
Practice and Method of Ethics

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Agenda

- Ethic, ethos, moral
- Practice of ethics in organization and institution
- 5 symptomatic case studies
- Some basic questions
- Quintessence

How I came across ethics in my job?

- Member of the ethics committee of a training organization
- Engaged in ethics cases: therapy-relationship, organizational power issues,
- Was asked for ethics support (media, colleagues, organizations, court case and so)
- Exchange of experience with colleagues who were suspected or accused
- Because of accusation
- Published about the issue

How ethics became relevant for psychotherapy

- Psychotherapy as helping work (implicit, personal values)
- Psychotherapy and (humanistic) values
- Human Growth Movement developed
- Professional training
- Organizational professionalization
- Occupationalism and ethics committees
- More public awareness of values in society *and* psychotherapy
- Development of the legal system and official norms
- *Partly* integration into psychotherapy organizations
- Not yet sufficiently coordinated integrated internationally

Ethics

In the field of psychotherapy, "**ethics**" can be understood as the determination, development and definition of various relevant values and standards that underline one's own professional activity. These are usually pit down in the ethics guidelines

Moral

"**Morality**" provides the concrete, relevant framework for action in the respective personal practice and as a member within one's own professional organization, which determines and regulates the desired, appropriate and necessary behavior.

Ethos

"Ethos" refers to the personal moral, and moral attitude of a person, or rather, it describes the norms and standards/orientation to which the individual aligns his behavior. This can, but does not have to be in accordance with the respective "ethics" in the respective therapeutic organization.

Ethics discourse

Ethical guidelines, moral conduct recommendations and the personal, ethical conviction of the individual are closely related to each other. The dynamics of the resulting field of tension requires a **permanent discourse**, a permanent further development, change, adjustment as well as expansion of orientation, behavior and handling of "violations" as well as sanctioning of the same. This includes, meaningfully and necessarily, the review of sanctions.

Ethics Committee (EC)

- **independent body** within the institution/organization as well as a "**guardian**" of the professional practice
- dual function: watches over the "**state of the art**" of the psychotherapeutic school and it has an **administrative, juridical function**.
- looks for **transparency** regarding the structure of the **procedure** in the sense of a fixed structure of rules and regulations
- **It guarantees the decision-making** and gives others the **orientation** and certainty that generally accepted rules are followed.
- It helps people to rely on a **professional, independent procedure**.

Statutes and ethical guidelines 1 / 2

Differences can be found within the various organizations / Institutions

- *primarily announcement policy*

Basic value orientation, ethics guidelines, no further, specific information on the role and function within the institute., nor any structures of procedure or rules of procedure established

- *Mixed roles, lack of independence*

ethical guidelines, but refer to a superordinate umbrella organization in terms of their application/implementation (i.e. EABP), small institutes, missing independency of an ethics committee

- *Role and conflict of interest*

ethics guidelines, conditions of execution and implementation, but contradictory statements, can lead to conflicts of interest and role conflicts

Statutes and ethical guidelines 2 / 2

- *Structural intransparency*

ethics guidelines with differentiated descriptions of the conditions of execution and implementation, but limited to the consideration of the individual behavior of individual colleagues. And yet missing: possible ethical violation by a committee of the association or members of a committee towards the association

- *Treatment in good faith*

ethics guidelines, conditions for application and implementation, but no specific body that, after the adoption of possible sanctions, controls this. Subtle conflicts of roles and interests can emerge that are not clearly identifiable at first glance

- *Ethically based and practically realized organizational practice*

ethics guidelines, conditions of execution and implementation, clear differentiation of different committees and clear committee for controlling.

“best practice” of ethics procedure

- **A permanent forum on questions of ethics**
permanent discussion on ethics in general
- **An Ethics Committee**
deals with clients' and organizational complaints, documents everything and determines possible sanctions
- **Ethics council**
Responsible for the implementation of the sanctions, defines the rules for its own procedure
- **A committee of inquiry**
cannot decide by itself, just monitors the process

Organisational discourse

Some basic questions related to possible **power abuse in the organisation**

- What helps the organization to install a solid and effective ethics procedure? What are possible limitations?
- Why does one organization succeed better than the other?
- Conflict between ethics reference to clients in the organization and having economical / personal interest
- How can one (from outside) recognize that sufficient transparency, independence, dialogue, separation of roles, trust, etc. are actually lived?
- How to integrate, if needed, a specific ombuds-like function from outside?

