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**President Message: A Farewell That Does Not Mark The End of Our  
Relationship**

By Blythe Shepard, PhD, CCC

*“Farewell has a sweet sound of reluctance.”*

- John Steinbeck,  
*The Winter of Our Discontent*

As the outgoing President of the Canadian Counselling and Psychotherapy Association, I would like to express what an honour it has been to serve you. My work would not have been possible without the knowledge and experience passed on by those who led before me, in particular, Lorna Martin, Ron Lehr, and Maria De Cicco.

Throughout my tenure I strove to accomplish CCPA’s purpose, the promotion of the profession and its contribution to the mental health and well-being of all Canadians with the assistance of my Board of Directors, the National Office, and the Executive. As President I put my energies into continuing to build the Association and its outreach to current and future counsellors/psychotherapists; developing the supervision certificate program; increasing the visibility of research undertaken by our members; increasing research-based and applied CCPA publications; reaching out to our northern members; and continuing to support activities that ensure and sustain counsellor competency that include professional learning opportunities and collaboration with national and international counselling associations.

As we cross over the 5,400 member mark, it is fitting that I point out some of the key initiatives undertaken by CCPA in the past few months. The full President’s Report will be available on CCPA’s website in June.

**Regulation**

- Actively involved in preparing Ontario members to grandparent into the regulatory body.
- Participating in FACTBC, a society of professional associations that represent counsellors and therapists practicing throughout British Columbia, formerly the Task Group for Counsellor Regulation (BC Task Group).

**Advocacy**

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- Increased creation of partnerships with other organizations who share common objectives and increased presence of CCPA in public spheres (e.g. Health Action Lobby, CAMIMH).
  - o CCPA (Barb MacCallum and Kim Hollihan) participated in CAMIMH’s October 7 lobby day during Mental Illness Awareness Week 2014.
- Working with IMPACT Media on multiple activities oriented towards raising CCPA’s profile on a national scale as well as, provincial and federal political action.
  - o Participated in Finance Minister Joe Oliver’s pre-budget consultation (online questionnaire).
  - o Made a stakeholder submission to the Advisory Panel on Healthcare Innovation.
  - o Mailed an issues paper, *The Urgent Need for Counselling Services*, to all MPs and Senators.
- Engaged in a letter writing campaign to advocate for the inclusion of counsellors and psychotherapists as eligible service providers.
  - o Letters sent to Deputy Ministers in Health Canada, Veterans Affairs and National Defence.
  - o Letters sent to MPs on the standing committees of Health, National Defence and Veterans Affairs.
- Developed a grassroots advocacy campaign:
  - o Quebec Anglophone Director Kiraz Johannsen met with MP Sylvain Chicoine in Châteauguay, NDP Deputy Critic for Veterans Affairs.
  - o Indigenous Director Bill Thomas met with MP Shelly Glover in Winnipeg, Minister of Canadian Heritage and Official Languages.
  - o NB Francophone Director Serge Hall met with MP Robert Goguen in Moncton, Parliamentary Secretary to the Minister of Justice and Attorney General of Canada.
  - o President-Elect Natasha Caverley met with MP Murray Rankin in Victoria, Official Opposition Health Critic.

### **Opportunities for Members**

- Working collaboratively as a new Association member of the BC Disaster Psychosocial Council.

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- Worked to increase opportunities for CCPA certified members:
  - o Disaster psychosocial volunteering (in BC),
  - o First Nations-specific critical incident stress management (in BC and Yukon),
  - o Mental health first aid master facilitator training for CCPA northern members and CCPA members who work with Indigenous populations.

### **Provided Monetary Support**

- Supported the Career Counsellors Chapter with funding to develop the Career Development Challenge, an online quiz launched during Canada Career Week.
- Provided funds to the School Counsellors Chapter to support the first Canadian School Counselling Week. Mr. G. Keddy, the MP for South Shore-St. Margaret’s riding in Nova Scotia, read a one-minute-long statement on Canadian School Counselling Week in the House of Commons in early February.

### **Publications**

- Publishing the new Canadian Counselling and Psychotherapy Experience: Ethics-Based Issues and Cases
- Revising the CCPA Standards of Practice.
- Developing the first Canadian book on Supervision (2015)

As I move into the role of Past President, I will continue to serve in a consultative role to the President, Natasha Caverley, who can count on the generous support and commitment of CCPA members. It has been an amazing journey for me to serve as president of the Canadian Counselling and Psychotherapy Association. As Flavia Weedn said, “Some people come into our lives and leave footprints on our hearts and we are never ever the same.” I have been changed by my relationships with you as your President.

Thank you/ Merci/Meegwetch! Best wishes for your continued professional journey.

