

Healing Environment or Traumatic Repeat?

Ethical Dilemmas of Mandatory Historical Reporting

Marilien Romme, Oct 8, 2021
Research Supervisor: Dr Kate Kirk



Cork
Counselling
Services
Est. 1982

The mandate for historical abuse

“If you (...) receive a disclosure from a client that they were abused as a child, you should report this information to Tusla” (Children First Act, 2015, p.23)

“Disclose that information as soon as it is practicable.” (Irish Statute Book, 2012, p.4)

A report needs to be made “where there may be a current or potential risk to children”
(Tusla Guidance notes retrospective abuse)

“How are Humanistic Integrative Practitioners dealing with mandatory reporting requirements?”

- Qualitative
- Humanistic Integrative Counsellors/Supervisors (N=5)
- Semi-structured interviews
- Thematic analysis
- IACP code of ethics: supervision, informed consent, confidentiality, protection from harm, inter-rater reliability

The Research Story



“Really good that the abuse is taken seriously” Lilly

“Children First moves us in the direction of health for society” Petra

“The nettle needs to be grasped”

Ellen

“I became more aware of the culture that’s complicit with sexual abuse - and the need for therapists to NOT collude with a secrecy that is unhealthy” Advocate

“It catches your breath” Boudicea



**“Oh my God, where is this
landing me now?” Lilly**

**“You worry about getting
in trouble” Boudicea**

**“Go straight to reporting”
Petra**

Unpacking the panic

The division between therapy and the law

Negative experiences of the reporting system

Client readiness not codified in law (though Tusla recommends it)

“Tusla gives us the freedom to work with the client until they are ready to report historical abuse” Ellen



“The offence needs to be reported as soon as it’s practicable”

Irish Statute Book

“I made a report in three months. It felt a little uncomfortable in terms of mandatory. And it was necessary because, in the end, the client was able to stay with the fall-out” Petra



“Too many get damaged in the process” Boudicea

“The Guards did not handle my information confidentially, and people in my community are now aware that I reported this. Or the DPP will not prosecute, or it has been six months, and I have not heard from anyone” Advocate

“Is reporting in the interest of the client given nowadays the HSE believes that it has to inform the abuser immediately that an allegation has been made against them?” Boudicea

“To put the legislation in place but not the supports is a set-up for another layer of abuse” Advocate



So what's to be done about it?

“We need to turn up”

Advocate



SAVI Report on Sexual Abuse and Violence, 2002

%	Disclosure	Positive Experience
Counsellors	12	81
Gardaí	8	56
Medical Professionals	4	33

Change how our clients are met.

“That is the difference between another abusive, traumatic repeat, or it being held in the context of someone’s healing”

Advocate



“Frame the whole thing relationally” Advocate

More relational letter templates, Tusla

“The letter missed something about the courage it took to make the report, and was it possible to sustain that?” Petra

Group support

“What flushes out shame is exposing the truth in a supportive environment”

Ellen

“Find your way of waiting”
Petra



“Don't rush to do the paperwork”
Lilly

“Prioritise being present and taking time to navigate complex waters”
Advocate

“The most important thing is that your client can remain with you in confidence. You are being strong and containing, and they understand you are going to be with them through it ”

Lilly



Thank you

marilien@corkcounsellingservices.ie