

# Ethical Considerations for Providing Services to Victims

## Introduction

The Office for Victims of Crime (OVC) has developed a set of ethical standards for those who provide services to victims.<sup>1</sup> These ethical standards should be used to guide work in this field and applied to all work-related activities, such as acting as the representative of a victim, delivering services in the community, and responding to professional communication.

It is important to note, that many professions have their own set of ethical standards, and those who partner with these services from other fields should follow their respective code of ethics if they are more stringent than those outlined by the OVC. If there is a conflict between ethical standards or with requirements of the law, steps need to be taken to resolve the conflict.<sup>2</sup>

Below, ethical standards as outlined by the OVC are categorized into five sections including: scope of services; coordinating within the community; direct services; privacy, confidentiality, data security, and assistive technology; and administration and evaluation. Each section lists ethical standards service providers should follow.

## Section 1: Scope of Services

**Ethical Standard 1.1:** The service provider<sup>3</sup> understands his/her legal responsibilities, limitations, and the implications of his/her actions within the service delivery setting, and performs duties in accordance with relevant laws, regulations, policies, and legislated rights of persons served.

**Ethical Standard 1.2:** The service provider accurately represents his/her professional title, qualifications, and/or credentials in interactions with the people served and in public advertising.

- I. Service providers should always disclose their job titles and credentials to those that they are providing services to and during professional correspondence. This includes business cards, a letterhead and other materials.

- a. An exception to this would be if the title or credentials are not applicable to the services being offered, such as having a counseling degree but not providing any sort of counseling.
- II. Service providers should not use fraudulent letterhead or other materials.
- III. Service providers are required to inform those they serve of the nature of the services being offered including the purposes, goals, procedures, and limitations of the services.
- IV. Advertisements should be factual (should not include testimonials or other claims of quality or uniqueness). Advertisements can describe qualifications, fees, and contact information.

**Ethical Standard 1.3:** The service provider maintains a high standard of professional conduct.

- I. Examples of inappropriate conduct are violence, dishonesty, conflict of interest, personal bias, interference with the administration of justice, and abuse of a professional position or public office.
- II. Exceptions could include conduct directly related to social change advocacy, such as engaging in protests or demonstrations, but service providers are expected to weigh the costs and benefits before entering into this kind of conduct.
- III. Service providers should not use their position for personal gain, such as acquiring gifts or money.
- IV. When acting in a professional capacity, service providers are expected to clearly differentiate personal versus professional views and personal views should not be advertised on organization letterhead and other materials.
- V. Service providers in a supervisory role should not give someone responsibilities that they are not qualified for.

**Ethical Standard 1.4:** The service provider achieves and maintains a high level of professional competence.

- I. Service providers should recognize the need for and take part in ongoing professional development.
- II. Service providers should limit their services to those they are permitted and certified to provide services to base on their position. Clients should be referred to other services if needed.
- III. Service providers should not take part in professional duties when intoxicated or if they are mentally or physically unable to do so.

**Ethical Standard 1.5:** The service provider who provides a service for a fee informs a person served about the fee at the initial session or meeting before providing any service.

- I. Service providers should discuss the financial aspects of services, if applicable, with clients prior to the beginning of services. Billing details and payment arrangements should be given in writing, and the details about any charges should be available on request.
- II. Service providers should not accept goods or services from clients or third parties outside an approved fee arrangement.
  - a. An exception would be an instance where not accepting a gift would be culturally disrespectful. If this occurs, service providers should seek consultation or supervision regarding conflicts of interest or the appropriate disposition of the goods received.
- III. Service providers should not receive or give a commission, rebate, etc., for the referral of a person that needs services.

## **Section 2: Coordinating Within the Community**

**Ethical Standard 2.1:** The service provider conducts relationships with colleagues and other professionals in a way that promotes mutual respect, public confidence, and improvement of service.

**Ethical Standard 2.2:** The service provider shares knowledge and encourages proficiency in victim assistance among colleagues and other professionals.

- I. Service providers should be willing to share their expertise and knowledge with others in the field.
- II. Service providers should see their role as part of a team effort and use group skills, respect others, and manage conflict.

**Ethical Standard 2.3:** The service provider serves the public interest by contributing to the improvement of systems that impact victims of crime.

- I. Service providers should take on community activities when they are required to meet program goals, and take part in community efforts to prevent victimization, improve the criminal justice and victim services systems, and improve access to these systems.
- II. Service providers should promote and develop programs that meet the needs of communities and work to change policies, laws, and systems.

