

The Statutory Registration of Psychotherapy

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Lord Alderdice, the Liberal Democrat Peer and Speaker to the Northern Irish Assembly, met with Ann Casement, Chair of the UK Council for Psychotherapy, in February 1999 at the House of Lords and offered to bring a Private Member's Bill to regulate the profession psychotherapy. They subsequently met with the then Minister for Health in the Lords, Baroness Hayman, and Anne Richardson, Senior Policy Adviser to the Department of Health. At this meeting, Lord Alderdice presented the case for taking the regulation of psychotherapists through a Private Member's Bill route because many psychotherapists do not work in the NHS.

The draft psychotherapy Bill is being put forward to regulate the private sector as there are a range of ways in which the public are protected in the public sector. For this reason, he feels that the two possible routes open to regulation under the Health Act are not suitable for psychotherapy.

One of these routes would be under Schedule 3 of the Act, which allows for new professions to become regulated and the other is the new regulation for the Council for Professions Supplementary to Medicine (CPSM) to be re-named the Health Professions Council, which regulates professions primarily working in the NHS e.g. physiotherapists and radiographers.

Lord Alderdice called a meeting on the 22nd October, 1999, at the House of Lords of eight of the professional bodies in the psychotherapy field to discuss his proposed draft Psychotherapy Bill. The content of the Bill states that there be put in place a General Psychotherapy Council with an elected Chair.

This General Council would be made up of members of the psychotherapy profession but at least half of its membership would consist of lay members such as Privy Councillors. There would also be a Registrar to establish and maintain a central register of psychotherapists.

The Bill would also put in place an Education Committee which would have the duty of promoting high standards of training in psychotherapy. Further, there would be a Code of Practice which would lay down standards of conduct and practice that would be expected of registered psychotherapists. Linked to this, there would be a Health Committee, a Professional Conduct Committee and an Investigating Committee which would look into allegations against a psychotherapist and have the power to impose conditions with which a psychotherapist must comply. Finally, there would be a system of appeals which can be brought to the General Council against decisions made by the Registrar, Health Committee or Professional Conduct Committee.

The eight bodies represented at the Alderdice Talks are the: Association of Child Psychotherapists; Association of Psychoanalytic Psychotherapy in the NHS; British Confederation of Psychotherapists; British Psycho-Analytic Society; British Psychological Society; Psychotherapy Faculty of the Royal College of Psychiatrists; Tavistock Clinic; United Kingdom Council for Psychotherapy.

The main points that emerged from the 22nd October meeting are as follows: The principle of the registration of psychotherapists was accepted by the representatives of all the eight bodies at the meeting.

Lord Alderdice confirmed that the Bill would be seeking to set what would be 'minimum' standards for psychotherapy similar to the undergraduate medical standards set by the GMC.

All the modalities represented by the bodies who were at the meeting would be put on the Register and all their individual members would be blanket-ed-in.

The procedure for a Peer's Private Member's Bill was outlined by Lord Alderdice at the meeting. A Peer does not have to ballot to put forward such a Bill which then has to go through both Houses of Parliament in that parliamentary session from November to November. In the course of that year, the Bill passes through various stages in the House of Lords. It starts with a First Reading when it is published and is then available to anyone. In the course of the Second Reading of the Bill lies the main opportunity to debate the Bill, which needs to result in a general agreement on the basic principles in it. After this

stage, any amendments to it may be put forward and are gone through line by line at Committee Stage. This then leads to the Report Stage when the amendments are gone over again. Finally, Third Reading stage is the final chance to debate the Bill in the Lords before it goes to the House of Commons when it has to pass through the above stages again. If the Bill is agreed by both Houses it awaits Royal Assent before becoming an Act.

A Private Member's Bill is different from an Order in Council, which may be brought under the new Health Act of July 1999, in that such an Order is not amendable by Parliament. This gives the Executive tremendous power as there is no parliamentary scrutiny once the Order is put on the table. For this reason, the Opposition got guarantees from Government that there would be a great deal of consultation on an Order before it goes forward.

At the present time, the Government has no plans to bring an Order in Council to regulate psychotherapy. However, if there were a scandal and Government were put under pressure to regulate psychotherapy, it could do so.

All of the eight bodies present at the meeting on the 22nd October, are eligible to sign up to the Bill, in the first instance, but if any of them wish to have an opt-out clause their eligibility would cease. The meeting requested the United Kingdom Council for Psychotherapy (UKCP) and the British Confederation of Psychotherapists (BCP) to hold discussions before the next meeting on 28th January 2000 at the House of Lords.

It was agreed by the meeting that the Psychotherapy Bill would not be put forward for the next Parliamentary session starting November 1999.

Subsequent to that first meeting on the 22nd October, 1999, the UKCP and the BCP have held two meetings in December and January. They have acknowledged that there are difficulties between them after eight years of estrangement, particularly the single-membership policy of the BCP and the move by 62 individual registrants of UKCP to call themselves 'psychoanalyst' without having been trained at the Institute of Psycho-Analysis.

However, the Alderdice Meeting had not requested the UKCP and the BCP to work through their difficulties with regard to each other but to see if they were able to work together to support the Psychotherapy Bill. The two meetings have established that and both organisations are currently working on proposed amendments to the Bill before it goes to First Reading.

The second meeting of the eight professional bodies under the Chairmanship of Lord Alderdice took place at the House of Lords on the 28th January, 2000. At this it was confirmed that the general feeling between the eight bodies is very positive in supporting the progress of the Bill.

Lord Alderdice emphasised that the Bill would only be seeking to regulate the profession of psychotherapy and the generic title of 'psychotherapist'. He also said that although it was a Bill directed to the private sector, the NHS would be keen to recognise the regulation of psychotherapy as there could then be career structures for psychotherapists in the NHS which do not exist at the present time.

A great deal of discussion took place around the Bill as it stands and it was finally agreed to allow time for proposed amendments by the joint UKCP/BCP Working Party as well as by other bodies represented at the meeting to be sent to Lord Alderdice before the Bill goes to First Reading.

The composition of the General Council would be left open until a great deal more discussion had been had taken place within the profession itself. The Bill could even go forward onto the Statute Book and an Order in Council could be brought later by the Secretary of State after consultation with the profession as to the make up of the General Council.

There would be an interim period after the Bill became an Act when individuals would be appointed to this body and after that period these positions would be filled by elections.

An opt-out clause will be inserted into the Bill to cater for the needs of the Royal College of Psychiatrists and the British Psychological Society (BPS). This would mean that their psychotherapist members would not be forced to register under the Psychotherapy Bill but could do so if they wished. This would deal with the issue of double jeopardy. The BPS has its own 'psychological psychotherapists' who number in the region of 5000.

It was agreed unanimously at this meeting that the Bill would go to First Reading immediately after the next meeting on the 24th March, 2000.

Ann Casement is Chair of the UK Council for Psychotherapy.