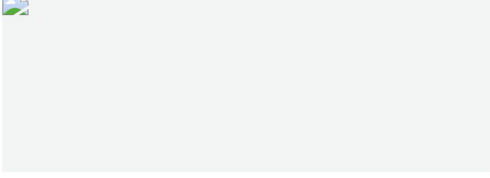


**“Without my professional secrecy, I can close the books”**

# Clash on Poppe trial: chairman obliges professor who withheld confession to submit therapy reports



“If so, I will ask my students to stop cooperating in judicial investigations.” It was the first time that professor of psychoanalysis Mattias Desmet of Ghent University testified in court and it will probably be the last. He was so angry because chairman Bart Meganck obliged him to submit his therapy reports from Ivo Poppe. Because with that Desmet violated his professional secrecy and that was the last thing he wanted.

Willy De Buck  
Thursday, January 25, 2018 at 02:00



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He felt trapped, Professor Desmet. Because chairman Meganck had told him that he could invoke his professional secrecy, but had gradually tempted him to inspect confidential reports. When he also had to submit the therapy reports after the interrogation, he flatly refused, but according to the law he could not avoid it. Although after a bitter discussion with the chairman, he was allowed to delete the names of those who were not involved first.

Professional secrecy, that's what we talked about for hours yesterday. The Poppe case also started with this, when the deacon confessed dozens of euthanasia cases to psychiatrist Wim Detroyer at the end of 2013. After consultation with the Order of Physicians and a colleague, the man went to the public prosecutor's office.

Professor Desmet would never have done that. However, he too had already visited Poppe – 15 times in fact – and the deacon had confessed the murders to him too. “But I would never think of informing the police unless a patient informs me that he is going to kill someone. Then yes. But never for facts from the past,” he insisted. “Professional secrecy is the core of our profession. To me that is sacred. There must be a place where people can speak their innermost secrets in complete safety and confidence. If that's not possible, we'd better close the books,” Desmet said.

## Collision on assize court

That could not but collide at the assize court. Especially with chairman Bart Meganck. “Mr Poppe was still working in the hospital, but apparently it sufficed for you that he promised not to kill again. Didn't you take a big risk then?” Meganck asked, somewhat reproachfully. Desmet was not impressed. “You can never rule out all risks. By the way, talking about it is the beginning of therapy: by talking about it, Ivo Poppe's urge to continue disappeared.”

“I've talked about his confessions with people from the medical world. To my surprise, they shrugged. Before the euthanasia law, people in that gray zone were often put out of their misery, they said. They were talking about 3,600 cases a year.”

**Chairman** : “If I understand you correctly, Mr Poppe should not even be standing here in front of the assize court. Because he wanted to talk to a therapist, but he didn't want his actions to come true. And you would never take care of that.”

**Desmet** : “I didn't say that. Should he stand trial here? Yes. But the road to here was not optimal. I fear that many people will be reluctant to talk freely to a therapist after this process.”

**Chairman** (pissed): “Due to the decision of your colleagues, Ivo Poppe was arrested and we had the certainty that Mr Poppe could no longer commit crimes. In your reasoning, we had no such certainty.”

**Desmet** : “I advised him to talk about it with his wife. As the next step in getting it out there.”

**Chair**(scornfully) : “Can you see that already? At breakfast? Sweet, I have to tell you something, I killed 10 to 20 people. Are you also thinking of that woman?”

**Desmet** : “Yes. And besides, how was that woman supposed to find out? Could that be better?”

## Professional secrecy may only be violated if there is a real danger

How absolute is the psychotherapist's professional secrecy? That question arises again now that two camps are diametrically opposed in the assize court.

“Professional secrecy may only be violated if there is a real danger,” says Frieda Matthys, president of the Flemish Association for Psychiatry (VVP). “It is up to the psychiatrist or therapist involved to make that decision.”

Professional secrecy also lapses before a court or a parliamentary committee of inquiry. “An investigating judge can therefore always ask to share confidential information,” says Matthys. “But no one can be forced to do so. Everyone always has the right to remain silent.”

“It is always a difficult decision whether there is actually a real danger,” Matthys concludes. “Every psychiatrist has to take a good look at that.”

Provided by our partners

## Main points



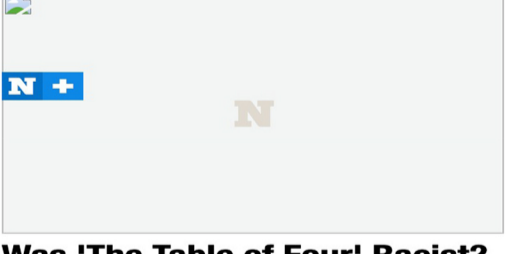
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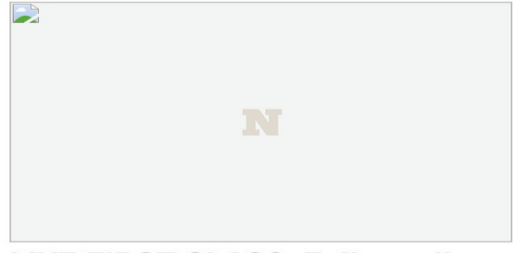
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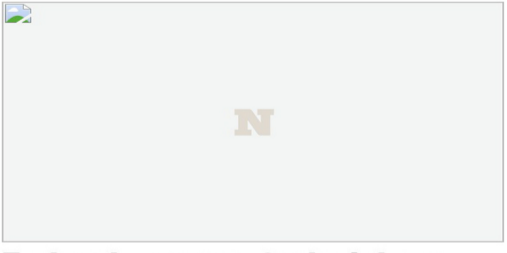
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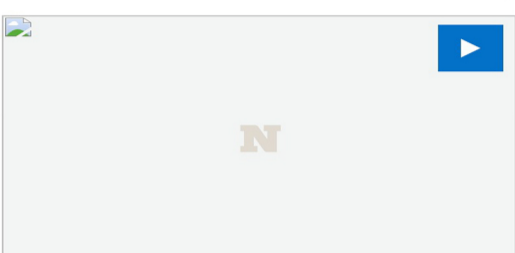
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