

**The Canadian Counselling and Psychotherapy Association’s quarterly
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President's Message

Growing Relationships in Mental Health: Grassroots to Global Partnerships

By Natasha Caverley

As I reflect on the landscape of counselling in Canada and the Canadian Counselling and Psychotherapy Association's (CCPA) vision and mission statement, I am particularly reminded of CCPA's fifth strategic objective.

CCPA's strategic objectives are as follows:

1. To provide national leadership for counselling and psychotherapy in Canada;
2. To provide a forum for ongoing information exchange and for critical discussion of counselling and psychotherapy issues in Canada;
3. To serve as a vehicle for advocacy, networking and promoting the profession of counselling and psychotherapy in Canada;
4. To provide opportunities for counsellors and psychotherapists to develop and share best practices, research, position papers and professional development; and
5. To serve as a direct link with other professional counselling and psychotherapy associations provincially, nationally and internationally, thereby providing for the presentation and the achievement of mutually sought aims and objectives.

In my opinion, one of the key pillars to the advancement of CCPA's vision, mission statement, and strategic objectives has been our ability (as individuals and as a community of counsellors and psychotherapists) to **grow relationships, from the grassroots level to global partnerships**. Growing relationships with individuals and organizations who may be impacted by decisions or may influence the implementation of decisions is often described as "stakeholder relations and public affairs." CCPA grows and fosters organizational relationships by informing policy decision-makers, stakeholders, media and the general public of important and relevant policy issues impacting and influencing the counselling and psychotherapy profession; and promoting national and international engagement with similar professional counselling associations and related organizational bodies.

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Notable CCPA stakeholder relations and public affairs activities include, but are not limited to,

- engaging in various regional outreach and provincial counselling regulatory discussions;
- participating in global outreach on the professionalization of counselling (e.g., involvement in the International Association of Counselling);
- advocating for the counselling and psychotherapy profession across Canada locally, regionally and nationally via news releases, media opportunities and meeting with our elected provincial/territorial government officials and Members of Parliament; and
- collaborating with organizations, alliances and associations that have mutual interests in mental health service delivery and programming such as the BC Disaster Psychosocial Program, Canadian Alliance on Mental Illness and Mental Health (CAMIMH), Canadian Council on Career Development (CCCD), Canadian Mental Health Association (CMHA), the Health Action Lobby (HEAL), and Mental Health Commission of Canada (MHCC).

During the 2015—2017 term of office, the CCPA Board of Directors and National Office are continuing our Association’s relationship building with like-minded organizations that are committed to supporting the important role that we as counsellors and psychotherapists play in the continuum of mental health care in Canada that facilitates appropriate, accessible, and cost-effective services for all. In particular, we are currently advancing the following opportunities on behalf of the CCPA membership:

- Engaging in relationship building with regional and national Indigenous organizations (First Nations, Métis and Inuit);
- Enhancing regional, national and international partnerships to promote the sharing of expertise and support; and
- Strengthening national and regional networking and awareness of CCPA.

In closing, I applaud our CCPA members, CCPA Chapters, CCPA Board of Directors and CCPA National Office staff who actively engage in advocacy, outreach, stakeholder relations and public affairs which greatly aids our Association (as a whole) to consider current and emerging issues affecting the counselling and psychotherapy profession in Canada.

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

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President-elect Message:

What’s New and Exciting With CCPA

By John Driscoll

Dear CCPA Members,

On our website under the section, “About Us”, our Association is described in part as, *a national bilingual association of professionally trained counsellors engaged in the helping professions. CCPA’s members work in many diverse fields of education, employment and career development, social work, business, industry, mental health, public service agencies, government and private practice.* When you read this part of our association’s description it is clear that we are a very large and diverse group of professionals working in all areas of our society, stretching from coast to coast to coast. Because we are a large heterogeneous group of professionals, each focused on our day to day work, it can sometimes be difficult to keep track of important information that applies to us as members of CCPA and of new or exciting matters in the world of counselling and psychotherapy.

