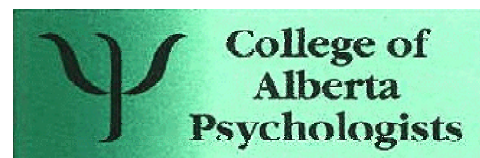


Professional Guidelines for Psychologists

**Dual Roles:
Guidelines for Conducting
Assessments and Providing
Therapy with the Same Client**

Approved by CAP May 2004



COLLEGE OF ALBERTA PSYCHOLOGISTS

**DUAL ROLES: GUIDELINES FOR CONDUCTING ASSESSMENTS AND PROVIDING
THERAPY WITH THE SAME CLIENT**

These guidelines should be read in conjunction with relevant sections of *The Canadian Code of Ethics for Psychologists* and of the *College of Alberta Psychologists Standards of Practice*.

The *Canadian Code of Ethics for Psychologists* establishes an ethical decision-making process, which can be of some assistance to psychologists in determining if dual roles are problematic. This *Code* also addresses dual and multiple relationships in sections III 31-35.

The Standards of Practice addresses prohibited dual relationships in Section 15.

In addition, two of the College of Alberta Psychologists Guidelines: *Child Custody Assessment Guidelines* and *Guidelines for Psychological Evaluations of Child Protection Decisions* specify dual roles that are problematic for these respective areas of practice.

"Dual roles" which form the focus of this document are subsumed within the concept "dual relationships" prohibited in the Code-of Ethics and Standards of Practice. Dual or multiple "relationships" is generally understood as a broader concept, which, although inclusive of "dual roles" also refers to relationships the psychologist may have with his/her clients outside of his/her role as a psychologist, e.g. social, business, supervisory, family roles. The concept of dual roles is defined as two professional roles undertaken by a psychologist in his/her involvement as a psychologist with a client, e.g. role of assessor and therapist, or mediator and assessor. This document addresses only a specific set of dual roles, i.e. the provision of psychotherapy and the conducting of assessments that have legal or funding implications.

DEFINING ROLES

Guideline 1. Psychologists carefully define professional roles at the outset of providing service and are cautioned against undertaking additional roles with the same client.

Psychologists fulfill numerous roles in a variety of settings. Defining professional roles and the purpose of the service at the outset of working with a client helps ensure clarity of expectations by the client and maintenance of appropriate boundaries for the psychologist. Careful consideration of the referral reason will assist the psychologist to determine an appropriate role and avoid conflictual dual roles. Generally speaking, once a role has been undertaken, other roles should be avoided. Dual roles have the potential to:

1. Harm the client;
2. Compromise the professional relationship;
3. Impair the judgement of the psychologist; and
4. Damage the image/reputation of the profession.

A distinction is made between an assessment¹ conducted to inform treatment interventions² and an assessment for adjudicative purposes. The focus, scope, and salient factors in an assessment for adjudicative purposes typically differ from those related to assessment to inform treatment interventions.

THERAPIST - ASSESSOR

Guideline 2. Psychologists are cautioned against undertaking an assessment role which impacts on the legal rights of a client or the client's access to funding or compensation if the psychologist has or has had a previous therapeutic role with that client

Psychologists are cautioned against combining the dual roles of conducting therapy and producing assessment reports when the psychologist's assessment report stands to impact upon the legal rights of the client, or upon the client's ability to access funding or compensation. The legal rights of the clients may be affected by psychological reports in all areas of forensic psychology³, including:

- i. Bilateral custody assessments
- ii. Child and Family Services custody/status recommendations
- iii. Child and Family Services compulsory care recommendations
- iv. Mental competence (to stand to trial, for appointment of a guardian or trustee, to consent to treatment)
- v. Personal injury assessments

A client's access to funding and compensation is likely to be affected by psychological assessments in the areas of special education, Services to Persons with Disabilities and Worker's Compensation.

There are legitimate circumstances when a treating psychologist may be required to provide recommendations that will impact on funding for the client. This occurs when there are multiple clients (e.g. the recipient of service and the agency requesting the service, including third party payers) where the expectation is to provide treatment but to also provide recommendations based on the client's progress in treatment (e.g. in Worker's Compensation cases a psychologist may provide treatment and then be requested to make recommendations regarding the client's readiness to return to work). In such circumstances it is important for the psychologist to obtain the informed consent of the client for both aspects of the service.

¹ See the definitions of "assessment (general)" and "assessment (as a declared professional activity)" in the appendix.

² See the definition of "interventions" in the appendix.

³ Note that forensic psychology is defined broadly to include psychology in criminal and other legal matters (See the appendix).