Blythe Shepard, PhD, CCC, CCPA President

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**President-elect Message: Celebrating CCPA’s 50th Anniversary**

By Natasha Caverley, PhD, CCC

Greetings CCPA members,

This year, we are celebrating CCPA’s 50th anniversary as the national voice for counselling and psychotherapy in Canada. It truly is an exciting time to be involved with CCPA. With over 5,400 CCPA members from coast to coast, I applaud you for actively engaging with a professional association that advocates for and supports its members in continuous learning, networking, building Chapters and related “communities of practice” while upholding leading edge policies and practices in the areas of counselling and psychotherapy ethics and standards of conduct.

As we embark on CCPA’s journey towards the next 50 years of organizational growth and development, I wanted to reflect on the importance of tapping into emerging leadership for our Association over the coming years. To sustain and enhance our CCPA services as well as engage in advocacy and outreach for our members, it is becoming increasingly important to foster and welcome in the next generation of CCPA leaders who will aid in facilitating, developing and planning strategies for our Association at the local, regional, national and international levels.

Leadership occurs at all levels – from being a mental health champion in your local community, joining any one of the 15 CCPA Chapters to becoming a CCPA Board Member. At CCPA, I believe that leadership means...

- Promoting teamwork and collaboration such as the development of the latest counselling and psychotherapy supervision and ethics handbooks, respectively;
- Facilitating a healthy and productive organizational culture where we (as CCPA members) encourage and inspire one another in understanding our Association’s mandate in “providing a strong voice for the promotion and advancement of counselling and psychotherapy” in Canada. This can take many forms such as developing leading policies and practices at the CCPA Board of Directors table, publishing cutting edge research in counselling and psychotherapy in the Canadian Journal of Counselling and Psychotherapy to presenting scholar-practitioner work as part of the CCPA webinars and annual conference workshops; and
- Inspiring others to be role models and leaders such as the CCPA Ambassadors and CCPA Award Recipients.

We all have the potential from within to “lift our voices” and share our strength-based knowledge, skills and abilities with each other across our national network and professional Association – let’s collectively strive to be CCPA’s leaders of tomorrow!

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In closing, I look forward to seeing many of you at the 2015 CCPA Conference in Niagara Falls, Ontario on May 19—22, 2015.

Thank you/Merci/Meegwetch,  
Natasha Caverley, PhD, CCC  
CCPA President-Elect

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**CCPA 2015 AGM Notice**

**ATTENTION ALL CCPA MEMBERS**

The Canadian Counselling and Psychotherapy Association will hold its Annual General Meeting on May 21st, 2015, from 12:00 p.m. to 1:15 p.m. at the Sheraton on the Falls Hotel at 5875 Falls Avenue, Niagara Falls, ON, L2G 3K7. Every member is invited.

**AGENDA**

Welcome

1. Acceptance of Agenda.  
**Motion Required:** To accept the agenda.
2. Minutes of May 2014 AGM.  
**Motion Required:** To accept the minutes of the May 2014 AGM as presented (as amended).
3. President’s Report.
4. Presentation of the Board of Directors 2015 - 2017.
5. **Motion Required:** To destroy the ballots received for the 2015 elections.
6. Financial Report 2014-2015.  
**Motion Required:** To receive the 2014-2015 audited financial statement as presented.
7. Approval of 2015-2016 Auditors.  
**Motion Required:** That van Berkomp & Ritz LLP be selected as the Financial Auditors for 2015-2016.
8. Other Business.
9. Good Faith Motion.

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10. Adjournment.

**Motion Required:** To adjourn the meeting.



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**CCPA Congratulates Mark Franklin, Recipient of the 2015 Stu Conger  
Leadership Award in Career Development**

Mark Franklin is that rare combination in a leader of being an idealistic visionary on one hand and a grounded pragmatist on the other. This is reflected in his own career story transitioning from an engineer to travel guide (leading groups of people on cycling tours across Cuba, Nicaragua and Ontario) to, eventually, a career counsellor -- finding conversations about the careers of the people he was leading as interesting as the cultural sites that he was guiding them through. For Mark, the inspiring stories of his fellow travellers demonstrated to Mark the holistic nature of our lives and was the beginning of his own theory of career development called the holistic narrative method. This method seeks to collaboratively identify and understand clients’ career and life stories. It focuses on their strengths, desires, preferences, assets, future possibilities, and the influence others have had on their choices.

Mark’s theory of practice and his leadership in the career development field is rooted in people’s stories. It is the foundation and the vision for his organization, CareerCycles. This vision has evolved throughout Mark’s career -- in his work with students (he worked for York University and the University of Toronto serving students in their emerging career directions) and his own private practice offering client services and training to career professionals.

