

## **The Alliance for Counselling & Psychotherapy against State Regulation**

**ULU, London: 5<sup>th</sup> April 09**

**Key Note Speaker: Professor Brian Thorne**

### **STATE REGULATION : PROFESSIONAL IMPRIMATUR OR THE KISS OF DEATH?**

I have long since wearied of trying to join in rational debate with those who are convinced that the statutory regulation of counselling and psychotherapy is desirable, necessary or inevitable. Such people, it seems, are impervious to the arguments which seem to me to carry considerable weight - for example: i) that no convincing proof exists that state regulation protects clients from abuse, ii) that therapy is not a medical nor even *usually* a medically associated activity and that regulation by the Health Professions Council consequently makes no sense, iii) that the uniqueness both of persons and relationships indicates the inappropriateness of a state regulatory process which must inevitably encourage uniformity and militate against creativity of practice. These, to me, powerful arguments are dismissed as irrelevant, defensive, protective of the selfish ambitions of therapists and unrealistic in the context of a world which demands accountability, risk-free behaviour and constant monitoring. In such a world, it is self-evident that statutory regulation is desirable, necessary or inevitable – and probably all three. End of discussion:- accept, conform, make the best of a bad job and carve out as much personal freedom and flexibility as is possible in the emerging system. And stop being paranoid – all professions worthy of the name are state regulated and why should therapists be arrogant enough to see themselves as exceptions?

If, to my mind, valid arguments fall on deaf ears, it is perhaps even more disturbing to discover that what sometimes seems to be the majority of therapists have either thrown in the towel or genuinely believe – sometimes passionately – that state regulation *is*, in fact, a good thing, ethically responsible and to be welcomed enthusiastically. Who, I ask myself, are these fellow practitioners and how has it come about that I find myself in such company?

My own professional association, in the words of its out-going chair, supports the principle of public protection and *therefore* of statutory regulation. The ‘therefore’ says it all: if we care about clients then we will be in favour of statutory regulation. The one follows the other as night follows day. Why is it,

then, that I cannot number myself among those who accept such apparently impeccable logic? And it is not just because the case is very shaky and the evidence is lacking: there is something visceral about my opposition which for me indicates something deeper, more fundamental, something of existential import. If there are those – and they are many, it seems – who believe it to be ethically imperative to support statutory regulation then I find myself in the totally contrary position: for me it is ethically imperative to *oppose* such regulation. What is more – like my opponents – my stance is informed by a concern for clients and, I could add, for the well-being of the wider society. Perhaps that is enough to explain the visceral power of my opposition but I suspect that it is not. The personal, the professional and the political are permeated by another dimension, which I can only describe as the spiritual. Perhaps that is why on this Palm Sunday, the first day of Holy Week, I find myself not in church where I have been without fail on this day for the last 64 years but standing at this microphone. *I believe we are involved in a battle which is concerned with power, with freedom, with transformational love, with the evolution of the human spirit.* Put that alongside symptom reduction, treatment plans, empirically validated procedures, best practice, NICE guidelines and you begin to see a collision of worlds. And it is not a collision of the airy-fairy, the wishy-washy with the pragmatic, the empirical, the down-to-earth. These weasel words with their value-laden undertone obscure the nature of the real battle which is to do with identity and vocation. The questions which can no longer be dodged are challenging in the extreme. Who are we as counsellors and psychotherapists and what is the work to which we are called? I propose to attempt an answer to those questions for myself and by so doing to demonstrate why statutory regulation seems so singularly inappropriate a measure. Indeed, to subject therapists to statutory regulation has about it the same incongruity as putting ballet dancers under the direction of a regimental sergeant major, however benevolent and well-intentioned he might be. RSMs, after all, are concerned with polished drill, exemplary order and control and the training which can ensure the bringing into line of the recalcitrant, the troublesome and the ill-disciplined. Ballet dancers placed under the direction of a Regimental Sergeant Major are likely to emerge at best as stilted robotic puppets or at worst as crippled casualties with snapped tendons, their vocational aspirations in tatters. If you find these images extreme and alarmist think only of the dedicated teachers you have known who have long since left the profession on medical grounds or in quiet despair, the social workers who have succumbed to excessive bureaucracy and government vilification, the doctors who no longer relate to persons but to case records on computer screens. It was Mrs Thatcher who, having tamed the Unions, turned her attack on the professions (she even preached at the clergy) because she saw in them power bases that could thwart the advance of entrepreneurial forces and the victory of the free market.

To those who believe that statutory regulation will at last turn counselling and psychotherapy into an indisputable profession, a label for which so many practitioners have yearned for decades, I would suggest that to gain such a status may be the ultimate trap. To be a professional these days brings with it not the opportunity to exercise expertise, creativity and imagination but the threat of ever-escalating state interference and an exposure to the contempt and false accusations of a litigious public. Statutory regulation will do little or nothing to protect clients but it will assuredly sap therapists of their creativity and preparedness to take risks and open them to new forms of legitimised attack.