Our CCPA National Office staff does an excellent job keeping us up-to-date and advocating for these important and valuable professional supports in all our work areas. Here are some ways of staying in touch with what is happening in the profession and with how CCPA is advocating for the services we provide. Under our website title, *Social Media & Advocacy* <http://www.ccpa-accp.ca/social-media/> there is listed a number of quick access connections to the profession. You can get connected to CCPA’s Facebook and Twitter sites: <https://www.facebook.com/CCPA.ACCP> - https://twitter.com/CCPA_ACCP. You can sign up to receive our electronic bulletin or to be included on our *Listserv* by sending an email to memberservices@ccpa-accp.ca.

In addition, you might want to follow our news releases. In November 2015, our press releases focused on *National Addictions Awareness Week* and *Canada Career Week*. In the *Career Week* release, our Career Counsellors’ Chapter hosted a blog during the entire week - <http://www.ccpa-accp.ca/newsreleases/>. As part of CCPA’s advocacy work, we are affiliated with national and provincial organizations that promote mental health, wellness, and career development, on a federal and provincial level. This affiliated work, with the *Canadian Alliance on Mental Illness and Mental Health*, *Canadian Council on Career Development*, and the *Health Action Lobby*, is a valuable and significant part of the effort our organization undertakes for our membership and for the work we do in the profession.

CCPA also publishes papers on issues relevant to advocacy for our members and our professional work. Our newly elected Members of Parliament, from all parties, will be receiving our first issue paper, “*The*

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Urgent Need for Counselling Services", which documents the work of Canadian Certified Counsellors and the need for counselling and psychotherapy services in our communities and in society in general: <http://www.ccpa-accp.ca/wp-content/uploads/2015/11/IssuePaper-TheUrgentNeedforCounsellingServices.pdf>. Of particular interest to politicians may be some of the facts presented:

"Canadian studies indicate that the cost of mental health problems to the economy are estimated to be around 50 billion dollars per year and this figure does not include criminal justice system, school, or child welfare costs (Lim, Jacobs, Ohinmaa, Schopflocher, & Dewa, 2008; Mental Health Commission of Canada, 2012). In 2011 it cost Canada about 42.3 billion dollars to provide treatment, care, and support services for people with mental health problems. Long range projections indicated that Canada can expect the costs to exceed 2.5 trillion dollars over the next 30 years (Lim et al., 2008; Mental Health Commission of Canada, 2012). Statistics on the annual productivity impact of mental illness in the workplace are increasing each year from 6.4 billion dollars in 2011 to an estimated 16 billion by 2041 (Mental Health Commission of Canada, 2012)."

We are aware of the effects of mental problems in Canada and the public urgency for mental health services. Having the facts available, through research, to support our explanations of this need provides **credibility** for our advocacy. Expect new issue papers to be released soon.

From our own experiences we know how vitally important our professional services are for so many in our society. Whether working with individuals, families or groups, whether helping in wellness, relationships, personal growth, career development, mental health, and psychological illness or distress, our skills and knowledge assist people in reaching goals and making changes for a better future. As members of a national bilingual organization, we know that our collective voice and efforts can be effective in allowing us to reach those goals of service. Please take advantage of the excellent resources our association makes available to support us in our work.

While the staff at our National Office is always willing to assist you, I am available, as well, for whatever need might arise. Please feel free to contact me at any time.

Sincerely,

John Driscoll
president-elect@ccpa-accp.ca

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The National Career Challenge Project

By CCPA’s Career Counsellors Chapter

With help from the CCPA Chapter Support Fund, the Career Counsellors Chapter partnered with other members from the Canadian Council for Career Development (CCCD) to help create a bilingual tool for the public to assess their personal skill and will as they relate to personal career development. The tool was developed to be a short, interactive quiz that delivers personalized feedback and resources for users to learn more about different career paths, services and provide tips for career exploration.

