

### III. CODE OF ETHICS

#### Preamble

"Feeling always binds one to the reality and meaning of symbolic contents and these in turn impose binding standards of ethical behavior."

-- C. G. Jung *The Psychology of the Transference*

Practicing analysts regularly encounter problems characterized by a conflict of duties and the call of opposing ethical demands. Jungian analysts feel that such conflicts are best resolved through an honest inner struggle. These guidelines are meant to serve as an aid in that endeavor.

The ultimate criterion of ethical behavior is the conscience of the individual who has wrestled with the ethical issues involved in any given situation. However, the ethical results arrived at by an individual are not binding on the community or society at large. Like the individual, every community has a right, and an obligation, to define its own standards and values. For conscience's sake, the individual may then have to bear the opprobrium of the community and submit to social, professional, and legal sanctions.

Not every ethical conflict between an individual and a community is the result of different standards. Often the problem is the absence of ethical feeling, and the subordination of ethics to other needs, and an inability to uphold one's ethics in practice. Every individual and community suffers from such lapses and failures. No individual or community can lay claim to moral superiority. When we personally fail to live up to the ethical standards we have set for ourselves and our colleagues, or when we are unaware of such failures and they are brought to our attention, we hope to be treated in a compassionate and humane way. When others find themselves in similar circumstances, we hope to accord them the same compassion and humanity. It is in this spirit that we endorse the following guidelines.

The members of the Inter-Regional Society of Jungian Analysts (IRSJA) are Jungian psychoanalysts trained in helping people to deal with human problems in a psychological way. They are committed to increasing knowledge of the personal and archetypal dimensions of human behavior and to the promotion of interpersonal and intrapsychic understanding. Analysts recognize that the freedom of enquiry and exploration necessary to their work carries with it the commitment to increased consciousness, competence, objectivity and concern for the best interests of analysands, students, colleagues, and the public at large.

In order to fulfill this commitment and to make it explicit, the members of the IRSJA have agreed upon the following ethical guidelines.

All members of the IRSJA are expected to be in compliance with the contents of the code of ethics of other professional groups to which they belong and with the laws of the state(s) in which they practice.

The following provisions are not to be taken as creating any kind of legal liability, either civil or criminal.

\* This code and these procedures are based on those of the New York and San Francisco Institutes. We wish to acknowledge their contributions and to thank our colleagues for their guidelines and suggestions.

## **Section A: ETHICAL PRINCIPLES WITH ANNOTATIONS**

### **Principle I. Responsibility of the Analyst**

In providing services, members aim at the highest standards of their profession and accept the responsibility for the consequences of their acts.

A. As practitioners, analysts bear the responsibility of clarifying the working agreement between themselves and their analysands. This working agreement may include such considerations as: length and frequency of sessions, the cost and method of payment, the conditions for cancellation of sessions, and where the meetings shall take place. Other contractual arrangements are discussed when they arise in treatment.

B. Analysts avoid personal, social and financial interactions with analysands which might compromise the analytic process.

C. It is recognized that members may assume other professional roles in the training of analysts where special consideration must be given to preserving the boundaries between analysis and the supervision of a training candidate, and between analysis and education. In such situations, analysts shall be sensitive to possible conflicts tending to interfere with their duties.

D. As supervisors, analysts shall have the responsibility to clarify and help objectify the presenter's case material. Supervisors shall identify and explore countertransference reactions pertinent to the case and shall respect the boundaries of the supervisee's personal analysis.

### **Principle II. Competence of the Analyst**

The maintenance of high standards of competence is a responsibility shared by all analysts in the interest of the community and the profession as a whole. Analysts are aware of the boundaries of their own competence and the limitations of their own techniques. They use techniques for which they are qualified by training and experience.

A. Analysts must not misrepresent their academic and/or professional training and/or experience, nor their professional affiliations. Members bear the responsibility of correcting members who misrepresent their professional qualifications and/or affiliations, either by individual discussion or by bringing the infraction to the attention of the Ethics Committee.

B. Analysts shall not attempt to diagnose, prescribe for, treat or advise on problems outside the recognized boundaries of their own competence.

C. In regard to the areas of their personal analysis, supervision, and education, analysts shall continue to pursue their professional growth. They are receptive to new procedures and changes in expectations and values over time.

D. When treatment methods are used for which there are no established standards, analysts must take whatever precautions are necessary to protect the welfare of their analysands.

