

MALPRACTICE IN PSYCHOLOGICAL SERVICES: A CASE STUDY OF SEXUAL HARASSMENT FROM THE PERPETRATOR'S PERSPECTIVE

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Abstract

Sexual harassment is a despicable act, but sadly, it often happens. Cases of sexual harassment are increasing every year. The purpose of writing this research is to dig deeper into the sexual harassment committed by psychology practitioners. This research is a qualitative research case study. The data from this study were obtained through observation and interviews with both subjects at different times and places. This study involved two psychology practitioners as subjects. The results of the study found three main themes: The intensity of the emergence of sexual harassment more than 10 times a year, and the types of sexual harassment are verbal and physical. The subject's motives in committing sexual harassment were opportunities, a supportive environment, and the satisfaction of personal.

Keywords: Malpractice; Sexual Harassment; Psychology; Mental Health.

1. INTRODUCTION

The problem of sexual harassment is a massive phenomenon that occurs in various countries, including Indonesia. Every year, cases continue to increase and develop (1) (2) (3) (4). The perpetrators come from various backgrounds, ranging from low to high social strata, low to high education, and various other backgrounds. Sexual harassment of women is an immoral act that can occur at any time and by anyone, no matter on the streets, in the office, in the educational environment, or even in places of worship. As we know, from year to year, the news of the occurrence of incidents is non-stop; there are always incidents from various circles, professions of perpetrators, and their motives.

The term sexual is not known in Indonesia's positive law first in the Criminal Code. I only see the term lewd act. Obscene

acts in the Criminal Code are regulated in the Second Book on attacks, Chapter XIV on attacks on morality (Articles 281 to 303). The act is interpreted; all actions that violate decency or decency can be included as obscene acts. For example, obscene acts committed by married men or women (Article 284), rape (Article 285), or persuading people who are still immature (Article 293). Based on legal provisions in Indonesia, sex can be charged with fornication articles, namely Articles 289 to 296 of the Criminal Code, with a maximum sentence of 5 years in prison. The 5-year prison sentence does not deter the perpetrators.

Sexual harassment behavior into several types, including power players; in this type, the perpetrator comes from higher social strata than the victim, so the victim will be promised something if they comply with the perpetrator's disgraceful wishes, such as obtaining or

maintaining a job, getting good academic grades, recommendations, projects, promotions, orders, and various other benefits; Playing the role of a mother/father figure, in this type of abuser builds a close relationship and acts as a figure who seems able to protect the victim, while his sexual intentions are covered with pretensions related to academic, professional, or personal attention; Harassment in a closed place, this type of harassment is carried out by the perpetrator in a covert, closed place, to anticipate the presence of witnesses; Groper, the perpetrator tends to hold one or several parts of the victim's body. For example, the perpetrator can touch certain body parts in a crowded place. If he gets a warning, the crowded and crowded situation will be used as an excuse. Confidante, namely perpetrators who often make up stories to gain sympathy or attention from victims; Harassment environment, which is an environment that contains a lot of content about sex, such as sexist jokes and others. Usually, this is not directed personally at a person but can lead to an environment that is offensive to a particular person (5) (6).

Sexual harassment has several effects on the victim. The heaviest impact that is not visible to the naked eye but is very influential and leaves a lasting impression on the victim's life is the psychological impact, such as decreased self-esteem, decreased self-confidence, anxiety, depression, feeling

excessively afraid, easily suspicious, irritable, abuse of addictive substances, feeling alienated, haunted by past events, difficulty building emotional relationships with the opposite sex, feeling humiliated, feeling threatened, emotionally unstable and decreased motivation; behavioral impacts, including eating disorders, sleep disturbances and suicidal tendencies. Physical impacts include dizziness, pollution disturbances, weight loss or gain, chills for no apparent reason, and pain in the spine (7)

Cases of sexual harassment occur with different motives. Sexual harassment is any form of behavior that has sexual content carried out against a person or several people that causes negative consequences for the victim. There are several cases in the realm of psychology where a counselor or psychology practitioner blames using his profession to commit immoral acts. The counselor himself is someone who has expertise in counseling and an undergraduate educational background from the Department of Educational Psychology and Guidance (PBB) on Wikipedia. A psychology practitioner, also called a psychologist, is a specialist in his field (8).