Distinction between legislative, executive and judiciary need

Ethics is in a **constant, discursive process** and
can never be conclusively defined.

Practice of ethics is an interplay, a process
within the organization
which necessarily leads to **decisions**.

These need enough **controlling** and
discourse within the organization
and / or with experts from outside.

Because it is always
ethical ambiguity in the field of psychological science

But
be aware that ethics
always
is a battlefield (Foucault)
And a territorial struggle (Ottomeyer).

This often leads to

Instrumentalisation of ethics in the power discourse

This includes role conflict and diffusion

And always touches unconscious dynamics in the organization.

Case Study (Organisation) 1/2

Initial situation: Sexual abuse/relationship abuse by board member

- Board regulates this internally
- No information to ethics committee
- Anonymous report from outside
- Subsequent involvement of the ethics committee

Problem: Abuse of power by board

- "Incapacitation" of the Ethics Committee
- Deficits in the organisation with regard to independence, transparency, responsibility, consequences
- Instrumentalisation of the annual member meeting
- No one takes ultimate responsibility

Case Study (Publication of Case Study) 2/2

Initial situation: publication of a case report (preservation of anonymity)

- Coordination of publication with client
- Commitment in this regard
- Mobilisation of emotional dynamics in the client
- Overriding complaint and lawsuit by client

Problem:

- Despite careful anonymisation, agreement and signed commitment, accusation of abuse.
- Unavoidable dilemma for therapists
- Concrete threat and blackmail
- Publicity before situation has been clarified

Some typical difficulties and problems

- After report to the organization it takes months and years to handle
- No one in the organization really feels responsible or treats the lawsuit
- The client is sent from A to B and then to C within the organization
- who feels responsible and / or is structural responsible (local or umbrella organization?)
- When is it necessary to ask for specific expertise to handle the case?
- How to handle if the membership meeting always elects the same board member and they keep this role for “too many” eyars?
- Do members of the EC have other functions within the organization or not?
- What is needed to regard all relevant views on the case? How to find out?
- How can a 2nd order observer realize sufficient independency and transparency within the organization?
- When does the procedure needs external support or has to be handed over to court?
- How is the organization and / or the EC conscious about the difference between ethics within the organization and / or legal situation?
- How can someone from outside know whom to address?

Basic dilemma of ethics

Such an approach to the fundamental ethic assessment and pragmatics of ethics can be well illustrated by the example of the corresponding discourse in the United States. On the one hand, there is the ethical requirement **not to comment** on a public figure from a professional point of view. On the other hand, there is the so-called "**Tarasoff Doctrine**", from which the necessity can even be derived to even **have to speak out** as a psychological and psychotherapeutic expert if there may be potentially dangerous consequences of the behaviour (Ewing, C. P. (2005). Judicial Notebook. July/August 2005.

Volume 36, Nr. 7.)

Experience as “learning history”

- a process of documenting my own development, learning and analytic efforts to increase self-awareness.
- own understandings and relationship to a new field of experience,
- including reports of actions and findings. It shows how my learning is an approach to become familiar with what I do, where I do it and with whom I do it.
- illustrates how I achieved my results.
- learning methods and the design of interventions,
- my underlying assumptions and reasoning, which in this case, help me to become familiar with an unfamiliar context. I
- It serves as a critical element in developing my own research structure.

Basic questions

- Do you as a professional organization embody the “state of the art” (EC, procedure, independency, transparency and so on)?
- How can somebody from outside can become aware of this?
- How can you support or improve the ethics discourse within your organization?
- How do you handle implicit and explicit role diffusion / conflict?
- In how far is everybody in your organization aware of possible power issues and how to address or handle them?
- What are your limitations? Are you aware of this? If not, how can your organization still act responsibly with its “blind spots”?
- How is your organization prepared for an ethics crises which can no longer be handled by the organization itself?
- How do you handle the conflict between training, personal therapy and economic interests?

Always important is the clarification of needs, interest, implications,
roles, mandate and order in the beginning.

This is not easy at all.

It is also necessary to have a good monitoring during the procedure, in
case there will be a change, conflict, diffusion or whatever.

Quintessence

It seems to be very simple and yet very hard at the same time:
be aware of the necessity of the ethics “state of the art”,
develop and improve transparency, independency, clarity, openness,
Guidelines are important, even more important is the transparent official procedure,
vitalize the ethics discourse in the organization.

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Literature 2 / 2

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Thank you very much for listening
and watching

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