The money from the Chapter Support Fund went to hiring Impact Public Affairs to help advertise the quiz to the Canadian public. They drafted and published press releases, arranged radio interviews and television appearances, and coached spokespersons on how to effectively articulate our message across to the media. Other members of the CCCD contributed to the costs of developing the website, hosting teleconference meetings, and translation costs, as well as donating their time and expertise in developing the content material for the quiz.

The quiz was launched last November to coincide with Canada Career Week and within six months of its launch had over 3800 visitors. The data generated from the quiz suggested that while participants are eager to be satisfied in their careers, they are not sure how to access information and resources that could help them. The quiz itself linked users to available internet resources and organizations including the CCPA as counsellors are well positioned to bridge that gap to ensure Canadians are happy, engaged, and fulfilled at any stage of their careers.

“Results have shown that the majority of respondents have a strong curiosity to find out more about career options that are available to them, yet most confess that they have not used resources like labour market information while researching employment,” explained Clarence DeSchiffart, CCPA member and Coordinator of Career Development and Essential Skills at the Nova Scotia Community College.

The quiz data also highlighted that most users value career growth and lifelong learning, and yet very few also indicated that they have ever sought the services of career development professionals. While many people see the need for coaching or advising with respect to their taxes, financial management, legal services, or even their golf game, it has never occurred to most to seek professional career counselling. Without help, it is very easy to fall off course or miss opportunities on your journey towards career satisfaction. We can see this here in Canada with more than 40% of Canadian youth unemployed or underemployed (Bell, 2012), and only 30% of Canadian workers who claim to be emotionally and psychologically engaged with their work (Gallup, 2013). There is a need for counselling support to help Canadians.

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The quiz is still up on the website careerchallenge.ca and you are invited to check it out. The CCCD plans on using the data collected to update the quiz for next year. If you are interested in helping out with this continued project, please contact Jessica Isenor at jisen010@uottawa.ca.

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2016 Canadian School Counselling Week

By CCPA’s School Counsellors Chapter

Recognizing the contributions of the school counselling profession to the personal, social, cultural, educational, and career development, and the mental health and wellbeing, of all students in Canada.

School Counsellors believe that opportunities for attaining emotional health and mental well-being are at the heart of learning. The school counselling profession supports the personal, social, cultural, educational, and career development of students in order to provide children and youth with the opportunity to achieve their true potential. It is with this vision for our students that we strive to build a national identity within our profession.

Be part of something great through membership in the CCPA School Counsellors Chapter. Originating in 2000, the School Counsellors Chapter is a growing professional group of CCPA. The Chapter aims to provide elementary and secondary school counsellors in Canadian private and public schools with access to professional development, open discussion and networking, advocacy, and research opportunities.

Chapter members come from all Canadian provinces and territories. Students and international members also belong to the Chapter. CCPA members who are school counsellors, or other CCPA members interested in the school counselling profession, may join the School Counsellors Chapter for a fee of \$15 per year. The majority of Chapter members have chosen to attain the “Canadian Certified Counsellor” (CCC) designation.

As a member of the School Counsellors Chapter, you will:

- Receive electronic updates and newsletters on Chapter activities, professional resources, and opportunities for professional growth;
- Keep up to date on Chapter goals, strategies, and actions which advocate for the school counselling profession;
- Learn ways to contribute to the Chapter as a member of a committee or a member of the Chapter Executive;
- Network and collaborate with other school counselling professionals at the CCPA annual conference, or other local, regional, national, or international events; and

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- Provide valuable contributions to the school counselling profession through the following: communication with the Chapter Executive; newsletter; conference presentations; award submissions; webinars; CCPA social media such as Twitter, the “Counsellor Forum” or “Counselling Connect” (the blog where you will find stories, perspectives and ideas about the profession of counselling and psychotherapy in Canada).

