

**Critically examine one theoretical framework for resolving ethical dilemmas and the estimated value as a beginning practitioner.**

## **Introduction**

This essay will begin by discussing methods of ethical decision making and the frameworks that have been developed to resolve them. It will go on to consider one theoretical framework in detail. This framework will be compared and contrasted with alternative procedures for ethical decision making; and ways of proceeding in situations where an ethical solution is unclear will be discussed.

## **Methods of Ethical Decision Making**

When ethical dilemmas arise, counsellors need to carefully consider the actions available to them, taking into account the immediacy and severity of risk of harm to their clients and others involved. A variety of concrete frameworks have been developed to aid practitioners in resolving ethical dilemmas (Bond, 2010, pp 60). These frameworks are often included in the ethics codes of professional certifying bodies like the Irish Association of Counsellors and Psychotherapists (IACP, 2012). Additional frameworks have been developed independently through research and clinical practice by ethicists and counselling professionals (Bond, 2010, pp 228).

Frameworks aid counsellors in making the most beneficial and least damaging decisions in often difficult and ambiguous situations. They also serve to protect counsellors from allegations of malpractice (IACP, 2012). Codes of ethics frequently suggest ethical frameworks as the preferred method for dilemma resolution, and documenting their use demonstrates a commitment to ethical problem solving. Clause 3.4.1 of the IACP

code of ethics requires that IACP regulated counsellors follow a systematic process of ethical decision making (IACP, 2012).

### **Bond's Process for Ethical Decision Making**

In *Standards & Ethics for Counselling in Action*, Tim Bond outlines a six step process for dealing with ethical dilemmas (Bond, 2010, pp 228). Bond's process begins by eliciting a description of the dilemma, to establish its specifics and complexity. Bond suggests a problem that is difficult to articulate should not be solved without consultation with a supervisor.

The next step is to work out who is facing the dilemma. Is this an issue for the counsellor, or is it actually the client who needs to make a decision? If the latter, it is the counsellors responsibility to support and in some cases advise the client; but not to act for them (with the exception of threats of harm to self or others). Dilemmas which are jointly the responsibility of counsellor and client need to be resolved by both working together.

Step three recommends the counsellor consult their professional code of ethics, other codes from similar professions, and any laws which pertain to their decision. If a legal issue is at stake a legal professional should be consulted; in order to establish which actions are legally prohibited or necessitated. In cases which extend beyond the letter of the law and the substance and intent of professional codes, Bond suggests general moral principles should underlie decision making. These principles include the maximisation of client *autonomy*, *beneficence* (the most good for the most individuals), *non-maleficance* (harm minimization), *justice* (fairness), *fidelity* (trustworthiness), and *self interest*.

Bond's final three steps involve identifying as many courses of action as possible; choosing the course of action that has the most universal application, will be most publically defensible, and is most just; and implementing the decision / evaluating its outcome.

### **Contrasts with other guidelines**

Bond's process differs in substantive ways from the recommended procedures enshrined in the IICP code of Ethics. The IICP code begins by requiring practitioners to enumerate not just the dilemma at issue but also the 'parties involved', which may include others outside the counselling dynamic. Step three of the IICP procedure includes evaluating the 'responsibilities' of all those involved (not merely the counsellor). The IICP procedure ends by instructing counsellors to 'take responsibility' for the outcomes of their decision; an instruction that may have legal as well as practical implications extending beyond the duration of the counselling relationship.

Pope and Vasquez outline a 17 step decision making process based on the Canadian Psychological Association Ethics Code (Pope & Vasquez, 2011, pp 118). These include considering the effects on judgment of 'personal feelings, biases, or self-interest'. Since both affect and visceral factors can have considerable impact on the decision making process (Loewenstein, 2000); making biases and feelings explicit could help counsellors to acknowledge a lack of objectivity. Pope & Vasquez also suggest examining 'social, cultural,' and 'religious' factors, biases and stereotypes (pp 119). This acknowledgement that the *counsellor's* identity may have an impact on their decision making (for example in reacting negatively to a client's sexual promiscuity) is

useful. Finally, Pope & Vasquez recommend considering 'implications for preparation, planning, and prevention' (pp 121); emphasising the counsellor's role in the active production and development of a problem solving strategy.

Len Sperry's eight step decisional strategy provides similar advice: Suggesting the first step in ethical decision making should be to 'enhance ethical sensitivity and anticipate professional-ethical considerations', before problems arise (Sperry, 2007, pp 78).

### **Beyond ethical frameworks?**

Bond suggests that a universal ethical framework may be overambitious and ethnocentric (Bond, 2010, pp 52), and concedes that general principles may have to give way to cultural norms. However, counsellors must be aware of the dangers of cultural relativism. Clients may have grown up in a distinct ethnic culture, and/or may self identify around gender, sexual identity, religion, political affiliation or a host of other factors. Yet clients (in dyadic counselling) encounter their therapist as individuals, whose universal human rights (UN, 1948) exist irrespective of their family of origin, cultural identity, or citizenship. While counsellors need to remain culturally sensitive (for example, respectfully dealing with gender issues in counselling Muslim clients); it is essential to place the client's needs first in any decision making process. In this regard counsellors need to retain an awareness that principles may conflict. For example autonomy and beneficence may be at odds where a homosexual client is pressured into ineffectual and dangerous 'conversion therapy' at the recommendation of family or religious community (Savage, 2012).

Additional moral principles suggested as important in ethical decision making include 'respecting rights' and even 'acting in accordance with nature' (Rowson, 2001, pp 8).

## **Conclusion**

Theoretical frameworks are a necessary element of any counsellor's problem solving toolkit. Without them, counsellors are limited to their implicit and learned heuristic mechanisms; and hence subject to the invisible biases all 'instinctive' 'intuitive' thinking includes (Tversky & Kahneman, 1974). Ethical frameworks force counsellors to explicitly document their process of dilemma resolution; and encourage them to raise difficult issues with their supervisors. No single framework can suit every client, nor cover every possible ethical conflict (Corey et al, 2011, pp 22). However, when used alongside fundamental values and principles; ethical procedures and processes are invaluable tools for the beginning counsellor.

**Words: 1,100**

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