



# EPA CODE OF ETHICS

Prepared by the EPA Committee on Ethics

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## Fundamental values

Psychiatrists must uphold the responsibilities and ethical demands of the medical profession and specific to psychiatry and working with mental health.

Psychiatrists should consider the ethical principles of respect for autonomy, beneficence, non-maleficence and justice. Practicing ethical psychiatry requires awareness, sensitivity, and empathy for the patient as an individual, including their cultural values and beliefs.

Psychiatrists hold the obligation to advocate for universal health care for everyone, and fair and appropriate prevention, care, treatment, and rehabilitation for persons with mental disorders within available resources in their respective country.

Psychiatrists should promote distributive justice as fundamental value in regard to access to health care and call for the improvement of the standards of psychiatric practice and application of psychiatric expertise in the service of society (including seeking equity in the prevention, treatment and rehabilitation of psychiatric disorders).

Psychiatrists shall work at different levels to promote public mental health and wellbeing, as well as decrease stigma and discrimination associated with mental illness.

Psychiatrists shall not discriminate on the basis of age, race, ethnicity, nationality, religion, sex, gender, sexual orientation, social standing, criminal background, disability, disease, or political affiliations. As such, it is unethical to aid others in the discrimination on these bases, and psychiatrists must never endorse and participate in discriminatory action.

Psychiatrists must stay respectful in communications with patients, patient relatives, and staff.



Psychiatrists shall not act as proxy decision makers for their patients and need to stay respectful of patient's decisions and ensure patient's rights to express their will.

Psychiatrists should inform patients about diagnostic and therapeutic procedures, promote their autonomy and always seek their informed consent.

Psychiatrists should promote education of patients, families and other professionals to empower decision-making processes.

Psychiatrists must ensure that they do not engage in any form of abuse or exploitation of the patient's trust or vulnerability. Instead, psychiatrists should promote the human rights of patients.

Psychiatrists are not permitted to be involved with a patient and patient's family members/carers in a sexual relationship of any kind.

## Psychiatrists' responsibilities

Psychiatrists have a responsibility to:

- Ensure their knowledge and practices are up-to-date through continuing education;
- Be aware of the best available treatments for their patients in their respective country;
- Maintain therapeutic boundaries;
- Guard their health and mental wellbeing and seek help when necessary.

## Ethics in the clinical practice of psychiatry and in the provision of individualised care

In the following, the underlying principles of "beneficence", "autonomy", "non-maleficence", "continuing professional development" and "psychiatry in the service of society" will be further explained.

### 1. Beneficence

Psychiatrists should advise evidence-based treatments and try to secure the best available and suitable treatment for their patients, even on rare occasions when this might not be parallel to wishes from the societal level.

They consider the needs of families and carers, offering education and support to empower them in helping patients achieve their goals. Recognising that optimal care requires



collaboration, psychiatrists work with patients, carers, and clinical teams to foster cooperation. When necessary, they consult or refer patients to other specialists.

Psychiatrists also advocate for patients' rights, including reproductive rights, and commit to ongoing professional development, ensuring their knowledge remains current with the latest research and treatment methods.

## 2. Respect for autonomy and dignity

Informed consent from patients for care, treatment, rehabilitation, and research is desirable. The psychiatrist has to provide the patient with all relevant information, ensuring that the patient is fully informed of the treatment options, benefits, and drawbacks. In research, the use of the acquired information must be disclosed.

A patient's will and preference should be considered when deciding on a treatment. Psychiatrists need to optimise a patient's ability to exercise self-determination. It is the responsibility of the psychiatrist to optimise trust and respect in the psychiatrist-patient relationship.

Extra care should be taken when dealing with minors. Parents or legal guardians should be included in the treatment process, and their consent should be required according to the legislation in respective country.

In communication with parents or legal guardians, psychiatrists have the responsibility to respect as much as possible the confidentiality of the minor.

