

Publication

Forensic mental health professionals' perceptions of their dual loyalty conflict: findings from a qualitative study

JournalArticle (Originalarbeit in einer wissenschaftlichen Zeitschrift)**ID** 4627940**Author(s)** Merkt, Helene; Haesen, Sophie; Eytan, Ariel; Habermeyer, Elmar; Aebi, Marcelo F.; Elger, Bernice; Wangmo, Tenzin**Author(s) at UniBasel** [Elger, Bernice Simone](#) ; [Seaward, Helene](#) ; [Haesen, Sophie](#) ; [Wangmo, Tenzin](#) ;**Year** 2021**Title** Forensic mental health professionals' perceptions of their dual loyalty conflict: findings from a qualitative study**Journal** BMC medical ethics**Volume** 22**Number** 1**Pages / Article-Number** 123**Keywords** Coercion; Dual loyalty; Dual role; Limited confidentiality; Offender; Prison; Qualitative; Therapeutic alliance; Therapeutic relationship; Transparency; Triangular relationship**Mesh terms** Attitude of Health Personnel; Health Personnel; Humans; Mental Health; Perception; Qualitative Research

Mental health professionals (MHP) working in court-mandated treatment settings face ethical dilemmas due to their dual role in assuring their patient's well-being while guaranteeing the security of the population. Clear practical guidelines to support these MHPs' decision-making are lacking, amongst others, due to the ethical conflicts within this field. This qualitative interview study contributes to the much-needed empirical research on how MHPs resolve these ethical conflicts in daily clinical practice.; 31 MHPs working in court-mandated treatment settings were interviewed. The interviews were semi-structured and our in-depth analysis followed the thematic analysis approach.; We first outline how mental health professionals perceive their dual loyalty conflict and how they describe their affiliations with the medical and the justice system. Our findings indicate that this positioning was influenced by situational factors, drawing the MHPs at times closer to the caring or controlling poles. Second, our results illustrate how participating MHPs solve their dual loyalty conflict. Participants considered central to motivate the patient, to see the benefits of treatment and its goals. Further, transparent communication with patients and representatives of the justice system was highlighted as key to develop a trustful relationship with the patient and to manage the influences from the different players involved.; Even though individual positioning and opinions towards dealing with the influences of the justice system varied, the results of our research show that, in spite of varying positions, the underlying practice is not very different across participating MHPs. Several techniques that allow developing a high-quality therapeutic alliance with the patient are key elements of general psychotherapy. Transparency appears as the crucial factor when communicating with the patient and with representatives of the justice system. More specifically, patients need to be informed since the beginning of therapy about the limits of medical confidentiality. It is also recommended to develop guidelines that define the level of detailed information that should be disclosed when communicating with the authorities of the justice system.

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