As a Chapter of CCPA, we will:

- Advocate on your behalf to educational stakeholders to ensure that Canadian students and families will have access to school counsellors with a high standard of professional practice and competency;
- Work in partnership with CCPA to foster the profession of school counselling; and
- Support the Chapter’s strategic goal of raising the profile of school counselling in Canada. One of the ways this has been done is the establishment of “Canadian School Counselling Week,” held each year the first week of February. This year it will be held from February 1 – 5, 2016. The week recognizes the contributions of the school counselling profession to the personal, social, cultural, educational, and career development, and the mental health and wellbeing, of all students in Canada. You are invited to join the celebration and increase the public’s awareness of the scope of programs and services that characterize the school counselling profession in Canada. To access information on Canadian School Counselling Week, please access the following website: <http://www.ccpa-accp.ca/chapters/school-counsellors/>

If you would like additional information about the School Counsellors Chapter, please follow the Chapters link on the CCPA website: www.ccpa-accp.ca. To join, select School Counsellors Chapter on the CCPA membership form. You may also contact CCPA toll free at 1-877-765-5565.

The CCPA School Counsellors Chapter looks forward to you being a Chapter member.

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**Notebook on Ethics, Standards, and Legal Issues for Counsellors and
Psychotherapists: Confidentiality and the Wigmore Criteria**

By Dr. Glenn Sheppard

As counsellors and psychotherapists, we are committed to maintaining the confidentiality of our clients' communication with us. We are stewards of their confidentiality and cradlers of their secrets. It is usual practice to refer to protection of those confidential communications as a well-established ethical concept and to describe privileged communication such as that between a lawyer and a client receiving legal advice and support with litigation as a legal one. This solicitor-client communication is called privileged because it is protected from the reach of the courts and therefore inadmissible as evidence in any court case.

Since every citizen in our Canadian society accused of a crime has the right to make a full answer and defense as a principle of fundamental justice, the categories of privileged communication are very limited. For example, although English and Canadian courts have rarely compelled members of the clergy to disclose to the courts confidential religious communication, it is not protected as privileged either in common law or statutory law except in Quebec and Newfoundland where it has statutory status as privileged. In the United States, all states have similar statutory protection of clergy-communication which is also referred to as priest-penitent privilege. Even without such protection in Canada, courts are likely to continue the practice of treating it as if it were privileged and to deal with matters for disclosure on a case by case basis. By 2011, all but one American state enacted counsellor-client privilege statutes. Some of these protect privilege to the fullest extent while others are quite weak with the many exceptions making it not much more secure than counsellor-client confidentiality.

Readers know that our commitment to the maintenance of client confidentiality cannot be absolute. It can be breached when: a child is at risk of harm, a client is at risk of significant self-harm, or when there is an imminent risk of the client inflicting serious bodily harm or death to a person or group of persons. Also, since confidentiality always belongs to clients rather than to therapists, they can provide their informed consent to have their confidential communication disclosed to others including to a court proceeding. Of course, without client consent and through a subpoena or court order, we can be compelled to surrender to a court a counselling record and/or be required to testify.

Despite these potential exceptions to our maintenance of client confidentiality, the courts and judges are far from reckless in requiring us to breach confidentiality and they typically demand a compelling reason to require a counsellor or psychotherapist to breach it. Fortunately, they have available to them a general framework for adjudicating any such consideration. It is called the **Wigmore Criteria**. John Henry Wigmore (1863-1943) was an American jurist and an expert on the law of evidence. He presented the following four requirements for jurists when determining if a particular communication is confidential and the factors to be considered when deciding to protect it or compel its disclosure;

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1. The communications must originate in a *confidence* that they will not be disclosed.
2. This element of *confidentiality must be essential* to the full and satisfactory maintenance of the relation between the parties.
3. The relationship must be one that, in the opinion of the community, ought to be *sedulously fostered*.
4. The *injury* to the relationship that disclosure of the communications would cause must be *greater than the benefit* gained for the correct disposal of the litigation.
(Emphasis in original)

