

February 11, 2019

Deborah Adams
Registrar
College of Registered Psychotherapists of Ontario (CRPO)
375 University Avenue, suite 803
Toronto, ON M5G 2J5

Re: Proposed Regulation Barring Sexual Contact with Former Clients for 5 Years

Dear Ms. Adams,

We are delighted to be writing to you as the now officially established “Partnership of Registered Psychotherapist Associations” (PRPA). We formalized our Terms of Reference on February 2, 2019 with our mission to respond to and advocate for issues pertaining to the practice of psychotherapy. The Member Groups are listed at the end of this letter.

We are writing in response to your invitation for stakeholders to comment on the Proposed Regulation “Extending Definition of Patient/Client in Relation to Sexual Abuse” as well on the related document “Policy on Sexual Contact with Former Clients within 5-years Post Termination of Care.”

We have chosen to do this in letter format rather than via Survey Monkey in order to offer more elaborate feedback with the benefit of combining comments and questions from our many associations.

Sexual abuse is an issue we take very seriously as helping professionals and particularly as psychotherapists whose work involves creating safe relationships within which growth and healing can take place. We agree with your Policy statement that RPs “owe a duty of care to their clients and the general public to safeguard client well-being.” Therapist-client boundaries need to be made clear and be well maintained. Unfortunately, violations of those boundaries will occasionally happen, thus we understand the need for Regulation to protect clients based on tenets of safe, effective and ethical care.

We acknowledge the work done by the CRPO to get the proposed Regulation this far and for sending it out for consultation.

CONTEXT FOR OUR FEEDBACK

We recognize that CRPO’s Regulations and Policies on sexual contact with former clients must adhere to the Regulated Health Professions Act (RHPA), revised in 2017 to prohibit romantic or sexual relationships between clients and members of any RHPA College for one year after termination of treatment – “or a longer period of time as may be prescribed.” We recognize that the CRPO has proposed a 5-year post therapy period which we have questions about as you will read below.

We also acknowledge that the CRPO’s definitions of Sexual Abuse are those prescribed in the RHPA. As such, we have no issues with how the CRPO addresses Sexual Abuse during active therapeutic relationships. Our comments and questions pertain strictly to the proposed five year post care period.

Opinions on the length of the post therapy period vary considerably. From the survey feedback you’ve reported on the CRPO website, opinions range from a few months, to a few years, to never. This range is also represented in the opinions and policies of our PRPA members. We are also aware anecdotally

that the views of RPs on post therapy sexual contact vary by cultural background, modality, urban vs rural context, gender, sexual orientation and so on.

In general, our impression is that post therapeutic therapist-client romantic relationships are rare, thus the majority of RPs have little firsthand experience of post therapeutic sexual relationships. Nor do we have any research information or training in this area. In fact, the proposed 5-year regulation is making us think for the first time about what this could look like.

Thus, we are not able to give you a collective “yes” or “no” to the 5-year time frame, as associations have varying policies. Instead, we’re coming to you with questions that will help us better understand the proposed regulation. We believe that knowing more will help us understand the CRPO’s intentions, give us more information for discussion, and hopefully reduce anxiety about the disciplinary aspect of this regulation.

OUR QUESTIONS

1. Can you share your thinking on what influenced your determination of a 5-year post therapy period?
 - a) What is CRPO’s experience with post-therapy complaints regarding sexual contact?
 - b) Can you share any research that informed the establishment of this cooling off period?
 - c) Can you share how other psychotherapy regulating bodies in Canada and elsewhere address this situation?

2. Given that the proposed new Mandatory Penalty will be a significant 5-years revocation of licence, we’re wanting to know what the CRPO might take into consideration when investigating a complaint of sexual abuse.
 - a) How might the CRPO account for the nuances of the therapist-client relationship, transference and power dynamic based on the therapy which took place? Do you view that the power differential may vary greatly depending on modality and length of time with the therapist, for example:
 - Long-term in depth therapy vs single-session solution-focused therapy
 - Parent-child therapy
 - Group sessions vs one-on-one sessions
 - Couples counselling
 - On-line therapy
 - b) Has the CRPO sought opinions from practitioners in small towns or remote areas, LGBTQ practitioners, male vs female perspectives, culturally diverse perspectives?

3. Can you help us understand what is meant by “the mandatory penalty will be a reprimand and revocation of the member’s certificate of registration for five years, regardless of the circumstances?”
 - a) What “circumstances” are you referring to?
 - b) Will the circumstances be determined before any penalty is imposed?
 - c) Will an Appeal Process still be available?

FOLLOW UP

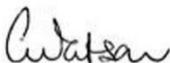
As you can see, the PRPA is asking CRPO to help us become more informed on therapist-client relationships post therapy in light of the proposed regulation. Your response to our letter will help us move this discussion into our respective associations with more understanding and clarity.

Secondly, are you open to continuing this exchange with PRPA on this matter? We understand that your deadline for stakeholder feedback was February 8 and that unfortunately we only recently came together to give you our input. Once we receive your reply and have another round of discussion among ourselves, will there be time before the new regulation is passed for us to send you additional thoughts?

Again, to you Deborah and the CRPO Sexual Abuse committee, thank you for inviting our input and we hope to continue this discussion as you refine the regulation. There's a lot to consider and we appreciate that you're listening to RPs.

We look forward to receiving your reply and continuing the discussion.

Respectfully,



Claire Watson
President, Ontario Society of Registered Psychotherapists
president@psychotherapyontario.org

On behalf of

PRPA signatories (in alphabetical order)

- Canadian Art Therapy Association (CATA)
- Canadian Association for Sandplay Therapy (CAST)
- Canadian Association for Spiritual Care (CASC)
- Canadian Counselling and Psychotherapy Association (CCPA)
- Canadian Humanistic and Transpersonal Association (CHTA)
- Music Therapy Association of Ontario (MTAO)
- Ontario Art Therapy Association (OATA)
- Ontario Association of Consultants, Counsellors, Psychometrists and Psychotherapists (OACCPP)
- Ontario Association for Marriage & Family Therapy (OAMFT)
- Ontario Expressive Arts Therapy Association (OEATA)
- Ontario Society of Registered Psychotherapists (OSRP)
- Professional Association of Canadian Christian Counsellors and Psychotherapists (PACCP)

Support Groups

- Alliance of Psychotherapy Training Institutions (APTI)
- CREATE Institute
- The Living Institute