## **Section 3: Direct Services**

**Ethical Standard 3.1:** The service provider respects and attempts to protect the client's civil rights.

- I. Service providers should follow these guidelines for victims' rights:
  - a. The client retains all basic civil rights in the professional relationship.
  - b. The client retains the right to not be discriminated against on the basis of age; race; color; national origin, including limited English proficiency; literacy; sex; gender identity and expression; sexual orientation; disability;

social class; economic status; education; marital status; religion; immigration status; or HIV status in the provision of services.

- c. The client retains the right to protect his or her confidential information and records, and to have that right protected.
- d. The client retains the right to know any and all exceptions to the confidentiality agreement, including state, tribal, or federal laws (including mandated reporting) governing the victim assistance provider's duty to report the abuse of children and vulnerable adults.

**Ethical Standard 3.2:** The service provider recognizes the interests of the person served as a primary responsibility.

- I. Service providers should pursue the best interests of clients.
  - a. If a conflict arises between the client's interests and the service provider's program, the service provider should verbally disclose this conflict to the client and refer the client to another provider or consult a professional about how to resolve the conflict.

**Ethical Standard 3.3:** The service provider refrains from behaviors that communicate client blame, suspicion regarding client accounts of crime, condemnation for past behavior, or other judgmental sentiment.

- I. Service providers should use a culturally competent, respectful, and nonjudgmental approach when providing services in order to establish trust and effectively advocate for them.

**Ethical Standard 3.4:** The service provider respects the client's right to self-determination.

- I. In some cases, service providers and clients may see the needs of the client differently. Service providers should never use ultimatums or intentionally withhold service information that might contribute to decision making.
- II. When a client's wants are not aligned with the service provider, the service provider can present information to the client so that they can gain a broader perspective, but the role of service provider is to encourage clients to make their own decisions and to support those decisions.
- III. Clients have a right to self-determination, but this may be complicated by young age, mental ability, and mental health needs.
  - a. Service providers should consult appropriate professionals (such as medical, mental health, and social work professionals) to interpret a client's level of self-determination.

**Ethical Standard 3.5:** The service provider avoids conflicts of interest and discloses any possible conflict to the program or person served and also to prospective programs or persons to be served.

- I. Service providers should avoid compromising influences and loyalties.

- II. Service providers should avoid influence from third parties, past assignments, family relationships, and personal or business interests.
- III. Service providers should share sufficient non-confidential information about clients with program staff or ethics counsel to identify if a conflict of interest exist or if there is a risk of potential conflicts of interest.

**Ethical Standard 3.6:** The service provider terminates a professional relationship with a client when the client is not likely to benefit from continued services.

- I. Service providers should provide advanced notice to clients when planning on ending services.
- II. Service providers should provide referrals to clients as needed or if the client requests it.
- III. Service provision should not be ended to begin personal or professional relationships with clients.

**Ethical Standard 3.7:** The service provider does not engage in personal relationships with persons served that exploit professional trust or that could impair the service provider's objectivity and professional judgment.

- I. If a service provider is unable to avoid a personal relationship with a client, the provider should take appropriate measures to make sure that his or her professional judgement or objectivity are not impaired.
  - a. This includes obtaining the client's informed consent and consulting with a supervisor.
- II. Service providers are strongly discouraged from engaging in social or business relationships with current or former clients.
  - a. This includes electronic communication such as social media.
  - b. This doesn't include those clients that provide necessary goods or services that can't be easily or reasonably obtained from other providers.
- III. If a service provider wants to begin a personal relationship with a client, the provider should consult with their supervisor and inform the client of the termination of their professional relationship.
  - a. The service provider should continue to consider the best interests of the former client and discontinue the relationship if the client still relates to the provider in a professional capacity.
  - b. It is the responsibility of the service provider to prove that the client has not been abused or exploited either intentionally or unintentionally.
- IV. Service providers are prohibited from requesting or having any sort of sexual contact with their clients.
  - a. Service providers are prohibited from engaging in verbal or other behaviors that a reasonable person would deem to be sexually seductive, sexually demeaning, or sexually harassing.
- V. Service providers are prohibited from giving or receiving controlled substances, medication, and alcohol to/from clients.

- VI. Service providers are solely responsible for acting appropriately with clients.
  - a. The initiation of a personal or inappropriate relationship by the client with the provider is not a defensible reason for violating this standard.
- VII. These guidelines apply to service providers and relationships with program staff, volunteers, client's family, client's significant other, etc.
  - a. Consult with a supervisor to figure out if there are any conflict of interest or ethics violations.

