

DSPSW Ethics Workshop on Confidentiality

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“the mere possibility of disclosure may impede development of the confidential relationship necessary for successful treatment” (Supreme Court, 1996). [Jaffe v. Redman] A thoughtful discussion on note taking is found at the following site: http://www.apsa-co.org/ctf/pubinfo/NewsRoom/practice_bulletins.html

Bollas, C. and Sundelson (1995). *The new informants: The betrayal of confidentiality in psychoanalysis and psychotherapy*. Northvale, New Jersey: Jason Aronson.

Our political passivity as therapists has resulted in a loss of privacy that compromises our work. They suggest we make an argument for absolute confidentiality and try to get a privilege similar to lawyer-client, journalist-source, or priest-penitent.

Caruth, E. G. (1986). Secret bearer or secret barer?—*Countertransference and the gossiping therapist*. *Contemporary Psychoanalysis*, 21, 548-561.

Quoting the Talmud says gossip is like a three pronged tongue “...because it destroys three people: the person who says it, the person who listens to it and the person about whom it is said.” She says “The gossip can be viewed now as d kind of metaphoric teddy bear, a transitional phenomenon, which maintains the link with the absent patient from whom the analyst cannot separate.

Lynn, D. J. and Vaillant, G. E. (1998). Anonymity, neutrality, and confidentiality in the actual methods of Sigmund Freud: A review of 43 cases, 1907-1939. *American Journal of Psychiatry*, 155, 163-170.

Freud deviated from his own recommendations regarding anonymity 100% of the time, neutrality 37%, and confidentiality 53% of the time.

Olinick, S. L. The gossiping psychoanalyst. *International Review of Psycho-Analysis* 7, 439-445.

Have all gossiped about a patient at sometime? Gossip derives from “godsib”, or kinsman and speaks to the need of close associates to tell tales. Olinick suggests gossip develops out of envy, isolation, curiosity, and a subtle sado-masochistic relationship that is organized around the dominant one with a secret and the submissive one who wants to know. He describes gossip as the forepleasure derived from ‘auditory scopophilia’ and from the bribed superego.

Rosen, J. (2000) *The unwanted gaze: The destruction of privacy in America*. New York: Random House.

“Even the smallest intrusion into private space by the unwanted gaze causes damage, because the injury caused by seeing cannot be measured.”

“*Hezzek Re’iyyah*,” Encyclopedia Talmudit