So, what is this activity we call counselling and psychotherapy? Let me attempt definitions to which I can subscribe: “Perhaps one way of thinking about it is to use Dave Mearns’ expression: two people are daring to meet in relational depth. Or in the words of Andrew Powell, a psychiatrist and psychotherapist, who states rather disarmingly ‘the therapeutic situation is extraordinarily intimate’. Counselling and therapy are about relationship, about depth, about extraordinary intimacy. But to what end? So that a person who is suffering can find hope, alleviation of their pain, a sense of meaning and of value, a way forward from stuckness, a way out of darkness into light, a passage from alienation and loneliness into connectedness and communion. *You will note that I have not said that counselling and psychotherapy are about remedying anxiety, dispelling depression, overcoming phobias, curing eating disorders, stopping alcohol abuse, teaching stress management, or a hundred and one other problem solving activities.* It can, of course, be all of those things but they will be bonuses, happily associated outcomes of the essential work which is about relationship, intimacy and the restoration of hope and personhood.

Personhood is a key word here because much that passes for counselling and psychotherapy these days seems to have little to do with persons. Human mechanisms perhaps which have become dysfunctional and need repairing, minds which think crookedly and need to be straightened out, behavioural patterns which require correcting – but not persons yearning to be fully alive.

Once we conceptualise therapy in terms of persons meeting in relational depth we cannot then dodge the need to define what we mean by a person. It is not my intention at this point to enter into a lengthy philosophical discourse although I do believe that therapists need to wrestle with the question if they are not to fall into the trap of a kind of pragmatic opportunism in their response to clients – a stance,

incidentally, which I suspect underpins some of the work rejoicing in the label of therapeutic eclecticism.

Not a philosophical discourse, then, but nonetheless a foray into the terrain.

So what is a person for me? Who are you? Who am I?

I have a body but I am not a body

I have desires but I am not my desires

I have emotions but I am not my emotions

I have thoughts but I am not my thoughts.

Those of you familiar with the work of Ken Wilber will recognise his words adapted from many of the world's mystics. And he concludes: "I am what remains, a pure centre of awareness, an unmoved witness of all these thoughts, emotions, feelings, and desires". In short, Wilber defines the essence of the human person as spiritual, as transcendent, this self that goes beyond you, the *you* that is you but not you. I share Wilber's definition as indeed must all those who from their different perspectives, traditions and experiences have concluded that humankind cannot ultimately be defined in biological, emotional, psychological or cognitive terms. We are more than that and the mysterious 'moreness' is what makes us human.

With such a context established for what I understand to be a person I should like further to define myself with particular reference to my vocation as a therapist. This spiritual being, then, whom I consider myself to be, believes this, too, of himself:

I believe that I am of infinite worth and all others with me.

I believe that I need not be afraid of my inner world and must strive fearlessly to be in touch with it even if this is painful or confusing.

I believe that it is my task to remain open to experience both inner and outer.

I believe that the other deserve my understanding and not my judgment.

I believe that to understand the other's world and to communicate that understanding is an essential part of being human.

I believe that contractual living reduces human beings to commodities and that unfettered materialism destroys personhood.

I believe that unconditional acceptance, both offered and received, dispels fear and opens up the path to authentic living.

You will note that I have referred to my ‘vocation as a therapist’. For me back in 1967 it certainly was experienced as a vocation – a calling which I had no option but to obey although much of me resisted like mad. I have written that I was dragged screaming to the counsellor’s chair. I meet trainees these days who know that vocational pull and experience it with a mixture of joy and terror. It has all the marks of a sacred calling which permeates the whole being. I must confess, however, *that I meet others who are looking for a job and not surprisingly are seeking skills to learn, techniques to master, manuals to consult and, if possible, a guaranteed salary – what better then than to become a civil servant in the NHS?* Such persons will clearly see statutory regulation as part of their security, the passport to regular employment and if CBT, for example, seems to be part of the same security package, then CBT it shall be. Who am I to criticise such people? They have families to feed and self-esteem to maintain in a materialistic culture. I only wish they were not called counsellors or psychotherapists. The trouble is that there seem to be a lot of them around and that some of my old mates and colleagues – under protest and with somewhat guilty rationalisation – seem, under disguise, to have slipped into their ranks. If I had become a priest I wonder what I would be feeling if my Church announced that it was no longer necessary to believe in God, that the sacraments had lost their validity, that I should seek re-training in a more inclusive mode of liturgy and that the Bishop was now subject to the State Commissioner for Religious Certification. This, I would be assured, would be to the great benefit of my congregation and all those who in future would be strongly recommended to fill my pews. I think I would be preparing to suffer, to face a likely loss of income and security, to stay faithful to my vocation and to wear my brightest vestments. And I would certainly not stop calling myself reverend simply because the State Commissioner told me I was no longer legitimate.

Brian Thorne  
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