**Ethical Standard 3.8:** The service provider does not discriminate against a client and does not turn potential clients away from services due to personal biases or lack of cultural competency.

- I. Service providers should not deny services or discriminate against a client on the basis of age; race; color; national origin, including limited English proficiency; literacy; sex; gender identity and expression; sexual orientation; disability; social class; economic status; education; marital status; religion; immigration status; or HIV status.
- II. Service providers should work to be culturally competent and a lack of cultural competency should not be a reason to turn people away.
- III. Service providers must not refer potential clients to other services solely because of personal bias or client characteristics.
  - a. If the service provider is unable to render services because of staffing capacity or a conflict of interest, consult with a supervisor for assistance.
  - b. In some cases it is appropriate to refer a client to other services if they need specialized care.

**Ethical Standard 3.9:** The service provider furnishes opportunities for colleagues to access services if/when these colleagues become victims of crime or trauma.

- I. In some cases, seeing a coworker as a client might be unavoidable. Service providers that need victim services should seek services from another jurisdiction first.

## **Section 4: Privacy, Confidentiality, Data Security, and Assistive Technology**

**Ethical Standard 4.1:** The service provider protects the privacy of the person served, adhering to the highest applicable standard of privacy.

- I. Service providers should be aware of relevant privacy laws and policies, such as:
  - a. programmatic privacy policies
  - b. limitations on confidentiality within justice agencies
  - c. professional, organizational, or ethical standards
  - d. state laws on privileged communication and mandated reporting
  - e. federal laws and regulations

**II.** Service providers should always adhere to the highest standard of privacy

**Ethical Standard 4.2:** The service provider preserves the confidentiality of information provided by the person served or acquired from other sources before, during, and after the course of the professional relationship.

- I.** Service providers should be aware of policy and legal authority governing confidential information in the jurisdiction.
  - a. This information should be shared with clients during their first meeting, if possible.
  - b. Some exceptions to confidentiality include:
    - i. In reporting to or consulting with administrative superiors, colleagues, and consultants who share professional responsibility and who are similarly bound to regard the communication as confidential.
    - ii. With the informed, written consent of the person who provided the information.
    - iii. In the case of death or disability, with the written consent of a personal representative or the beneficiary of an insurance policy on the person's life, health, or physical condition.
      1. Special consideration might be given to domestic violence cases or other cases in which disability may be a result of victimization by the personal representative (e.g., if a batterer is the personal representative, disclosure of confidential communications could put the client at future risk).
    - iv. When a communication reveals the intent to commit a crime or harm one's self or others and disclosure is judged necessary to protect any person from a clear, imminent risk of serious mental or physical harm or injury or to thwart a serious threat to public safety.
    - v. When a medical emergency occurs and the client is not able to authorize the release of information, information limited to the medical emergency may be disclosed.
    - vi. When the person waives confidentiality through legal actions brought against the provider.
    - vii. As appropriate, in accord with legal authority, program policy, and in certain exceptional crisis situations.
- II.** If the client is a minor or a vulnerable adult, some mandated reporting laws require the disclosure of confidential information, which could lead to reporting a crime or testifying.
  - a. These clients should be told about this obligation in language they understand at the onset of service provisions.
  - b. Service providers should avoid reporting unnecessary information unless a compelling reason exists.

- c. If confidential information is reported, the client should be notified and the provider should be prepared for the reaction to that information.
- III. Service providers should not use confidential information for their personal benefit or to the disadvantage of the client.
- IV. Any person who has access to these records or assists service providers in any capacity is bound to these ethics.

**Ethical Standard 4.3:** The service provider makes good faith efforts to ensure that services are accessible, suitable, and secure for clients from a variety of personal backgrounds.

- I. Service providers should be aware of auxiliary aids or services that support service provision for different types of groups.
- II. Service providers should address any data security issues that could come from using technology in service provision.

## **Section 5: Administration and Evaluation**

**Ethical Standard 5.1:** The service provider reports to appropriate authorities the conduct of any colleague or other professional (including oneself) that constitutes mistreatment of a person served or that brings the profession dishonor.

- I. Service providers should report violations of ethical standards or victims' rights laws to the appropriate authorities, including professional boards, program administrators, or funding administrators.

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<sup>1</sup> Though the field is starting to turn away from using the word "victim," we decided to keep it in this context in order to be consistent with the language used by the OVC.

<sup>2</sup> [OVC \(n.d.\). Ethical Standards for Serving Victims & and Survivors of Crime.](#)

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