Practical Ethics when Working with Victims

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Presenter

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Learning Objectives

• Describe the differences between ethics, morality and the law
• Rank applicable ethical principles to a variety of ethical dilemmas arising in victim services
• Develop a plan to put ethical safeguards in place at the practice and policy level

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Important Definitions in Ethics

• Ethics
• Morality
• Laws, regulations, and policies
• Professional ethics
Types of Ethical Issues

• Ethical problems
• Ethical dilemmas
• Ethical breaches
Ethical Principles – Bio-medical

• Nonmaleficence - Obligation to not cause harm

• Beneficence - Obligation to do good and remove harm

• Autonomy - Obligation to respect an individual’s right to decide, act and experience the consequences of their actions
Ethical Principles – Bio-medical

• Justice - Obligation to provide equal treatment for all individuals, by acting in a fair, equitable and just manner and avoiding discrimination in judgment and actions

• Veracity - Obligation to be accurate and truthful

• Fidelity - Obligation to serve the well-being and best interests of an individual without divided loyalties
## Ranking the Principles Example

<table>
<thead>
<tr>
<th>19 Year Old College Student Sexually Assaulted by a Date when Home on Spring Break</th>
<th>89 Year Old Nursing Home Resident with Profound Dementia Sexually Assaulted by Aid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-maleficence</td>
<td>Non-maleficence</td>
</tr>
<tr>
<td>Autonomy</td>
<td>Beneficence</td>
</tr>
<tr>
<td>Veracity</td>
<td>Justice</td>
</tr>
<tr>
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<td>Fidelity</td>
</tr>
</tbody>
</table>
Five Common Ethical Areas

1. Autonomy (individual choices) versus beneficence (risk reduction)
2. Informed consent
3. Individual safety versus community safety
4. Fidelity versus justice
5. Disaster planning
Ethical Situational Analysis

• When confronting an ethical dilemma, principles are ranked in order of importance based on the elements of the situation in order to arrive at the best ethical decision.

• The following components of a situation should be considered when ranking the principles:
  – Risk indications
  – Preferences of the adult
  – Quality of life
  – Contextual factors

Risk Indications

• What is the issue causing the risk?
• What is the time nature of the issue (i.e. short-term, long-term, emergent)?
• What is the probability that the decision will successfully mitigate risk?
• What is the probability of the person being at greater risk from the decision?
• What is the risk to others from the situation?
Preferences of the Individual

- Does the person have decision-making capacity?
- If not, is the appropriate surrogate being utilized?
- What are the person’s stated preferences?
- Does the person and/or surrogate have sufficient information to make an informed decision?
- What is the history of the person’s preferences related to the issue?
Quality of Life

• What is the person’s definition of quality of life?
• What is the probability that the person can meet their definition of quality of life with the decision?
• What is the probability that the person can meet their definition of quality of life without the decision?
• What physical, mental and social deficits will the person experience as a result of the decision?
• What bias exists by professionals regarding whether the person’s current and potential future condition are desirable?
Contextual Factors

• What are the family issues weighing on the decision?
• Are there financial and economic factors?
• What are the religious and cultural factors associated with the situation?
• Are there allocation or resource issues?
• How do applicable laws and regulations affect the decision?
• What conflicts of interest exist for the professionals involved in the decision making?
Ethical Decision-Making Pitfalls

• The #1 ethical decision-making pitfall is making an ethical decision alone. The most dangerous and deadly ethical decisions are made alone.

• When addressing an ethical dilemma, agencies should:
  – Give equal consideration to all stake-holders
  – Not rush to judgement
  – Have an accessible ethics committee
  – Not allow authoritarian voices in the process
  – Avoid trying “to fix” problems
  – Be as transparent about the process as possible without violating confidentiality
How to Maintain Our Ethics

• Establish minimum safety standards
• Use risk assessment tools and logic
• Understand stages of change
• Record with quality documentation
• Practice cultural humility and inquisitiveness
• Conduct self-examination of morals and ethical values
• Engage in regular supervision
• Establish and/or consult an ethics committee
Questions and Contact

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