In the case of professional counselling relationships it is usually not difficult to meet the first two criteria. In fact, none other than the former Supreme Court Justice Claire L'Heureux-Dube' expressed on behalf of the court, its commitment to the right to privacy and its deep understanding of the importance of confidentiality within the therapeutic relationship (R.v. Mills SCC, 1999). She wrote:

That privacy is essential to maintaining relationships of trust was stressed to this court by the eloquent submissions of many interventions in this case regarding counselling records. The therapeutic relationship is one that is characterized by trust, an element of which is confidentiality. Therefore, the protection of the complainant's reasonable expectation of privacy in her therapeutic records protects the therapeutic relationship.

Many interveners in this case pointed out that the therapeutic relationship has important implications for the complainant's psychological integrity. Counselling helps an individual to recover from his or her trauma. Even the possibility that this confidentiality may be breached affects the therapeutic relationship.

Also, in a court decision by the British Columbia Supreme Court (RCL v. SCF 2011) judge Joyce said:

I find there is great public interest in encouraging victims of abuse to seek counselling and to be assured of the confidentiality of that communication. The public interest is served if that confidentiality is fostered to the greatest possible degree.

Counsellors and psychotherapists and their advocates can also persuasively muster arguments to fulfill criterion four. Such as, in order for individuals to disclose private information that maybe embarrassing, sensitive, and sometimes thoughts that maybe considered irrational or unusual, or a personal history of abuse or other trauma, they require confidence that such disclosures will not be revealed without their permission. Under such confidential conditions, citizens can obtain the help they need to live healthier and more productive and satisfying lives. This is, of course, a significant

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benefit to society. So for such significant benefit to accrue this type of confidential relationship needs and appears to be "sedulously fostered" by our communities.

If the conditions for criteria one to three are met, it is the remaining criterion 4 that maybe the most challenging. This is where the court has to decide on what side the greater benefit will accrue when it is deciding whether or not to require the disclosure of confidential information to the court. If it is determined that such a disclosure is essential to the court's mission to seek the truth and to fully administer justice in a particular case then disclosure must be granted in whole or in part. A judgement in favour of not compelling a disclosure may be more likely to occur in a civil suit than a criminal one because as Supreme Court Justice Beverly McLaughlin has said "*...the defendant in a civil suit stands to lose money and repute; the accused in a criminal proceeding stands to lose his or her very liberty.*"

The court must always balance the importance of disclosure to the administration of justice against the public interest in maintaining the confidentiality even when the conditions required in criteria one to three are met. Here are a number of court cases in which the Wigmore criteria was used to render a court decision regarding disclosure:

1. In *RCL v. SCF* (2011) before the Supreme Court of British Columbia, the judge had to decide whether or not to require the disclosure of the plaintiff's counselling records from the Elizabeth Fry Society where he had gone for counselling. He decided that the counselling met the Wigmore Criteria one to three. With respect to Criterion four, he denied access to the counselling records for the following reasons:

"the defendant already knows that the plaintiff was abused as a child; that this caused him emotional pain; that he attempted suicide; that he sought help from the Elizabeth Fry Society..." He concluded "I am not satisfied that these records will assist in proving any material fact."

2. In *R.v. Gruenke* (1991, 3 SCR 263), Gruenke and Fosty were convicted of first degree murder. They were appealing based on an argument that Gruenke's disclosure of the murder to a church spiritual counsellor and to the pastor were privileged communications. The court decided that it was not privileged. Applying the Wigmore criteria, it concluded that there was not an expectation of confidentiality at the time of the disclosure and there were compelling reasons to allow it as evidence. The appeal was dismissed.