Several years ago, there was a case of a therapist quoted in coil.com about how the therapist took advantage of the patient's weakness for his benefit. The therapist is suspected of sexually abusing his patients under the pretext of doing therapy. This is

similar to what happened at a private school in Surabaya. Through the results of interviews conducted by researchers, a surprising fact was found that an evil BK teacher who had worked for decades turned out to be carrying out a psychological service practice that led to sexual harassment behavior to students who were his clients. In a different city, sadness also occurred, based on the results of an interview with a psychologist practitioner who was supposed to be a provider of psychological assistance and services, instead committing abusive behavior to his clients.

The purpose of writing this research is to dig deeper into the intensity, types, and motives of sexual harassment perpetrated by psychological practitioners and their relationship to the psychological code of ethics and law in force in Indonesia.

2. METHODS

This research uses a qualitative research design in the form of a case study. The subjects used in this research were 2 psychology practitioners consisting of 1 psychologist and 1 counselor. Data collection was carried out through two methods, namely observation and in-depth interviews. The observation and interview process was carried out face to face. The primary variable in this research is the act of sexual harassment. Sexual harassment, referred to in this research, is any form of action that contains sexual elements

and is coercive, manipulative, and detrimental to the victim.

This research data was obtained through observation and interviews with two subjects at different times and places. Interviews and observations on the first subject were carried out in the city of Malang. In contrast, observations and interviews on the second subject were carried out in the city of Surabaya. Data analysis used Interpretative Phenomenological Analysis (IPA) techniques.

3. RESULTS AND DISCUSSION

Through this study, the researchers succeeded in uncovering three main themes in the phenomenon of sexual harassment by psychological practitioners, namely the intensity, type, and motive of harassment behavior. The following is a further explanation of the findings of the three themes in this study:

Intensity of Sexual Harassment Behavior

Through the results of the interview, the first subject, namely YP, was known to have committed more than 10 times in 2021 carried out behavior that led to sexual harassment of his clients, even according to the subject's information, within a week, the subject could be visited by 4 to 5 clients. If, in 2021 alone, there are more than 10 victims. So, it can be concluded that the total number of victims is huge, considering that he has been practicing as a school counselor since 2002.

In the second subject, BBM is known to have sexually harassed one of his clients with the initials YY, which occurred in 2018. During that 1 year, the subject met with clients every 2 times a month at the clinic where the subject practiced but sometimes held meetings at the hotel. These results show that the average intensity of the two subjects in harassing clients is more than 10 times in one year.

Types of Sexual Harassment Behavior

On the subject of YP, it is known that the type of harassment carried out is in the form of verbal harassment, such as praising the appearance of the body, praising body shape, saying things that smell sexual, and even stating the code towards sexual invitations. In addition to verbal harassment, YP was also abused physically, such as hugging, stroking, kissing, and holding the sensitive areas of students who were his clients under the pretext of building closeness, creating a warm feeling, and making clients feel comfortable.

While on the BBM subject, the type of harassment that is carried out is more in the form of verbal behavior. BBM's professionalism as a psychologist appears elegant, anesthetizing clients with their intellect. Still, when the client looks deceived by communication, BBM starts to carry out its action, which begins with the excuse of providing relaxation by touching hands and head. When the client is silent, BBM continues to feel sensitive areas, such as touching

sensitive areas, in adult relationships. Through these results, it can be concluded that the average type of harassment behavior carried out by the subject to the victim is verbal and physical.

