

Tri-County Batterer Intervention Provider Network Meeting Minutes February 10, 2015

Discussion Topic: Secrecy versus Privacy

This concept was originally developed by Diana Groener (who works at Allies in Change). This is another specific example of the larger theme of helping abusive individuals better understand the difference between appropriate boundaries (which need to be respected) and being controlling or manipulative. The most straight ahead way of approaching this would be to have the group discuss the differences between secrecy and privacy.

Privacy refers to a fundamental right that everyone has to determine with whom they share what information about themselves. Secrecy refers to withholding information from someone who has a right to know that information. Violating someone else's privacy is abusive behavior.

Examples include looking through their cell phone, email, diary, etc. without the other person's permission. Keeping secrets is a form of manipulation/controlling behavior. Examples of keeping secrets include making large secret purchases, withholding information that the other person has a right to know, and not reporting boundary violations (e.g., having an affair). On the surface privacy and secrecy can appear similar—in each case information is not being shared with the other. The key question is whether the other person has a reasonable expectation or right to know that information. If the other does and that information is not shared, then it is secrecy. If the other does not then withholding that information is privacy.

There was some discussion of cultural differences in distinguishing between secrecy and privacy.

How do you differentiate between something that is entrenched in a culture and what is an appropriate expectation? Our men likely have a variety of beliefs about privacy rights, both their own and those of their partner. How do we effectively identify and address these in the groups? There was a very brief conversation of some examples of how abusive men do these things. For example, it was talked about how some men feel entitled to know everything about their partner because they are "theirs". In other words, from this perspective, she has no rights to privacy of any kind and anything she withholds is considered secret. There is no acknowledgement of her right to privacy. How to compel men to care about her privacy and respect her rights to privacy? Empathy?

There was not much more discussion about this before the group started to talk about secrecy vs. privacy on the programmatic scale, which is where the conversation remained for the rest of the time.

Agency implications of secrecy vs. privacy

Much of the focus of the discussion was on the multiple dilemmas that agencies who work with abusive individuals have in terms of balancing secrecy and privacy. On an institutional level, privacy is described as confidentiality. In respecting the privacy of one individual such as the abuser, they may be keeping secrets from another such as probation. On the other hand, they may end up violating the abuser's rights to privacy by sharing information with probation. Respecting the abuser's right to privacy is important not only from an ethical perspective, but because doing so increases the likelihood of self-disclosure. These two elements—privacy/confidentiality and honest self-disclosure are directly linked and cornerstones of effective therapeutic work. If abusers are not ultimately honest about what they have done in the past or present—in terms of abuse, their interactions with their partner, where they struggle, etc.—then the group is not able to examine/discuss/change this behavior. On the other hand, probation expects that relevant information is shared with them. Where is the appropriate line between respecting privacy/confidentiality and not keeping secrets?

It was observed that accountability does not necessarily require self-disclosure. It was suggested that one can take responsibility for their behavior without fully disclosing what they have done.

But if there isn't full disclosure doesn't that mean they are in some denial—minimizing, being vague, etc.?

Another area this is relevant relates to any contact we might have with the victim as well as concerns for her safety. One time that we might have to violate confidentiality/privacy rights is if we have concerns about victim safety.

if we have concerns about victim safety.

A parallel to these struggles is what has happened in the U.S. pre and post 9/11. Historically the U.S. has had strong privacy rights and in respecting its citizens' rights to privacy. However, after 9/11 this significantly changed where there has been much less privacy due to concerns about terrorism and being able to identify terrorists and terrorist risks. What is the right balance?

Institutionally, there is a more/less even trade-off between secrecy and privacy. The less you respect privacy, the more secrecy you get in return (e.g., less disclosure about substance abuse when it is in fact an issue for group members).

This is also relevant to victims because one of the key ways for victims to maintain their safety is to be more manipulative and secretive because the abuser will not respect their privacy (e.g., she conceals purchases because he becomes abusive if he thinks she's been "irresponsible" in her spending).

In terms of addressing the confidentiality issue while working against those problematic privacy issues, we can encourage self-disclosure by creating safety, which involves privacy. We also need to emphasize that *they need to trust* that we are going to share some information within our agency and with probation while maintaining individual privacy to the best of our abilities. The clients know that we are having conversations and it is a question of whether they understand/know that their privacy is going to be respected as much as possible. For example, when we receive information from outside sources about individuals in our groups, we can give them the opportunity to disclose in group, and if they do not at that point then we can say something and hold them accountable. Probation can help with this by using intervention rather than punishment in response to new disclosures.

We also need to look at the overall intervention, which is about digging up and raising awareness. So, we have to be really careful in how we raise accountability alongside encouraging disclosure and be mindful of the fact that it is never a cut-and-dry situation.

One aspect of respecting the confidentiality/privacy of our clients is only sharing the minimal information that probation needs to know (e.g., if there have been probation violations, if there has been a significant change in risk) and nothing more (e.g., details of his personal life and relationships). It is important to be clear and consistent in what we do and do not share so that everyone involved (e.g., probation, our clients) knows what to expect. This consistency increases rapport and trust and leads to greater self-disclosure. It is also important to clarify the difference between respecting their privacy and keeping secrets.

It was observed that while issues like confidentiality typically are associated with therapeutic settings, even BIPs that do not consider their work to be therapy (e.g., educational classes) these issues are still relevant in terms of encouraging change and accountability.

Given that this conversation focused primarily on the institutional application of privacy vs. secrecy it was suggested that we revisit this topic in the future with a focus on how it applies to the men we are working with and how we can help them understand these issues in their own lives.