His own career narrative continues to grow. He has been an invited presenter and keynote speaker at national and international conferences, a motivational speaker, an author of several papers and book chapters, a researcher, a developer of the *Who You Are Matters!* board game, and host of his own radio show (Career Buzz on CIUT FM 89.5). Embedded in all aspects of his career and his leadership is finding ways to allow us to tell our story as a way of inspiring us to find what will bring meaning to our work and to our lives.

Mark’s leadership has mobilized hundreds of career professionals to join him in his vision and to use the CareerCycles theory, model, practices, and tools. In doing so, he epitomizes the qualities that the Stu Conger award for leadership stands for: *vision, dedication, commitment, innovation, and influential leadership.*

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**The View from Here: Reflections on Serving as Manitoba/Nunavut Director**

By Miriam Duff, Med, CCLS, CCC

This May, we will gather in Niagara Falls to celebrate 50 years as an Association, I can only imagine how much has changed since that first Niagara Falls meeting in 1965! During my relatively brief volunteer stint of six years, I have seen many changes at a national level, initially as a Student Representative and then as a Board member. Below I would like to share a few of the highlights that have a Manitoba/Nunavut connection.

When I was asked to serve, Manitoba/Nunavut had already seen the capable leadership of former directors Lorna Martin and Jeri Booth, particularly involved in the research conducted around counselling roles, competencies, and definitions. In 2009, we were in the process of acquiring a new name and logo. Membership numbers for the region in May 2010 were 147 and did not count any members from Nunavut. This number has increased steadily to the present 228 members, (at time of writing) and we now count a few members from Nunavut.

The situation of professionals working in Canada’s northern and remote regions, striving to meet the high demand for mental health services in less than ideal conditions, was a personal priority for me and became a focus of the Board’s attention. Consulting with northern and remote members, we sought to gain a better understanding of the context-specific challenges and needs, in order to ensure that CCPA offered appropriate, responsive services. Beginning with Blythe Shepard’s (then President-Elect) initiative, the Board undertook an outreach program to accomplish this. Known as the “Northern Initiative”, it facilitated a national process for consultation, education and collaboration with counselling and psychotherapy professionals working in northern and remote regions, including Nunavut, during the years 2011-2014. This work produced strengthened communication networks and new professional development resources, in addition to elevating the Board’s awareness of northern and remote issues.

The National Board, with particular leadership by Ron Lehr (President Emeritus) also sought to increase Indigenous awareness and voice, culminating in the introduction in 2014 of a new National Indigenous Director position, to which Manitoba’s own Bill Thomas has been the first to be appointed!

Meanwhile, the flames of interest in forming a new chapter in Manitoba were fanned to fruition thanks to the hard work of a regional planning committee, with encouragement and support from Lorna Martin, (then CCPA President) and logistical coordination at National Office. The result was the official formation of the Manitoba Chapter on October 19, 2012! While it began with just 25 members, under the leadership of its inaugural and current Board and President Dr. Barbara Woods, it has now expanded to 116 members (at time of writing)! This March 15th, 2015, the Chapter held its 3rd Annual General

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Meeting, which included a discussion regarding regulation. This past February I had the opportunity to collaborate with the Chapter’s Regulation Research Committee to host a Round Table on Regulation in Manitoba. A productive, energizing discussion was held that will inform the Chapter’s discussion and decision-making about next steps. The winds of change are certainly blowing strongly from the East on this matter, which will undoubtedly add to the momentum of any efforts in the near future!

Another project of CCPA’s that was a privilege to watch unfold and to support in its next steps was the National Assessment Project. Carried out with a large team under the leadership of Manitoba’s own Lorna Martin, and managed by the capable staff at National Office, this important project produced a competency-based national exam for entry to the profession of counselling and psychotherapy. This design provides an evidence-based, accurate, and continually evolving assessment tool for use by regulatory bodies in Canada. The significance of this development as a watershed moment for our profession cannot be overstated.

Being a part of developments like these and many more, make volunteering on the Board for CCPA an exciting and fulfilling opportunity. Of course there are many other benefits, such as working on professional issues that matter to me, learning new skills, and working with terrific people!

In May 2015, Joyce Milligan will take over the reins as Manitoba/Nunavut Director, bringing her own energy and gifts to bear on the position. To help you get to know her, I asked Joyce to share a little bit about herself:

*I am a bilingual Winnipeg-based counsellor in private practice, working with children and adults. As well as individual counselling, I offer groups, workshops and presentations. I am involved with the Attachment Network, Circle of Security Parenting® and promoting secure attachment by speaking at various venues. My background is in the education system with over 10 years as a school counsellor.*

I congratulate Joyce on choosing to accept this exceptional opportunity and wish her every success! I have appreciated this time of service as a great means to learn more about my profession, and meet and work with similarly minded people to make a meaningful contribution to counselling and psychotherapy in Manitoba, Nunavut and across Canada. I highly recommend this volunteer opportunity to anyone who wants to make a difference to the profession, and I thank National Office for helping make it such a pleasure!

