides temporary support to clients through the referral of another therapist or counselling service.

Bartering – when a client pays for therapy by providing a service to a therapist instead of paying them money.

Challenging a therapist – when a client confronts a therapist with any concerns they have about their ideas, decisions, behaviour or actions.

Closure – a process where a client and therapist bring therapy to an end through a series of discussions.

Confidentiality – when a therapist keeps all information which relates to a client's therapy process private, unless legally required to do otherwise.

Ethical therapy – when a therapist treats a client fairly and with respect, and honours and protects a client's rights at all times.

Evaluating therapy – when a client and therapist review what is working in the therapy process and what changes need to be made.

Impulsive reactions by a therapist – any unplanned acts that involve the careless blurting out of feelings or thoughts during a client's session.

Informed consent – a process by which a therapist seeks the permission of a client through a series of questions and discussions.

Oppression – the misuse of power based on privilege, prejudice, bias or discrimination.

Overlapping/dual relationship – when a therapist comes in contact with a client outside of the therapy process or has another role other than a therapist in a client's life.

Revictimization – when a violated client is further harmed by others while seeking support and justice around the violation.

Self disclosure by a therapist – when a therapist tells a client something personal about themselves.

Sliding scale – a fee range (rather than a flat rate) which is set by a therapist, within which a client can negotiate an amount.

Supervision/consultation – where therapists discuss and evaluate each other's work for the purpose of supporting and educating each other, and as a means of increasing client safety by holding each other responsible and accountable for their actions and behaviour.

Termination – when a client's therapy ends but where a process of closure has not necessarily taken place.

Third party consultation – when a third person is brought into the therapy process to help resolve a conflict between a client and therapist.