

International Psychoanalytical Association  
European Psychoanalytical Federation

The Han Groen-Prakken  
Psychoanalytic Institute for Eastern Europe  
(PIEE)

## PREAMBLE

The IPA has its “Ethical Principles and Procedures” (see below), which must be followed by all the IPA Members. Each IPA Component Society usually approves further and more detailed ethical codes for their own Members.

Within the area in which the PIEE is active and where no IPA Society does yet exist, the IPA Direct Members must follow the “IPA Ethical Principles and Procedures”. Ethical complaints against them must be addressed to the IPA Ethical Committee.

Within this area the PIEE Candidates (and the PIEE Registered Analysts) must follow the “PIEE Ethical Code and Guidelines” (see below) and ethical complaints against them must be addressed to the PIEE Director and will be dealt with by the PIEE Ethical Committee.

The PIEE Board and Staff, so as the IPA Members who collaborate with the PIEE as training analysts, supervisors, and teachers or in any other appointed function, must conduct themselves in agreement with the “PIEE Ethical Code and Guidelines”. Any complaint against them, if addressed to the PIEE Director, will be forwarded to their Component or Provisional Society’s Ethical Committee, or, if the case, to the IPA Ethical Committee.

## **PIEE ETHICAL CODE AND GUIDELINES**

### INTRODUCTION

Psychoanalysts should expect to conduct themselves in professional relationships with patients, colleagues and relevant institutions in a responsible and considerate manner.

Because of the uniquely intimate and emotional nature of the relationship with a patient in an analysis it is necessary for psychoanalysts to conduct themselves with a particular form of strict discipline. Disregard of this can have the most serious consequences when it directly affects a patient or candidate.

Disregard of responsibility to colleagues, to the public at large, to other institutions, to the IPA, to the PIEE and to psychoanalysis, both as a discipline and as a body of knowledge, may also be serious, though with a more diffuse effect.

The **Ethical Code** sets out the principles and main tenets by which psychoanalysts must conduct themselves. It is applicable to all Members of the Board, and all Candidates and Registered Analysts). Certain sections of the Code are also applicable to the administrative staff of the Institute.

In the event of a serious breach of the Code being established, it lies finally with the PIEE Board, advised by its Ethical Committee, to decide what sanction is appropriate.

To assist the Council and the Ethical Committee in this, as well as to inform psychoanalysts generally and other interested persons, the **Ethical Guidelines** set out in more detail specific applications of the Code that may occur in common practice. However, it is possible that breaches of the Code may occur that are not specified in the Guidelines, which should not therefore be considered to be definitive. The Ethical Committee is available to give advice whenever there is doubt about an ethical issue. The PIEE Director should be approached in the first instance.

All Registered Analysts and Candidates **must** acquaint themselves with both the code and the guidelines. They must also become familiar with the procedures of the ethical committee and with those rules and other procedures of the Institute, together with the clinical and training procedures, which pertain to ethical issues.

## **ETHICAL CODE**

This Code binds all PIEE Candidates, PIEE Registered Analysts, Board Members and all the IPA Members who collaborate with the PIEE as training analysts, supervisors, and teachers or in any other appointed function.

(All are referred to the Code and Guidelines as psychoanalysts except where the context suggests otherwise. This is not intended to confer upon any person the right to be called a psychoanalyst.) Where appropriate, the Code also applies to the administrative staff of the Institute.

**1 Psychoanalysts and students must act at all times in a way they reasonably believe to be the best interests of their patients.**

**2 Psychoanalysts and students must exercise all appropriate restraint, physical, verbal and social, towards patients.**

**3 Psychoanalysts, students and staff members must respect the confidentiality of patients' information and documents. Except when clinically necessary, patients' anonymity must be preserved at all times**

**4 Psychoanalysts and students must conduct themselves in such a manner as not to bring psychoanalysis, the IPA and the PIEE, colleagues or themselves into disrepute.**

**5 Psychoanalysts must at all times be considerate to members of the IPA and the PIEE, members of the public, other professionals, and members of other organisations and institutions.**

*A psychoanalyst adjudged by the PIEE Ethical Committee to be guilty of a breach of this Code may have his or her belonging to the Institute withdrawn, or suspended, or be admonished*

*Notice is drawn to the Guidelines on the subject of removal and suspension from membership and also to the Procedures of the Ethical Committee for the mode of investigation and adjudication.*

## **ETHICAL GUIDELINES**

### **1 INTRODUCTION**

Questions of professional ethics appropriate to a psychoanalyst must be seen against a background of general moral awareness as to the effects of one's actions on others. Patients, colleagues, other professionals and the general public must be ethically protected. The criteria for unprofessional or unethical behaviour naturally varies between these groups, but the broads principles, which apply in all cases, are expressed in the Institute Ethical Code.

The following sections provide more detailed guidance as to the general principles set out in the Code.