Miriam Duff, MEd, CCLS, CCC  
Manitoba/Nunavut Director &  
CCPA Treasurer

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**Provincial Update for Alberta and the Northwest Territories**

By Sara Holland, MA Couns., MA Clinical Psych., CCC

As the CCPA AB/NWT Director since 2011 it is bittersweet to see my second term end. I would like to take this opportunity in Cognica to express my sincere gratitude to have had the opportunity to carry out my duties. During my Director role I had the privilege to see the CCPA AB/NWT Chapter come to fruition and continue to grow. I have acted as the Chapter Liaison, being a two-way information conduit between the Chapter and the Board and worked alongside amazingly dedicated Chapter Executives, members, and students. Additionally, as a member of the Northern Initiative, I was grateful to see the hard work and inter-provincial connections made to benefit CCPA’s northern and remote members. As Chair of the Awards Committee, I was pleased to co-develop award rubrics and new awards, increase monetary amounts, and augment multiple awards to better serve membership diversity. The Committee also conducted a survey to obtain member feedback and worked to promote the many awards CCPA offers. I look forward to a long relationship with CCPA and involvement with the Association in other capacities.

In conclusion, I would like to welcome your new AB/NWT Director, Kathy Offet-Gartner. It has been an honour and gift serving as the CCPA AB/NWT Director.

Warmly,

Sara Holland, MA Couns., MA Clinical Psych., CCC  
Registered Psychologist

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**The Indigenous Communities Counselling Psychology program: A new  
Graduate Degree at the University of Victoria**

By E. Anne Marshall, PhD and Roger John, MEd, PhD (Candidate), University of Victoria

Mental health is a major issue for Indigenous peoples in Canada. First Nations, Métis and Inuit adults, adolescents, and children face multiple challenges related to colonization impacts, poverty, access to health services, literacy weaknesses, discrimination, addictions, and the intergenerational trauma of residential school. In spite of these multiple challenges, Indigenous people have also demonstrated great resourcefulness and resilience in maintaining their spiritual and traditional knowledge related to wellness and healing. There is a pressing need for professionally trained counsellors who have the understanding, skills, and knowledge to work successfully and effectively with Indigenous clients and families. This need is being addressed by the MA program in Indigenous Communities Counselling Psychology (ICCP) established at the University of Victoria in 2013, the first graduate level counselling degree program in Canada that enables graduates to meet the requirements for certification through CCPA while learning worldviews, processes, and helping practices grounded in Indigenous ways of knowing. The name given to the program by SENĆOŦEN Elder and language educator John Elliot is A'tola'nw (pronounced ah-tol -ah-nuh), which means "a time of hope and respecting one another." Artist Charles Elliot, his brother, designed the logo for the program and painted it on a drum that accompanies the students everywhere. The curriculum and delivery model are specifically designed for Indigenous and non-Indigenous adult learners who are working in mental health and helping contexts within Aboriginal communities. For ICCP program information, see <http://www.uvic.ca/education/psychology/future/masters/indigenous/index.php>

The vision for the ICCP was first explored at a 2006 retreat of Aboriginal and non-Aboriginal faculty, educators, students, elders, and community professionals. Dr. Larry Emerson, a Dine scholar and healer from New Mexico, facilitated faculty, community educators, and helping practitioners to identify seven key values and principles that have guided the ICCP program:

- The Indigenous paradigm is central. Aboriginal and Indigenous worldviews and practices are incorporated throughout the program in all courses and activities.
- The sacred and the spiritual dimension. There is always a spiritual continuum, guided and led by ancestors, in the counselling and healing process.
- The ancestral dimension. We are all influenced trans-generationally and multi-generationally. Our stories convey an ancestral reflection. Our ancestors are in the land and sky and are our relatives in the healing process.
- Stories, ceremony, culture, language, and communal healing. Traditional counselling always involves our natural world relatives in the healing, survival, recovery, and self-determination process through

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ceremony, dance, song, and prayer. Food, feasting, and celebrating constitute formal parts of helping, healing, and counselling.

- The earth and our relatives. Native people express a “protocol of the land” that is always connected to values of compassionate respect, place, interdependent kinship, and community. Plants, animals, and other life beings of that region are acknowledged and respected and seen as a central part of the healing process.
- The circle. We are always the center of our own healing and it is simultaneously connected to the family and community circle.
- The vocation and practice of professional helping. The counsellor and healer is a witness who understands and appreciates its interconnected and communal sacred dimension.