Use of involuntary (compulsory) measures shall only be considered when all other options have been exhausted and no alternative is available to provide adequate care and ensure patient's and/or other's safety. Coercive measures should only be considered as a last resort. When enforcing involuntary (compulsory) treatment, the psychiatrist shall comply with the laws in their respective country and cooperate with all personnel involved in this process. Involuntary (compulsory) care and treatment should only proceed while the patient continues to be a risk to themselves or others. The patient's status should be reviewed regularly with accordance to the relevant legal aspects in each European country that is represented in the EPA and consensus for treatment should be sought continuously. Even when patients lack competence to make treatment decisions as a result of psychiatric disorders, psychiatrists nonetheless keep them appropriately informed about their treatment and convey respect for their views. Psychiatrists recognise that when patients regain competence, they can reassume their role as full partners in their psychiatric care.

If a patient is gravely ill or disabled beyond their capacity to make a free decision regarding their mental health, the psychiatrists should consult the patient's family members, guardians,



legal counsellors, or any other individual that society may designate to safeguard that the decision is made in the best interest of the patient. The psychiatrist should be knowledgeable about how to assess the patient's capacity to consent. The psychiatrist shall evaluate the relationship between the patient and their supporting persons, as this can affect treatment outcomes.

Information must be processed lawfully, in accordance with the General Data Processing Regulation (GDPR) law in the European Union and in corresponding laws in other European countries. Psychiatrists should treat information provided as confidential according to the national laws, only using it for treatment of illness and improvement of mental health, except where regulatory or statutory exceptions exist. Patients should be made aware of confidentiality regulations as soon as possible when they enter the care system. If confidential information is ever disclosed, the psychiatrist is obliged to inform the person of interest.

### 3. Non-Maleficence

Psychiatrists prioritise patient safety by carefully evaluating treatments and avoiding unproven interventions. Clear agreements with patients about services are established upfront, and they adhere to local norms in presenting their qualifications.

Psychiatrists need to disclose affiliations with supporting/collaborating organisations and financial sponsors. It is important for psychiatrists to ensure that any incentives from sponsors do not influence their professional work and, in-turn, the health of their patients. Psychiatrists need to ensure that the patient's health is the main focus, and need to ensure patients receive the best treatment possible. This may sometimes conflict with third party payers and organisations which concentrate on maximising their net profit. As such, it is important for psychiatrists to uphold the UN Resolution 46/119 of the Principles for the Protection of Persons with Mental Illness, which states that "psychiatrists should oppose discriminatory practices which limit their benefits and entitlements, deny parity, curb the scope of treatment, or limit their access to proper medications for patients with a mental disorder".

Psychiatrists do not engage in abuse of their patients and promptly report to the appropriate authorities instances of abuse that come to their attention.

Psychiatrists must not take part in any process of mental or physical torture, even when authorities attempt to force their involvement in such acts. Psychiatrists do not engage in the misuse of psychiatry for political purposes, torture, or assist in interrogations. They may, however, participate in court-authorized forensic evaluations.



In communications with patients, psychiatrists should be able to understand their patient to overcome language and cultural barriers in addition to ensuring to giving security, attention, and time according to the patient's condition, within available resources.

Psychiatrists respect patients' culture, ethnicity, language, and religion, and do not discriminate based on any personal characteristic or belief. They avoid imposing their own values on patients and oppose requests to detect or report patients' political or religious views.

While the EPA guidelines do not mention the topic of death penalty, the WPA guidelines suggest: As physicians who are committed to sustaining and improving people's lives, psychiatrists do not participate in the administration of the death penalty.

4. Improving standards of mental health care and psychiatric practice: Psychiatrists recognise a responsibility to promote the continuing development of their profession and their personal professional development.

Psychiatrists maintain professional, respectful relationships with colleagues in psychiatry, medicine, and other mental health fields. However, when conflicts arise, the patient's interests take priority. They practice within accepted standards of care and take action when psychiatric interventions deviate from these standards, reporting issues to relevant authorities when necessary. Psychiatrists also act in ways that foster public trust in the profession.