E. In compliance with the state and federal laws describing research with human subjects, analysts must receive written consent from the analysand to serve in a dual role as both analysand and subject of research.

F. Analysts recognize that personal problems and conflicts may interfere with professional effectiveness. When they become aware of their personal problems, they must seek competent professional assistance to determine whether they should suspend, terminate, or limit the scope of their professional activities.

G. Any physical or mental disability (e.g., senility, substance abuse) which could cause a member to be unable to perform the service implicit in the psychoanalytic contract or to fulfill responsibilities as a member in good standing in the Society or the professional community shall be grounds for the Ethics Committee to institute, according to its procedures, its own investigation of the conduct of a member.

### **Principle III. Moral and Legal Standards**

Analysts become and shall remain aware of the possible impact of their professional and public behavior not only upon the quality of their work but upon the community's trust in their profession, and upon the ability of their colleagues to carry out professional activities.

A. Analysts are aware that personal values affect the conduct of their therapeutic work and their presentation of materials in teaching roles. They should recognize and respect the diverse attitudes which others bring, and remain aware of these when dealing with sensitive topics.

B. Members are obligated to be in compliance with all relevant state and federal laws. In their professional roles as practitioners, supervisors or instructors, members shall not take any action that violates or diminishes the legal and civil rights of analysands, supervisees, students or colleagues.

C. Should a member be expelled from an affiliated or other recognized professional association, be de-licensed in their field or practice, or be charged with a criminal

offense, the IRSJA may investigate the conduct of the member according to its procedures, providing a complaint is brought forth.

D. All members have the obligation to cooperate with the rules and procedures of the Ethics Committee in the investigation of a complaint.

#### **Principle IV. Public Statements and Non-Analytical Communications**

Care should be taken in public statements and non-analytical communications, either within the context of the therapeutic session or in the community at large, to serve the purpose of helping an individual make informed judgments and choices or of fostering activities contributing to an improved community.

A. Members shall present their own qualifications, affiliations, and functions accurately and objectively. They shall avoid misrepresentation in presenting the practice of analytical psychology either to analysands or to the public at large.

B. In public statements offering personal advice, psychological opinions, or information about the availability of services and publications, members shall utilize the most relevant material and must exercise the highest level of professional judgment.

C. When expressing professional opinions or points of view, members shall not make it appear, directly or indirectly, that they speak on behalf of the IRSJA or represent its official position, except as authorized by the IRSJA or its representatives.

D. Members are responsible in the course of public speaking, advertising and writing to avoid superficiality, exaggeration and other kinds of misrepresentation. Brochures that promote the services of a center should describe them with accuracy and dignity and should not be misleading.

#### **Principle V. Confidentiality**

Analysts have a primary obligation to respect the confidentiality of information that is relevant to the treatment of an analysand in the course of their professional activities.

A. Analysands are entitled to know under what conditions their material may be divulged. Where appropriate, analysts shall inform their analysands of the legal limits of confidentiality.

B. Information obtained during analytic sessions and group therapy, and/or presented in case seminars is discussed only for professional purposes, always taking care to guard the identity of the analysand.

C. Analysts should refrain from presenting case material of recognizable analysands (e.g. candidates or IRSJA members) in training seminars and professional meetings. This material should be confined to consultations with colleagues or supervisors and the identity of the analysand should be guarded carefully.

D. Analysts who present personal information, obtained during the course of their professional activities, in writings, lectures or other public forums must obtain prior consent from the analysand and must disguise all identifying information.

E. Analysts shall make provisions for maintaining confidentiality in the storage and disposal of records. An analyst may release confidential information only with the written authorization of the analysand or under legal compulsion.

F. Analysts at times may find it necessary, for the protection of the analysand or the community from imminent danger, to reveal privileged communication disclosed by the analysand. At all times the analyst must weigh the right of the analysand to confidentiality and thus to unimpaired treatment and the right of the community to protect its own welfare.

### **Principle VI. Welfare of the Analysand**

Analysts have the continuing duty to respect the integrity and protect the welfare of analysands.

A. Analysts shall inform those concerned of the purpose and nature of Jungian analytic treatment and of any evaluative, clinical, educational or training procedure proposed, with full cognizance of the other's freedom of choice with regard to participation.