These seven values and principles were incorporated into all aspects of the ICCP program to make course content, processes, and practices more relevant to the needs and traditions of Indigenous communities.

Several retreat participants formed the program’s Advisory Committee, initially co-chaired by counselling faculty member Dr. Anne Marshall and Indigenous educator and Lil’wat language scholar Dr. Lorna Williams. Advisory members considered the ideas, issues, and decisions related to the development and implementation of the program. The ICCP is what Eduardo Duran (2006) defines as a “hybrid” program – one that integrates two paradigms, Indigenous and Western, which complement and contrast each other. Indigenous ways of knowing, traditions, practices, and healing methods are used to help students develop and extend their understanding of Indigenous contexts in which dimensions of spiritual, ancestral, and cultural factors play a vital part in how people live. This knowledge is woven together with – and at times sharply contrasted to -- Western counselling theories, concepts, and techniques. The result is a unique blend that allows the students to respond to the diverse needs of Indigenous clients and communities. Some clients prefer traditional healing, some request Western therapies, and some find a combination is most helpful. Within the framework of university regulations and professional counselling registration or certification requirements, the ICCP program and curriculum have been further shaped by the particular students and communities involved. Some classes have been held in First Nations longhouses on traditional territories, students have been invited to take part in ceremonies, and many Elders and knowledge keepers have shared stories and traditional teachings related to healing.

“Walking in two worlds” describes the process in the program. Hatcher et al. call it “seeing with two eyes ... bringing together Indigenous and Western knowledge... to see from one eye with the Indigenous strengths of knowing and from the other with Western strengths of knowing and to use these two eyes together”. Building and sustaining cross-cultural relationships require identifying shared values and assumptions, demonstrating mutual respect, accommodating differences, practicing open communication, learning each other’s language, and anticipating potential problems.

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A pilot program called the Aboriginal Communities Counselling Program (ACCP) began in September 2008, using adapted curriculum within the existing counselling degree structure. All nineteen students in the pilot ACCP cohort completed the program; their experiences were used to inform the new ICCP degree approved in 2013. The first ICCP cohort began in January 2014, with Mr. Roger John of the St’at’imc Nation nation as Academic Advisor and Assistant Professor. Mr. John is a graduate of the University of Victoria counselling program and a member of the original Advisory Committee. “There is still a lot of residue in the Indigenous community from the impacts of colonization, including poverty and post-traumatic stress disorder,” he observes. “But there are also many strengths there that can be used to help in the healing.” The current cohort will complete their program in August of 2016. A grant from the Counselling Foundation of Canada helps support the students through a “Walking in Two Worlds” mentoring program. This includes having previous graduates serve as mentors to the current cohort as they journey through the program and prepare to enter the profession of counselling.

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### **CCPA Ambassadors: Inspirational Leadership that Helps us Stand Apart**

By Tracy Duffy, Med, CCC

CCPA Ambassadors play an important role in our Association, as they share “the experience, the passion and the understanding of counselling and psychotherapy”.

One of the outstanding Ambassadors which CCPA has had is Dr. Lynda Younghusband. Lynda is an honorary lifetime member and has been an active member of our association since 1993. Lynda stands out for me as both a mentor and a great example of what our association stands for. For those who have been lucky enough to share time with Lynda, she is a woman who leaves a dynamic impression on both heart and mind; exuding warmth, positivity and excellence as a fellow counsellor.

I first met Lynda over 14 years ago when I embarked on my personal journey into the profession of counselling. As a prospective student in the Memorial University (MUN) M.Ed. counselling program, I had the honor of taking my first counselling course from Lynda. While just beginning to search for a new direction in my life, I can honestly say that Lynda’s teaching style and passion for the profession served as a pivotal experience for me. Not only did she impart vast knowledge in this field, but described her work as a counsellor with a balance of ease and passion. From vivid descriptions of her warm and welcoming counselling space, to her accepting and open minded demeanor; I knew from these moments that I would endeavor to create a career where I could make others feel as accepted and supported as Lynda had in that course.

Lynda then went on to serve as our provincial CCPA Director for four years, where I would continue to be inspired by her leadership style. In this role, Lynda continually brought students and practitioners together to allow for education and collaboration sessions. These regular meetings would help many of us understand the importance of maintaining connections among our peers for years to come.