3. In the Supreme Court of Canada (SCC) decision in the *Globe and Mail v. Canada* journalist Daniel LaBlanc was asking for journalistic-source privilege to protect his sources with respect to information about what became known as the sponsorship scandal. The court dismissed all arguments in support of such a privilege. However, it did apply the Wigmore criteria and concluded that maintaining the confidentiality of the source in this case was in the public interest but it directed Mr. LaBlanc to answer questions about the matter before the court provided it did not reveal identity of his source.

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4. In *R. v. M* (1992), the New Brunswick provincial court dealt with a matter involving school counselling records. In this case, a *voir dire* was held to decide whether or not a trial for a young offender should be heard in an adult court. The court applied the Wigmore criteria in deciding whether or not to permit disclosure of his school counselling record. It decided that criteria one to three were met and with respect to criterion four it denied access to the record because such information was not essential to its decision. I am familiar with a very similar matter dealt with by a court in Newfoundland in which the judge made a comparable decision; however, he did require disclosure of the offender’s student cumulative record. A reminder that such a record should never contain counselling notes.

5. In *Children’s and Society of Ottawa v. S(N)* involving a child protection matter, the Ontario Supreme Court denied the mother access to her child’s school counselling record. It concluded that the child’s counselling relationship with the guidance counsellor met all the Wigmore criteria. It concluded that the mother had sufficient information and that it was “in the child’s best interest” not to permit the mother to question the guidance counsellor about the counselling notes.

6. On a personal note: Several years ago, I was in a provincial court in Newfoundland as a witness regarding a teenager who was charged with a significant criminal offense. I had visited the teenager, who was my counselling client, while he was being held at a secure facility prior to his court appearance. I was asked by the crown attorney about this visit and more particularly about what my client might have disclosed to me about the alleged offense. I was caught off guard but recovered and said to the judge something like “Your Honor, I need some direction from you before I answer this question because when I spoke with [client’s name] I am sure that both of us believed that we were speaking in confidence and I like to keep his hard-won trust.” I was surprised when he called both lawyers to his bench and after a lengthy and somewhat animated discussion amongst the three of them he informed me that I did not have to answer the question. Of course, I do not know whether or not he applied the Wigmore criteria but I am confident the communication would have met Wigmore criteria one to three. Of course, criterion four will always be the challenge for careful judicial decision-making and will no doubt continue to be made on a case by case basis.

The Wigmore Criteria can be found in the **CCPA Standards of Practice** on Page 13.

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Book Review of Natalie and the Night Sky

NATALIE AND THE NIGHT SKY

Dibb, Carolyn and Balboa Press

(40 pp.)

\$15.95 paperback,

\$3.99 e-book,

ISBN: 978-1-5043-2689-6;

April 22, 2015

A heartwarming, insightful debut children’s book about an only child who wonders what it would be like to have a bigger family.

Natalie and her best friend, Shayla, are having the best summer. Both girls and their families are on a big camping trip, which means fishing, bonfires, s’mores, and everything else that the great outdoors has to offer. Sitting around the campfire, Natalie sees Shayla and her older brother, Steven, share a private giggle, and Natalie feels a twinge deep inside. As an only child, she wonders what it would be like to have a brother or sister. Shayla helps her weigh the pros and cons before retreating back to her family’s tent to play cards with Steven. As Natalie longingly looks at Shayla’s tent, Natalie’s dad sees her wistful expression. Using the night sky and the stars as a map, Natalie’s dad shows her how a family may not just be people who share a home—the stars that dance around their home constellation are special, too. Dibb’s book is a wonderful addition to any household with an only child. As Dibb says in her preface, parents may have many reasons for having one child, and instead of having to explain those myriad and possibly complicated reasons to a child, this book directly addresses the child’s sense of longing. The prose is easy to understand (for little readers) without being dumbed down or overly clinical. Parents can inject their own personal story after a reading. McAllister’s simple illustrations, in muted, pastel colors, enhance the tale.

Ideal for only children and their perfectly sized families.