B. Aware of their own needs and of their influential position vis-a-vis those in their care, analysts shall make every reasonable effort to avoid dual relationships such as in the treatment of close friends and relatives that could impair their professional judgment. Special caution is to be exercised in regard to dual relationships involved with those who are analysands as well as students or supervisees. When possible, acting as both analyst and formal supervisor is to be avoided.

C. Analysts shall use the initial sessions to explore the presenting problem and determine whether analytic treatment can be of help. They are cautious in their initial prognosis and shall not exaggerate the efficacy of their service.

D. Because analysis is first and foremost for the benefit of the analysand, analysts shall be extremely careful not use their professional relationships to give or receive other personal gain or services to further their business, political or religious interests, nor

shall they encourage analysands to engage in activities in order to profit professional groups or organizations.

E. Analysts shall terminate an analytic relationship when it is reasonably clear that the analysand is not benefitting from it. At an appropriate time the analyst shall initiate a discussion with the analysand about the termination of the relationship and attempt to secure a mutual agreement with the analysand. An analyst shall not cease treatment without giving the analysand adequate notice to locate an alternative. Where appropriate, the analyst shall offer to help the analysand locate alternative sources of assistance.

F. Any sexual intimacies defined as all forms of overt and covert seductive behavior as well as physical contact of a sexual nature are unethical within the therapeutic relationship. Sexual harassment such as deliberate or repeated comments, gestures, or physical contacts are equally unethical. Sexual intimacy between analyst and analysand constitutes a de facto termination of the analysis and an infringement of an analysand's right to professional and unimpaired treatment, even when the analysand invites or consents to such involvement. With an awareness that such a transgression is a violation of professional ethics, for which they have a social responsibility and a legal liability, analysts shall terminate the analysis in a respectful and non-punitive manner, and insofar as possible, with the analysand's agreement. In such a situation, analysts shall have the obligation to seek peer consultation and/or competent professional assistance to resolve the personal conflicts and countertransference reactions that interfere with their professional effectiveness.

G. Analysts are sensitive and responsive to information received during analytic sessions concerning unethical behavior of another professional. After careful exploration of the circumstances, if deemed appropriate, the analyst shall inform the analysand that the reported behavior is or may be unethical and that guidelines for ethical conduct have been formulated and are available. At all times the principle of confidentiality and the rights and wishes of the analysand shall be the priority consideration.

## **Principle VII. Collegial Relationships**

Members bear the responsibility of insuring that appropriate standards of competence, honesty, and integrity are maintained within the Society and with other professionals.

A. Analysts respect the traditions and practices of their colleagues and of other professionals within the therapeutic field. If an analyst is contacted by a person who is already receiving similar services from another professional, the analyst shall carefully consider that relationship and proceed with caution and sensitivity to the therapeutic

issues as well as the prospective analysand's welfare. The analyst discusses these issues with the prospective analysand so as to minimize the risk of confusion and conflict. In some cases, after consultation with the prospective analysand, it is desirable for the analyst, with the consent of the analysand, to communicate with the previous professional before agreeing to commence treatment.

B. Analysts understand the areas of competence of related professions. They make full use of professional resources that serve the best interests of analysands, and exercise foresight and tact in helping to obtain complementary or alternative assistance when they judge that to be indicated.

C. Professional relationships shall not be exploited by members. They do not, for example, accept payment from other professionals for referrals.

D. When appropriate, analysts shall seek all significant information from the source of referrals and other relevant professionals.

E. Members shall assign credit to those who have contributed to or directly influenced their writing or research. Specific citations shall be made for unpublished as well as published material.

F. When member A comes to know of an ethical violation by member B, it is incumbent upon member A seriously to weigh his or her responsibilities to the aggrieved analysand, to the profession and its integrity, and to the colleague. It may be appropriate initially to attempt to resolve the issue informally by bringing the behavior to the attention of member B. If the misconduct is of a minor nature where it appears to be due to lack of sensitivity, knowledge or experience, such an informal solution is preferable and usually effective. If the ethical violation is not of a minor nature or if an informal solution by friendly remonstrance or collegial consultation with the member is question is not effective, and especially if the violation is continuing or repeated, members are strongly encouraged to file a written complaint according to the procedures described herein for the complainant in the Procedures of the Ethics Committee.

G. When a member's alleged ethical misconduct is referred for determination to the Ethics Committee, the accused member shall be obliged to cooperate with the process and procedures of the Ethics Committee.

Approved: Fall 1993 (Date)      Ruth Hepler (Secretary)