



OACCPP

Ontario Association of
Consultants, Counsellors,
Psychometrists and
Psychotherapists

February 8, 2019

CRPO
375 University Ave. Suite 803
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Sent via E-mail to info@crpo.ca

Dear Deborah,

**RE: Draft Regulation Defining "Client" for Sexual Abuse Provisions
And
Draft Electronic Practice Guideline**

ONTARIO ASSOCIATION
OF CONSULTANTS,
COUNSELLORS,
PSYCHOMETRISTS AND
PSYCHOTHERAPISTS

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I am writing on behalf of the OACCPP, Ontario Association of Consultants, Counsellors, Psychometrists and Psychotherapists and in response to your open invitation for stakeholder comment on the two items open for public consultation.

We have encouraged and provided our members with the links to the Surveys being used to collect feedback directly from members and the public. Additionally, having now heard from many members and reviewed the documents with our Board and committees, we would like to submit some summary comments.

We found the topic of **Regulation Defining 'Client' for Sexual Abuse Provisions** has evoked a high level of fear particularly in relation to the investigative process and the mandatory penalty and loss of livelihood.

In our view, sexual abuse is an issue we take very seriously especially given that our work as psychotherapists involves the creation of safe relationships within which growth and healing can take place. *It would be fair to say that our membership does not believe that any behaviour with a previous client considered to be sexual abuse under the RHPA definition is acceptable.* We also fully support the CRPO Policy statement that RPs 'owe a duty of care to their clients and the general public to safeguard client well-being' and we agree *it is of utmost importance that therapist-client boundaries made clear and be well maintained.*

Currently our own conduct regulations for all members are set at a minimum time of two years between active therapist-client work and a move to change this relationship in any way. This said we also include the additional caveat that following this mandatory minimum, practitioners must continue to exercise appropriate and responsible judgement with regard to each individual client and that for some more vulnerable persons 'never' may be the only acceptable time frame.

The OACCPP will likely review and adjust its own regulations to stay in line with those ultimately implemented by the CRPO so we wish to better understand the choice of timeframe selected in that the mandatory penalty for being found culpable is a 5-year loss of licensure irrespective of the degree of the infraction. Is there a body of research that exists with regard to the therapist-

client power differential post therapy, how might this relationship change over time and where does a 5-year period of restraint fall within such a discussion?

To be clear, *no one objects to the mandatory penalty where actions involve proven sexual abuse* and we also agree with the RHPA decision to take inconsistency out of the mix in addressing penalties for such behaviour. This said, therapeutic contact with clients may take many forms and while we operate on the assumption that the CRPO investigative process is thorough, unbiased and fair to both sides of the complaint being heard there is a definite lack of understanding and concern being voiced by many.

We believe that it would be both helpful and reassuring to the membership if the College were able to affirm the investigative process utilized in receiving and addressing these complaints and if there will be any lee-way in how the proposed minimum timeframe might apply with respect to differing levels of therapist-client contact.

It seems obvious that a one-on-one therapist-client relationship would be subject to the mandatory minimum period of 5 years yet concerns have been raised about such relationships where the contact is brief or more limited in scope. Some examples that have been put forward are found below:

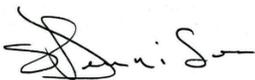
- Is a triage therapist handling only intake and/or assessment considered to be in a therapist-client relationship?
- Does the mandatory time period apply where a therapist meets a client only one time who then declines to continue and/or is referred on to someone else for treatment?
- Are first responders and/or crisis intervention therapists with only a single point of contact between therapist and client considered to be relationships subject to the mandatory 5-year waiting period?
- Are pastoral therapists seeing people once or twice in hospital or hospice settings subject to this same wait period?
- Are therapists running training or experiential workshops of personal exploration and in-depth intensity considered to have a therapist-client relationship subject to the same 5-year period?
- Are therapists running brief individual and/or group treatment programs or workshops of 6 or 8 weeks in length, as those offered through many funded systems, considered to have a therapist-client relationship subject to this minimum?

With respect, we seek to understand if the 5-year mandatory minimum wait period will be applied universally irrespective of the scope of the work involved or whether perhaps a scaled approach to minimum timeframes might prove helpful.

In regards to the ***Electronic Practice Guideline*** we commend the CRPO for creating this document as a timely and important aspect for provision of care. This guideline captures the area of key concern expressed to us by members who have begun providing or are considering the provision of care through different electronic communication technologies.

Again, we wish to thank the CRPO for inviting our input and for your consideration.

Respectfully submitted on behalf of OACCPP,



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President
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