5. Applying psychiatric expertise to the service of society

Psychiatrists advocate for individuals with mental disorders and work to improve public health. When providing expert opinions for third parties, they adhere to ethical principles such as respect, truthfulness, and minimising harm. They inform individuals of the evaluation's purpose, clarify their role, disclose confidentiality limits, and highlight any limitations in their conclusions due to unavailable records. In addressing the media, psychiatrists should conduct themselves and present information in a way that will preserve the dignity of: psychiatry as a profession; subjects and topics pertaining to psychiatry; psychiatrists; and persons with mental illnesses. Psychiatrists need to ensure that information on research and findings is accurate, and prevent statements made from misinterpretation. Caution should be taken to avoid discrimination and stigmatisation of individuals with mental health problems. Psychiatrists shall not break the medical confidentiality laws of their countries. Psychiatrists shall conform to the specific libel and slander requisite within their respective countries.



Psychiatrists do not succumb to pressure to use their professional expertise to facilitate harmful activities, such as torture.

## Ethics in psychiatric education

Psychiatrists serve as teachers and mentors, promoting equity in mental health care and sharing knowledge of psychiatric diagnosis, treatment, and prevention. They ensure students and trainees are treated fairly, avoid exploitation, and maintain professionalism. Respecting patients' dignity and privacy in educational settings, psychiatrists seek consent when involving patients in teaching. They are mindful of cultural factors, model respectful behaviour, and disclose any conflicts of interest that may influence their teaching.

## Ethics in research and publication

Good practice in research demands that the research always ensures beneficence, nonmaleficence, integrity, informed consent and that people's rights and dignity and respective national medical association guidelines are respected. Exploitation of patients and particular population groups (e.g., by sex, ethnicity and nationalities, occupations, etc.) should be avoided under all circumstances. Potential harm that may be physical, psychological, or cause discrimination and stigma needs to be analysed in each project and must be avoided.

The research needs to be conducted under ethical approval of a governing body in the respective European country that is represented in the EPA. As individuals under psychiatric care are a vulnerable population in vulnerable situations, special considerations need to be taken to reinforce patients' competence when giving consent.

Researchers must reassure confidentiality of results. This includes securely storing and protecting data from unauthorised personnel in accordance with the General Data Protection Regulation law in Europe. It is also important to keep subjects' data anonymous, ensuring to the best of their ability that subjects cannot be identified.

Researchers should always disclose the source of funding for research and any collaborations. Psychiatrists acknowledge their responsibility to advance knowledge about psychiatric disorders, even if not all engage directly in research. Research must have valid designs to yield meaningful results, and psychiatrists only conduct studies within their expertise, ensuring accurate reporting. They also secure informed consent, ensuring subjects participate voluntarily, and arrange for substituted decision-making when capacity is impaired.



## Ethics in public mental health

Psychiatrists promote public mental health by advocating for equity, early detection, and prevention of psychiatric disorders. They support public education on mental health, combat stigma, and focus on vulnerable high-risk groups. Psychiatrists advocate for mental health programmes, especially in underserved regions, and emphasise the importance of rehabilitation services. They also work to reduce family violence and avoid participation in discriminatory activities. Recognising the impact of psychiatric disorders on overall health,

psychiatrists encourage early diagnosis and treatment of co-morbidities in both psychiatric and general medical settings.

## Specific situations

- Selection of Sex: Psychiatrist should not participate in decisions to terminate pregnancy for the purpose of sex selection.
- Assisted suicide: A physician's duty, first and foremost, is the promotion of health, the reduction of suffering, and the protection of life. The psychiatrist, among whose patients are some who are severely incapacitated and incompetent to reach an informed decision, should be particularly careful of actions that could lead to the death of those who cannot protect themselves because of their disability. The psychiatrist should be aware that the views of a patient may be distorted by mental illness. The psychiatrist's role is to treat the illness. It is not a psychiatrist's duty to take part in assisted death.