### **2 RESPONSIBILITIES TO PATIENTS**

Paragraphs "a" to "j" below refer primarily to the sections in the Ethical Code concerned with acting in the best interests of the patient and in the use of self-restraint.

a At the start of treatment it is incumbent upon the psychoanalyst and candidate to state clearly to the patient the particular terms and conditions of the psychoanalytical work about to be undertaken. Exploitative fees escalation is unethical.

b When a child is being taken into treatment the terms and conditions given in 2a above must not only be stated to and agreed by the parent or guardian but also explained to the child in a way appropriate to his age. In the case of an adolescent over the age of sixteen years the involvement of the parent or guardian must be carefully assessed and decided upon in each individual case.

c During treatment inappropriate physical contact with the patient must be avoided. The psychoanalyst must neither use violence nor threaten it although it may be necessary on occasion to restrain a patient physically. Physical contact with young children may sometimes be necessary.

d During the period of treatment, and for an appropriate time afterwards, a psychoanalyst must not propose or enter into any sexual relationship-physical, gestural or verbal- with the patient, or with any member of the patient's family or with others close to the patient. Restraint must be exercised with regard to all social contact with the patient during and after treatment.

e Because patients are particularly vulnerable they must always be treated with respect. Verbal violence is as likely as physical violence to amount to misconduct. For example a psychoanalyst must not wilfully use deceit, threats, verbal cruelty or undue influence for personal gratification or gain.

f There must be no financial dealings with a patient except with regard to agreed fees.

g A psychoanalyst must not work professionally when under influence of intoxicating drink and drugs.

h A psychoanalyst must not undertake work if, through age or illness, he or she is no longer capable of adequate skill and judgement. When there is concern or doubt in respect of fitness to practice there must be consultation with the Chair of the Ethical Committee.

Paragraphs "i" to "l" below particularly concern **confidentiality**. This applies to administrative staff of the Institute as well as to psychoanalysts and candidates.

i During analysis contact with third parties such as relatives, friends, colleagues or professional advisors of the patient should only take place with the consent of the

patient. Exceptions may be necessary in certain clinical circumstances, such as: in seeking advice of another psychoanalyst: in the analysis of children; or in the management of a patient who is incapable of giving consent because of illness, mental capacity or otherwise. All exceptions must be carefully considered in consultation with colleagues. A psychoanalyst must always be prepared to show that exceptions are justified.

j A patient's communications must be held in strict confidence both to protect the patient's rights to speak his mind freely in the presence of psychoanalyst and, in order to guarantee to all patients- past, present and future- that psychoanalysis provides a confidential means for the patient to articulate unconscious conflicts and for psychoanalysis as a practice to succeed. It is incumbent upon a psychoanalyst to ensure that all correspondence pertaining to patients is maintained in such a way that its confidentiality is ensured not only during his life but also in the event of his death.

k On rare occasions a psychoanalyst is faced with a difficult situation, which may involve a request to divulge information to an outside agency. In such a situation a psychoanalyst should seek advice from the Ethical Committee or a very senior colleague.

l When communication is necessary for teaching or scientific purposes, great care must be taken by all concerned to ensure confidentiality and strict anonymity. The same strict care must be exercised in the publication of clinical material. Such communication must always be respectful of the patient. These standards must be maintained even if permission to publish has been obtained from the patient.

m If a psychoanalyst works at times with patients in another professional capacity ( for instance as general practitioner, social worker or group therapist), then he will also be subject to the rules of that profession. Nevertheless a psychoanalyst remains subject to the Institute's Ethical Code no matter where he is working.

### 3 RESPONSIBILITIES TO STUDENTS OF PSYCHOANALYSIS

a The provisions of Section 2 of this Guidelines relate specifically to patients. A psychoanalyst must also be aware that at all times he is in a professional relationship with students and needs to exercise appropriate restraint.

b Reports and other personal communications on students must be treated as strictly confidential and for the use only of those immediately responsible in the Training Organisation.

#### 4 RELATIONSHIPS WITH COLLEAGUE

a Communication with and about colleagues should be conducted with due consideration. Known falsehood about a colleague is unethical. It may be necessary to criticise colleagues, but this should be done with care and truthfulness. Opinion and fact should be clearly distinguished.

b Within a Committee, appropriate critical judgement about an individual is necessary when making an appointment to a post, office or status in the Institute. Under such circumstances a Committee has the right and obligation to maintain confidentiality about its deliberations. It must be free to deliberate and vote in private. No reference to comments, adverse or otherwise, made within the confidentiality of a Committee, should be disclosed outside it, other than in exceptional circumstances.