Motives for Sexual Harassment Behavior

Based on the results of the interview, the subject of YP admitted that his primary motive for harassing his clients or students was a form of affection and attention from a father. In addition, YP also admitted that he did not need to ask his client for permission to make touches that lead to a sensitive direction because, according to the subject, the client would feel comfortable when he got those touches.

Through the results of interviews with BBM, it is known that he has a motive for carrying out his actions with clients to gain material benefits and satisfy desires. When the client's position is experiencing conflict with her husband, she is more vulnerable psychologically, so this can be an opportunity for BBM to pay attention to clients with the above motives. Through these results, it can be concluded that the motives of the subject to commit acts of harassment to the victim are a form of affection, satisfying desires, and material things.

The rampant sexual acts feel very gripping and sad these days. A unilateral act that is forced on another without consent is the meaning contained in the sexual act. Sexual

harassment is a clear example of the product of this inequality.

According to Weak, MacKinson (5) says that sexual is a sexually coercive behavior that is directed to a more powerful party. Furthermore, Webb (9) formulated three indicators of sexual behavior, namely the presence of a sexual element, carried out intentionally and harming the victim. The act of use is a behavior that is despicable only if highly educated people carry it out, and it is even sad if a psychology practitioner does this. Ideally, a psychology practitioner is present to assist clients psychologically in solving their problems, but there are still many unscrupulous people. Unscrupulous exercise training adds to the issues of the client's sex life outside. As stated in the Indonesian psychology code of ethics (10):

Section 2

General Principle

Principle A: Respect for Human Dignity

Verses 1 and 2

(1) Psychologists and/or Psychological Scientists must respect human rights in psychological services.

(2) Psychologists and/or Psychological Scientists respect the honor of every person and the rights of individuals to privacy, confidentiality, and personal choice".

Sexual acts, of course, deviate from these two verses and have tarnished the honor of psychology itself. Sexual harassment is an act

that robs people of their rights and underestimates humans as free beings.

Section 2

General Principle

Principle A: Respect for Human Dignity

Verse 3

(3) Psychologists and/or Psychological Scientists realize that special care is needed to protect the rights and welfare of individuals or communities, which, due to existing limitations, can affect autonomy in decision-making.

Performing sexual acts is not an act that heeds paragraph 3 above, which should be an exercise in learning to prioritize and prioritize the welfare of the client and the rights that are applied. Sexual harassment is something that HIMPSI strongly condemns to prevent psychology practitioners from practicing their profession, as stated in the Indonesian psychology code of ethics (10):

Article 14

Abuse

(1) Harassment of Psychologists and/or Psychological Sexual Scientists in its application is not involved in a sexual environment. Included in this definition are requests for sex, physical affection, and verbal or non-verbal behavior of a sexual nature, which occurs in the activity or role of a Psychologist and/or Psychological Scientist. Sexual harassment consists of a single intense/severe behavior or behavior that is

repetitive, persistent/pervasive, and traumatizing. The behavior referred to in this sense is an act or conduct that is considered:

(a) is not disturbing, disrespectful, can cause pain or cause an uncomfortable atmosphere, fear, contain hostility, which, in this case, Psychologists and/or Scientists know or be informed about or

(b) violently or violently someone being cruel or insulting to someone in the context,

(c) should avoid things that are logically detrimental or forgotten that can harm users of psychological services or other parties”.

Through the article above, it can be seen that in carrying out psychological services, a psychology practitioner is required and required to avoid various actions that lead to sexual harassment in any form, either verbally, psychologically, or physically. Meanwhile, the regulation of sexual violence in the Criminal Code in the Second Book, Chapter IV concerning Moral Crimes, is stated in Article 281 of the Criminal Code - Article 295 of the Criminal Code. The types of actions contained in the chapter briefly describe the authors as follows: Article 281 concerning crimes of violating decency; Article 282 concerning pornography; Article 283 relating to criminal acts using writing, pictures or goods, plus tools to prevent pregnancy or abort the womb; Article 284 concerning adultery; Article 285 on rape; Article 286 concerning intercourse with a woman outside of marriage,

