



The counselor's duty to report

Question: I have an adult female client who recently revealed she had been sexually abused as a minor. She does not want to report the abuse. However, she has given enough details about the alleged abuser that I am concerned the individual has interactions with other minors on a daily basis. Ethically, do I have a duty to report what I do know?

Answer: Every client and situation is unique. Therefore, there are a number of factors to consider. First, remember that there may be a difference between a counselor's legal mandate and a counselor's ethical responsibility. The American Counseling Association's Department of Ethics and Professional Standards does not provide legal advice, and we strongly encourage counselors to familiarize themselves with applicable state law.

Ethically, the counselor should evaluate the situation from multiple angles. The ethical considerations are based on relevant standards in the *2014 ACA Code of Ethics*, such as A.1.a., A.2.a., A.2.d., A.4.a., B.1.b., B.1.c., B.1.d., B.2.a., B.2.d., B.2.e., B.5. and I.1.b. (A.2.d. and B.5. specifically address working with clients who don't possess the ability to grant consent).

The first step in making any decision when faced with an ethical dilemma is to use an ethical decision-making model. The ethical decision-making model will help the counselor assess the situation from multiple angles. (For an example of an ethical decision-making model, read "A Practitioner's Guide to Ethical Decision Making" by Holly Forester-Miller and Thomas Davis, which is available as a link from ACA's Ethics & Professional Standards page at counseling.org/knowledge-center/ethics.)

Clients may not provide specific details to identify the alleged abuser out of fear of having to report the abuse. The client may simply want to work past the trauma and move forward. Without sufficient details, the counselor might report inaccurate information and possibly damage the therapeutic relationship for nothing of substance. As counselors, our primary responsibility is to respect the dignity and promote the welfare of clients. We also take steps to avoid causing harm to our clients and to mitigate any unanticipated harm. If a counselor is concerned that reporting may be more damaging to the client than not reporting, the counselor may be ethically obligated not to report. The counselor needs to evaluate if reporting will damage the therapeutic relationship to the point of the client not receiving the help that she or he needs.

Another angle of consideration involves what is in the best interest of all parties involved. The client is the primary focus. However, the counselor does need to consider potential serious and foreseeable harm concerns toward any other individual(s). In this scenario, the alleged abuser may interact with other children on a regular basis, and one could argue there is legitimate concern for serious and foreseeable harm to unknown individuals.

Ethical dilemmas are rarely black or white. Therefore, it is necessary to look at the big picture. The key elements in making a decision include assessing the situation from multiple angles, consulting with other colleagues, documenting the process of making the decision and proving the rationale for the choice made. If the decision comes into question, the counselor will want to be

able to demonstrate the thought process behind it as well as reasonable counselor behavior.



The questions addressed in this column are submitted by ACA members for educational purposes. Submit questions or comments to mwade@counseling.org with the subject line "Ethics Column." As a reminder, a benefit of ACA membership is personal ethical consultations through the ACA Ethics Department at 800.347.6647 ext. 314 or ethics@counseling.org. ♦

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