

**Pregnancy counselling of 14-year-old girl**  
**(99HDC01345, 29 June 2000)**

*Counsellor ~ Pregnancy counselling ~ Lack of respect ~ Appropriate qualifications ~ Vicarious liability ~ Rights 4(2), 4(3)*

The father of a 14-year-old girl complained that a counsellor did not show respect to his daughter in that the counsellor (a) called her by an incorrect name six times during the interview, and (b) responded inappropriately to her questions, which caused her to feel humiliated, put down, judged and punished. In addition, the counsellor did not effectively acknowledge or explore his daughter's concerns about the termination of pregnancy procedure.

The Commissioner held that the counsellor breached Rights 4(2) and 4(3):

- 1 in repeatedly referring to the girl by an incorrect name, and directing the interview to address her own concerns, talking about contraception and the need for the girl to involve her parents in the decision when she clearly did not want to — the counsellor eroded the girl's confidence and self-esteem, leaving her feeling humiliated and traumatised by the counselling experience; and
- 2 by not providing the girl with the support she needed to make a difficult decision — the counsellor did not establish a good rapport with the girl and focused on the need to inform her parents rather than address the girl's concerns about the termination of pregnancy procedure and use of a general anaesthetic.

The public hospital was vicariously liable for the counsellor's breaches of the Code, as it had no employment policies in place in relation to qualifications for the position of pregnancy decision counsellor. The counsellor was a registered nurse but had no training in counselling or social work.