in a state of unconsciousness or helplessness; Article 287 concerning intercourse with a woman outside of marriage who is supposedly under the age of fifteen; Article 288 the meaning of Article 287 is added if it results in injuries; Article 289 concerning obscene acts; Article 290 relating to lewd acts with a person who is unconscious / helpless, or someone who is not yet fifteen years old; Article 293 concerning abuse of authority arising from a relationship of circumstances; Article 294 concerning sexual abuse with one's own child and so on; the crime of youth committing obscene acts for their children, stepchildren and others who are not yet adults (article 295); the crime of youth committing obscene acts as a livelihood or habit (article 296); the crime of trafficking in underage women and boys (Article 297); the crime of treating women by raising the hope that their pregnancy can be aborted (Article 299), (11).

The presence of several articles of the code of ethics and statutory regulations still does not scare psychology practitioners from continuing to carry out their disgraceful acts, even social punishment in the form of stigma and special treatment for perpetrators of sexual disclosure whom other drivers imprison. Nor does it resolve cases of a sexual nature. This condition even continues in the community. The phenomenon of sexual harassment that occurs is not comparable to the temporary pleasure obtained by the perpetrator when

juxtaposed with the impact of this sexual harassment behavior from the victim's side, which is far more surprising and affects the mental health condition of the victim (12). Sexual harassment itself will cause various negative impacts from the victim's side, ranging from physical and psychological effects, in line with research. Sexual harassment has an impact, namely physical problems, trauma, depression, mental stress, shame, fear, acting irrationally (13).

Referring to the results of this study, it is known that the intensity of the emergence of sexual harassment behavior carried out by the two subjects is relatively high, which is more than 10 times in 1 year. This is because the chances of meeting unscrupulous psychology practitioners with their victims or clients who are abused are also high, considering that the work environment of the two subjects, namely as counselors and psychologists, demands to deal directly and intensely with clients. The opportunity to meet prospective clients or students in the first subject, YP, is very high, considering he practices at a school with many students. In addition, YP is also visited by female clients more often than male clients, which makes YP more flexible to carry out various actions he wants.

The intensity of sexual harassment by BBM subjects with clients that occurs twice a month makes negative things possible, as BBM is known to have motives

related to material and enjoyment for YY's clients. With the intensity of the meeting, it became an excellent opportunity for BBM to carry out the actions he wanted, including sleeping with YY's client, who was still a wife, and getting material because YY was the wife of a businessman in a city in East Java. Likewise with other patients, in a month, BBM can receive counseling clients as many as 20 people with various problem motives, and indeed, of the many patients, there are more female clients with complaints of household problems. Specific clients will be approached by BBM, including YY's client, who is an incran BBM because of YY's economic status and physical condition. She looks beautiful when she is 35 years old.

Regarding the type of harassment, it was concluded based on the results of interviews and observations of researchers, namely verbal and physical abuse. On the subject of YP, the harassment was done verbally and physically. Verbal harassment is carried out by seducing the beauty of female students who are clients or victims, praising the victim's body shape, and various other sexually suggestive verbal content. Meanwhile, the subject of physical abuse was carried out by YP by kissing the victim's forehead, kissing the victim's lips, kissing the victim's cheek, hugging the victim, holding the victim's hand, and even touching the victim's sensitive areas that lead to sexuality. Besides, the subject of

YP also did not hesitate to touch some sensitive areas, such as the thighs and chest of female students, in front of their classmates under the pretext of explaining the development of puberty to other students. In a different interview session with the victim, the researcher found that the victim felt shocked, embarrassed, depressed, and stressed when YP touched her chest in front of the class. Based on the victim's confession, it was also known that in that position, the victim could do nothing but endure shame and sadness.