It is amazing to think that, while I was beginning this career, it was in fact the continuation of a long and successful career for Lynda. Prior to becoming a counsellor, Lynda enjoyed a 25 year career in nursing and community health research. Even while working full time as a Nurse, Lynda then began to pursue her Education degree at Memorial University, earning Bachelors in Voc.Ed and soon after pursuing her Master’s degree in Education (Counselling Psychology) at Memorial.

After working as a guidance counsellor for 13 years, Lynda then returned to MUN to complete a PhD in Clinical Epidemiology (Faculty of Medicine). Her dissertation received considerable attention and praise, focusing on high school teachers’ perception of their working environment, which has continued implications in how to improve our school systems and reduce teacher stress. Lynda went on to teach in the Counselling faculty, while working at the Counselling Centre and completing a post-doctoral fellowship researching the delivery of health care in rural NL (mental health).



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Throughout her career, Lynda has also maintained her roots with CCPA, serving on several committees, presenting and attending multiple conferences, chairing the ethics committee and writing articles for Cognica.

In the midst of all this professional work, Lynda found the time to raise a family together with her spouse and two sons who have grown to build their own successful careers (no doubt inspired by their mother), and happily included a first grandchild in the family with whom to share some spare time.

If this “snapshot” of Dr. Younghusband’s leadership skill and career accomplishments are not impressive, then even more inspiring is that she has achieved all of this while also being an avid runner, completing half and full marathons around the world while raising funds for the Arthritis Society. This is where modelling self-care and balance in work and life has helped me to continually see her as a mentor for those in the counselling field, combining self-care, social justice and a zest for life that is truly amazing.

While Lynda is now enjoying an incredibly well earned break through a current (semi)- retirement, she continues to advocate for the association, and I very much look forward to seeing her at our 50th Anniversary Conference in Niagara Falls, where she no doubt will share more of her incredible positive attitude.

It is with great pride and thanks to Lynda’s encouragement and support that I have been able to take on my role as provincial director, and although I may never fill her shoes, I am happy to promote her as an ambassador, mentor and inspiration for both myself and our association.

Tracy Duffy  
CCPA NL Director, CCC. MEd

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**Notebook on Ethics, Standards, and Legal issues for Counsellors and  
Psychotherapists: Should Privacy Protection be Reasonably Expected When  
Personal Information is on a Workplace Computer? An Answer From the  
Supreme Court of Canada**

By Dr. Glenn Sheppard

Since all CCPA members value the protection of personal privacy both for themselves and their clients, a decision of the Supreme Court of Canada in the case of *Rv. Cole* (2012, SCC53) may be of particular interest. In this case, the Court concluded that an employee has a reasonable expectation of privacy regarding personal information on a workplace computer when personal use on it is permitted or reasonably expected to occur. In determining its decision in this case, the justice addressed the concepts of: reasonable expectation, search and seizure without a warrant, admissibility of evidence, and the protection privacy rights in the *Canadian Charter of Rights and Freedoms*.

Mr. Cole, a high school teacher, was issued with a computer for the purpose of monitoring students’ use of their laptops on the school network. The School Board’s Policy and Procedures Manual allowed for his incidental personal use of the computer. The Manual also considered e-mails to be private but subject to access under some conditions and that information on the computer technology was in the final analysis the property of the Board.

Difficulties arose quickly for Mr. Cole when a technician working on the computer in use by him noticed that it contained nude photos of an under-aged student. When the principal was informed of this by the technician, he seized the laptop and made several discs, one of Mr. Cole’s internet files and another of the photos. These discs were then given to the police without a warrant. Consequently, Mr. Cole was charged with possession of child pornography and unauthorized use of a computer under SS163. 1(4) and 342.1(1) of the *Criminal Code*.

At his trial, the judge found that possession without a warrant of information from Mr. Cole’s workplace computer violated his *Charter Rights* (S.8). Therefore, the evidence acquired in this way had to be excluded and since there was no other evidence the charges were dismissed. This decision was appealed and the decision of the trial judge was reversed stating that there was no Charter breach since Mr. Cole had no reasonable expectation of privacy regarding the information on the computer. A further appeal of this decision did find that he did have reasonable expectation of privacy regarding computer information but a diminished one because it was not his personal computer and he knew that a technician could access his laptop. However, it excluded most of the information obtained from the computer but allowed the Crown access to the photos arguing that the principal had the authority to search the computer and that photos were of no privacy interest for Mr. Cole and a new trial was

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ordered. At this stage, the Ontario Court of Appeal decision was referred to the Supreme Court of Canada.