#### 5 RELATIONSHIPS WITH OTHER PROFESSIONS AND WITH THE GENERAL PUBLIC

a Psychoanalysts must remember that they are representative of the profession and that psychoanalysis as a discipline may be judged by their conduct. Inappropriate behaviour of any sort – by action, speech or writing- that casts psychoanalysis, the IPA and the PIEE, colleagues or themselves into public disrepute may constitute misconduct.

b Although psychoanalysts must be free to criticise aspects of psycho-analytical theory, method or conduct, this must always be done with truthfulness and care. Misrepresentation or malicious deprecation of psychoanalysis may constitute misconduct.

c Conviction of a criminal offence or the striking off or suspension of a psychoanalyst from the register of any statutory body ( such as register of the General Medical Council) may give rise to a finding that there has been a breach of the Code. This is for Ethical Committee to consider in each case.

#### 6 GUIDELINES FOR THE ADMINISTRATIVE STAFF OF THE INSTITUTE OF PSYCHOANALYSIS

This section is directed primarily at the relationship of the administrative staff with patients, applicants, students and members of the public. Here respect for the patient and confidentiality is paramount.

- a Social contact with patients must be avoided; when it is unavoidable discretion must be paramount.
- b A patient's communications must be regarded as strictly confidential. Preservation of a patient's anonymity is paramount. There must be no communication with third parties about the patient in circumstances of professional necessity, which must be judged by a qualified psychoanalyst.

## 7 GENERAL CONSIDERATIONS

The above list should not be regarded as complete- it naturally derives from problems that have arisen in the past; new problems may arise in the future.

**There is a particular obligation on psychoanalysts to seek advice from senior colleagues and or members of the Ethical Committee on questions of ethical or professional conduct. There is a similar obligation upon direct members, PIEE candidates, and registered analysts to report possible cases of misconduct.**

Any person concerned about the possible misconduct of a psychoanalyst should in the first instance contact the PIEE Director, who is the Chair of the Ethical Committee, who will treat the matter in strict confidence.

A decision as to whether there has been a serious breach of the Code lies finally with the Council of the Society, having regard to the recommendations of the Ethical Committee.

## 8. RESIGNATION FROM THE INSTITUTE

If a registered analyst, a candidate, or an Institute's Board or Staff Member, wishes to resign from the Institute while a complaint or allegation against that person is outstanding, or while investigation into his or her behaviour is in progress, then that person's resignation shall not take effect until the complaint or allegation be resolved or the investigation concluded.

## 9. RESIGNATION OR TERMINATION TRAINING

If a candidate wishes to resign from the training or the training is to be terminated while a complaint or allegation against that candidate is outstanding, or while investigation into his or her behaviour is in progress, then that candidate's resignation

or termination shall not take effect until the complaint or allegation be resolved or the investigation concluded.

### **Ethical Committee Procedural Guidelines**

- 1) Institute Ethical Committee: An Ethical Committee of four members is established. The Institute Board chooses three members among the IPA Training Analysts. The Ethical Committee is gathered and presided by the Institute Director, its fourth member. This Ethical Committee may be consulted about any ethical question. It may be enlarged to include all the members of the *Ad Hoc* Committees about individual problems.
- 2) A complaining person must write to the Institute Director about what is he or she complaining about. Any plaint has a defamatory potential, and must be kept in absolute secrecy.
- 3) If the Institute Director thinks that the case is sufficiently serious, he may organise an *ad hoc* Committee on this individual problem. He writes to the charged person, and communicates to him/her the written complaint.
- 4) *Ad hoc* Committees about individual problems: These Committees study the complaint about the professional behaviour of Institute's Candidates, Applicants, Board and Staff Members, Institute's collaborators. For each individual problem the Institute Director appoints to an *Ad hoc* Committee of at least two members, choosing them among the Ethical Committee members, in order to study the complaint. Both, the complainant and the suspected analyst may refuse some members of the *ad hoc* Committee, if the Institute Director agrees for that objection.
- 5) The *Ad hoc* Committee is send to the town(s) where the charged person and the complaining person live. They meet both of them and any person they think useful to listen to. The *Ad hoc* Committee writes a report to the Institute Director, who gathers the Ethical Committee.
- 6) The charged person may be present or represented in the Ethical Committee meeting; he or she may express himself orally or by writing; he or she may furnish written data and ask for testimony of other people. If the Director agrees, he or she may put questions to the person who is charging him or her or to any witness. If the Director does not permit him to put questions to them, he or she may put questions to the *ad hoc* Committee members. Copies of all the data *pro* and *contra* must be sent at least one month before the Ethical Committee meeting to the Ethical Committee Secretary, who will send them to the Ethical Committee members, to the charged person and to the charging person.
- 7) The Ethical Committee must consider all inquiry results, and may take one of the three following decisions:
  - a. To discharge from the case.
  - b. Recommend a blame by Institute Director
  - c. Recommend for exclusion from the Institute, definitive or for some years.
  - d. In case of an IPA Direct Member the Ethical Committee must forward the complain and the documentation to the IPA Ethical Committee.