In the BBM case, it was clearly concluded that sexual harassment was not only material but also acts of harassment by starting the touch or touching at every meeting in another session, which could reach the realm of sexual relations like husband and wife; this condition is not only done once but within 1 year. This happens every month because of the vulnerable psychological condition of YY's client, who is having problems with her husband. At that time, YY could only believe in BBM as a person who was still seen as a psychologist with the hope that he could solve his case, but in fact, BBM only took the opportunity of the service.

The motive that the YP subject has in committing acts of sexual harassment to his victims, who incidentally are his students, is as a form of attention from a father. YP admitted that he wanted to give a father's love to his students by hugging and other physical

touches. Although the motive seems optimistic, based on the views of the students as victims, they felt pressured and uncomfortable with YP's treatment. However, the subject of YP still argued that what he had done had been able to make his client or victim more comfortable while undergoing the counseling process with him. Besides that, YP also argued that the various touches and fondling given to students were also part of the counseling procedure, namely to foster a sense of comfort and security. Of course, this has deviated far from the concept of counseling in psychology. The client's sense of comfort in the counseling process is built using the rapport technique, namely giving full attention, empathizing, listening actively, and accepting the client unconditionally and completely (14).

The subject of BBM is a psychologist who attracts attention because he has white physical characteristics, a tall, athletic body, and a pretty handsome face. This becomes the capital for BBM in carrying out its disgraceful actions. Plus, the counseling rates installed by BBM are relatively expensive, so its market share is classy. Women add a plus for BBM to launch its motives, namely material and sexual pleasure. Thus, the two subjects have also violated the Indonesian psychological code of ethics (10):

Section 2

General Principle

Principle E: Benefits

Verse 3

(3) Psychologists and/or Psychological Scientists need to be aware of the possibility of personal, financial, social, organizational, or political factors that lead to abuse of their influence

It is known that the two subjects, both YP and BBM, consciously and deliberately abused their positions as psychologists and counselors to deal directly with clients, but instead of helping clients psychologically, they inflicted trauma on the clients who were victims; trauma is one of the impacts of sexual harassment that occurs to victims (13). Based on the various discussions above, it can be concluded that the motive that drives the two subjects to commit sexual harassment is the existence of opportunities, opportunities, a supportive environment, and sexual satisfaction of personal interests. Sexism is also one of the causes of sexual harassment. The strength of patriarchal thoughts and views makes gender prejudice, especially for women, more prominent and considered normal. This prejudice and stigma also give rise to classifying strata based on gender (15).

Sexual harassment is not something that can be underestimated; considering the various negative impacts that victims of harassment must bear, a series of efforts are needed to overcome this, both preventive, curative, and rehabilitative. mentions several efforts that can be made to overcome the high

rate of sexual harassment, namely increasing knowledge about sexual harassment, improving the image construction of women and the position between men and women, self-control, increasing assertive behavior, providing support for victims of sexual harassment, to an increase in religiosity.

4. CONCLUSION

Through the various discussions above, it can be concluded that sexual harassment is a disgraceful act, mainly if it is carried out by noble professionals whose primary goal is to help clients psychologically, namely psychology practitioners, through the results of analysis, observation, and interviews with the subject of YP and BBM as well as victims of YP. Three main themes were found, namely, the intensity of the emergence of sexual harassment behavior by the two subjects was classified as high, namely more than 10 times in one year. The types of sexual harassment committed are verbal and physical sexual harassment. The last finding, which is related to the motives of the two subjects to commit sexual harassment, is the result of opportunities, opportunities, and a supportive environment as well as the satisfaction of personal interests in sexuality.

Further researchers are advised to conduct qualitative research from the point of view of the victim's caregiver to know in depth the psychological dynamics and the point of view of the caregiver of victims of sexual

harassment by psychological practitioners. To HIMPSI and the authorities, to take firm action and pay attention and respond responsively to all forms of reports from victims of sexual harassment

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