The Supreme Court determined that it had three related decisions to make. Firstly, it had to decide whether or not a 'search and seizure' had taken place. It determined that it had occurred because it also concluded that Mr. Cole had a reasonable expectation of privacy regarding these materials gathered in the search and that most of that information was of a personal nature, exclusive of the nude photos. Reasonableness was judged by answering the question "*would reasonable and informed people in the position of the accused expect privacy?*" The Court also stated that the "*more personal and confidential the information, the more willing reasonable and informed Canadians will be to recognize the existence of a constitutionally protected privacy interest.*"

Secondly, the Court addressed the question, was the possession of the computer information by the police unreasonable since it was obtained by them without a warrant? The Crown was unable to convince the Court that it was a reasonable lawful possession. In order for the Crown to have successfully made its case the Court set out the following condition which had to be met "1. *The search was authorized by law, 2. That the authorizing law was itself reasonable, and 3. The authority to conduct the search was exercised in a reasonable manner.*" However, the court made a different decision with respect to the principal's seizure of material from the laptop. It concluded that the principal had a fiduciary responsibility to ensure a safe school environment. The exercise of this responsibility extended to the seizure because "*the principal had reasonable and probable grounds to believe that the laptop contained compromising photographs of a student.*" It also took the view that this authority also extended to School Board Officials. However, the Court said that this lawful authority of the principal and School Board could not be transferred by them to the police. It stated this conclusion, in part, as follows:

*In taking possession of the computer material and examining its contents, the police acted independently of the school board....The fact that the school board had acquired lawful possession of the laptop for its own administrative purposes did not vest in the police a delegated or derivative power to appropriate and search the computer for the purposes of a criminal investigation.*

In its decision, it found that the failure of the police to obtain a warrant or to seek Mr. Cole's permission to search the computer was a violation of his Section 8 Charter Rights. Having reached these decisions, the Court had to decide whether or not to allow the evidence gathered to stand in court. It reasoned as follows to make this decision:

1. At the time of the search, the law was uncertain as to privacy rights with respect to workplace computers.

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2. The Board policies had diminished Mr. Cole’s privacy rights and therefore reduced the effects of the illegal search and seizure on him.

3. If they had requested it the police officer would have had reasonable and probable grounds to obtain a warrant.

4. Societal interest in pursuing this case given the nature of some of the material from the laptop would be denied if the material was excluded.

In summary, the court decided that under these unique circumstances allowing the seized material as evidence would not bring the administration of justice into disrepute. Consequently, it ordered a new trial.

### **Observations:**

I am always impressed with the thoughtfulness and due diligence of the Justices of the Supreme Court as they wrestle with complex matters and with their commitment to protecting the privacy rights of all Canadians while in pursuit of a just outcome.

It is a reminder to all of us that granting access to private information whether on a workplace-issued computer or in a client file should not be granted to the police unless there is a warrant for it or the informed consent of the individual involved.

When internet browsing and other personal use are permitted, or reasonably expected to occur, on a workplace-issued computer, workplace policies should not neglect the user’s privacy interest in the personal material generated on it.

Employers in all workplaces should ensure that they address these privacy issues by policy and practices in a manner consistent with this Court decision.

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**Provincial Update from CCPA’s Outgoing PEI Director**

By Margaret Cain

In late May, Marion Clorey will assume the position of Prince Edward Island (PEI) Director on the CCPA Board of Directors. With our CCPA PEI membership numbers nearing 90 counsellors and psychotherapists, I know Marion will be well supported by her colleagues and that she will be a strong advocate and capable representative. The leadership of the PEI Counselling Association (PEICA) is continuing to work on the documentation for counsellors and psychotherapists to be recognized as one of the regulated groups of health professionals under the legislation passed by government over a year ago. PEICA Executive are contacting key individuals in provinces where regulation is in place to gain insights from their experiences. Several PEI members have already registered for the CCPA Annual Conference this May in Niagara Falls. Participants can anticipate unique networking and learning experiences as CCPA celebrates its fiftieth anniversary as a professional organization. PEICA Vice-President Jane Munn’s name was chosen in a random \$100 draw offered to PEI CCPA members who completed early bird conference registrations. Jane and other members who are able to attend the 2015 conference will have valuable experiences to share with colleagues on PEI. I will conclude with two notes of recognition. First, I commend the PEICA on their excellent website, which can be accessed directly from the CCPA homepage. The School Counsellors Chapter of PEICA regularly updates posts related to professional development and resources on topics such as: mental health and suicide prevention; monthly webinars which offer CEC’s; awareness of Canadian School Counselling and Family Violence Prevention Weeks, and contests to involve youth in exploring bullying and racism. Secondly, I congratulate the PEI contingent of the Acadia University M Ed in Counselling cohort, many of whom have joined CCPA as student members, as they complete their graduate studies this spring and launch their careers in counselling and psychotherapy. I am concluding my two year term as provincial director with optimism for our profession and gratitude for the opportunity to have served PEI on the CCPA Board.