Guideline 3. Psychologists recognize the fundamental differences between information gained within a therapeutic context and the standard of proof required in the provision of a legal opinion. Psychologists give opinion evidence only on matters within their defined role.

Psychologists are often asked for information on patients they have treated or are treating. Lawyers often seek such information in matters related to some adjudication the client or former client is involved in.

It is not problematic for treating psychologists to provide information regarding facts (fact witness) or provide opinions about the client's treatment progress, and prognosis.

However, psychologists need to be aware of the conflicts associated with providing treatment information in the context of legal proceedings. Even within testimony provided under a subpoena, the psychologist may choose to state that given the nature of his/her involvement an opinion on particular matters of interest to the court can not be provided. Potential conflict in legal matters for treating psychologists arises from fundamental differences between therapeutic and evaluative functions.

Treating psychologists often fulfill their role by forming an alliance with their clients by providing support, acceptance and encouragement in their provision of care. These activities may create bias when psycho-legal issues such as evaluating parental capacity, proximate cause of injury, or testamentary capacity are queried.

Psychotherapy is often based on subjective reality - the client's 'reality' is often more important therapeutically than reality as others perceive it. If clients express emotional pain because of alleged abuse it may not be important to determine how often the abuse occurred, what were the particular circumstances or whether or not such abuse has been misrepresented. The client can still be comforted and helped to work through the pain in the absence of a completely accurate historical account. If the perspective of the client is brought literally into a courtroom as fact it may be erroneous, misleading and detrimental. Therapeutic subjectivity and advocacy for amelioration of suffering is different then, in many ways, from the focus and intent of neutral forensic evaluation.

Psychological treatment is based on trust in a therapeutic alliance while evidence in a court of law is based on the resolution of doubt. Research is clear that a therapeutic alliance is a necessary condition for effective treatment. Such an alliance requires that treating psychologists sometimes suspend their belief and understand the circumstances of clients, as clients themselves understand their circumstances. Without a therapeutic alliance treatment is less tenable.

ASSESSOR – THERAPIST

Guideline 4. Psychologists may undertake a therapeutic role with a client previously seen for assessment for adjudicative purposes only if the assessment and its reporting requirements have been completed.

A client may wish to enter a therapeutic relationship with a psychologist who has previously conducted an assessment for adjudicative purposes. This option should only be entertained if other therapeutic services are scarce or difficult to access and only if all responsibilities associated with the adjudicative process such as report writing and court appearances have been fulfilled.

The former assessment role may arise again if the psychologist is called upon to give further opinion regarding the completed assessment. Under these conditions the psychologist must act with caution to provide opinions that are based on the previous assessment report and recognize that the therapeutic alliance with the client may be put at risk in giving that opinion.

EXCEPTIONAL CIRCUMSTANCES

Guideline 5. A second role with a client as necessary in an emergency situation can be undertaken on a short-term basis.

In certain crisis intervention situations a dual role may be inevitable. For example, interventions with a suicidal client may become necessary during the time when the psychologist is fulfilling an assessment role. Such interventions however, should be limited to short-term emergency interventions.

Guideline 6. When working in forensic roles psychologists balance with caution the considerations of service to individual clients and to public safety.

Due to psychologists having a responsibility to society (principle IV of the Canadian Code of Ethics for Psychologists) as well as a responsibility to their clients, particular considerations apply to psychologists working in correction facilities or forensic roles where the client's danger to others must be considered. In these situations the role of therapist is often combined with the role of assessor of risk, and the psychologist may make reports and recommendations that impact on the client's rights (e.g. parole). In such cases the psychologist should ensure that clients are made aware of the potential conflictual dual role arising and of its implications.

DEFINITIONS

Assessment (general) is inquiry into the psychological functioning of a person or persons aimed at providing an understanding that will inform a practical plan of action. It usually results in the identification of strengths, weaknesses, and competencies.

Assessment (as a declared professional activity) is formal inquiry into the psychological functioning of a person or persons, utilizing standardized instruments and clinical interview methods aimed at providing an understanding that will inform a practical plan of action, or provide information about a person's mental, emotional, or developmental functioning. It may result in a diagnostic classification or in the identification of strengths, weaknesses, and competencies.

Forensic Psychology is the application of psychological knowledge, skills and judgement about human behaviour to the understanding, assessment, diagnosis and/or treatment of individuals within the context of criminal and/or legal matters.

Interventions are activities based on psychological knowledge skills and judgement that promote, restore, sustain, and/or enhance positive functioning and a sense of well being in clients through preventive, developmental and/or remedial services.