Margaret (Margie) Cain

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**Honouring Counsellor Trainee Mental Health: Reducing Role Ambiguity in  
Supervision to Safeguard Healthy Professional Development**

By Helena Dayal

Beginning a counsellor training program can be an experience that is fraught with anxiety, uncertainty, and confusion for new trainees who are expected to fulfill many new roles. In particular, the supervisory experience within counselling practicums may bring about worries for many students given the vulnerability associated with having skills evaluated, and exposing personal reactions within supervision. The relationship that a trainee develops with their supervisor can exacerbate or minimize worries related to roles. Role ambiguity has been defined as a lack of clarity in role expectations. According to the Canadian Counselling and Psychotherapy Association (CCPA), supervisors are responsible “for clarifying their respective roles and obligations”. While clearly defining roles is an ethical imperative in psychotherapy supervision, such discussions do not occur consistently. Counsellor trainees may consequently be uncertain about many different aspects of supervision including expectations, how to meet these expectations, topics of discussion, how evaluations are made, and any responsibilities and rights belonging to the supervisor and trainee. A certain degree of worry about supervision can be expected, but trainees’ anxiety is heightened when roles are unclear and ambiguous.

Additional concerns may arise for trainees if they are experiencing difficulties with maintaining mental wellness. A tension emerges because trainees are expected to disclose their weaknesses, while at the same time worry that perceived shortcomings will result in poor evaluations. Due to the evaluative and hierarchical nature of the supervisor-supervisee relationship, the supervisee is placed in a compromising position. The power differential, and the fact that the supervisor holds the trainees’ professional career in his or her hands may further amplify anxiety experienced by the supervisee . Fear of being deemed incompetent due to mental health concerns can be exacerbated by unclear boundaries on supervisor involvement with trainee wellness. The CCPA Code of Ethics states it should be made clear to supervisees that “any professional experiences which require self-disclosure and engagement in self-growth activities are managed in a manner consistent with the principles of informed consent, confidentiality, and safeguarding against any harmful effects”.

It is important for trainees to understand limits of confidentiality, as well as be engaged by supervisors in safe conversations about boundaries when it comes to self-disclosure and exploring personal concerns. Trainees’ concerns with mental health are important to discuss because unresolved issues may lead to countertransference reactions in therapeutic relationships. Countertransference reactions refer to any strong emotional or behavioural reaction a counsellor has in response to a client stemming from unresolved personal conflicts or vulnerabilities. These reactions are important to address in supervision because they are unlikely to be helpful to clients. Countertransference reactions can range in severity from serious boundary crossings to acting out with the purpose of reducing personal

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tension. Disclosing countertransference reactions or engaging in process within supervision may be challenging for trainees, and elicit confusion about whether such disclosures are confidential, and how this might influence their perceived competence as counsellors.

Agencies and counsellor training programs may vary with respect to how they address supervisee mental health. The protocol by which counsellor training programs address mental health concerns is largely unknown by counselling students. This is concerning given that psychological and emotional difficulties are higher in counselling students than the general population. Essentially, a conflict arises for both supervisors and supervisees due to the lack of clarity relating to what constitutes impairment versus distress. Such lack of clarity may lead to reluctance to disclose countertransference reactions or any personally revealing information about their own mental health. Underlying this nondisclosure is a fear that distress may be viewed as impairment or that it may negatively impact their evaluation or future job possibilities. This is unfortunate because engaging in dialogue about one’s mental health and how it affects clinical work is best addressed during training and may be met with support and guidance from supervisors. Likewise, supervisors are reluctant to inquire about trainee distress because they may be uncertain about their professional responsibility and lack knowledge about how to appropriately inquire and respond. Supervisors bear legal responsibility, are expected to serve as gatekeepers for the profession, and have the final say regarding the supervisee and his or her clients. Unfortunately, the line between distress and impairment is unclear for both parties, which consequently results in avoidance of the issue.

Given the role ambiguity within supervisor-supervisee relationships and the high incidence of mental health issues among counsellor trainees, it would be helpful if counsellor education programs took steps to bring this issue to light through open discussions about counsellor mental health and ambiguity in supervision. Without an open discussion and awareness of the process in place for evaluating distress versus impairment, trainees may limit their disclosure in supervision, which may hold negative implications for clients, trainees, and supervisors. Creating a safe environment that acknowledges this issue and supports access to personal therapy or other resources may promote trainee well-being, rather than encourage secrecy through avoidance of the issue. Trainees and supervisors should be well-informed of their roles, responsibilities, expectations, and the gatekeeping process in order to limit ambiguity, anxiety and confusion, and instead promote healthy professional development.