



Keeping Safe During Counselling or Psychotherapy

A Guide by Unsafe Spaces

Full Version

The overwhelming majority of people who go for psychological therapies do not experience misconduct or abuse at the hands of their therapist. However, for those few who do, the effects can be devastating. Of course, abuse has been perpetrated by just about any profession you care to mention – doctors, nurses, teachers, priests, youth workers. However, there are a few issues that make people more vulnerable to abuse in counselling and psychotherapy. These issues are:

- Although most counsellors and psychotherapists are registered with a professional body, they are not required by law to do so
- People often use their services when vulnerable
- Therapy often takes place with only the client and therapist in the room together, with no other witnesses
- During therapy, people reveal their deepest thoughts, feelings and fears
- There is a recognised dynamic in therapy where the therapist is in a position of power over the client and is often seen as “the expert”

I would not recommend that this should be a reason not to access counselling or psychotherapy. However, there are some things you can do to reduce the risk of abuse. This advice is divided into five sections.

1. Check Registration and Insurance

You should check that the professional you go to is registered either with a statutory regulator or an Accredited Register. Also check that they have indemnity insurance.

2. Spot the Early Warning Signs of Boundary Breaches

Breaches of boundaries, especially of sexual boundaries, are nearly always disastrous for the client, and usually for the professional as well. However, there are a few warning signs you can look for that suggest the boundaries are getting blurred.

3. Look for a Therapist, not a Guru

Counsellors and psychotherapists are not and should not be gurus. If your therapist starts behaving like one, remember the wise words of Monty Python, “He’s not the Messiah. He’s a very naughty boy” (or girl).

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



4. Beware of Narcissists

Counselling or psychotherapy can be attractive career options to a narcissist. However, that doesn't make them good at their jobs. It can result in the therapy being driven by their needs rather than yours.

5. Take Action

If misconduct does happen, make a complaint to their employer and/or professional body. In some instances, it may be advisable to call the police and/or report a safeguarding issue. You may also have a case for litigation. Going to the media may be an option, but this route comes with a few health warnings.



1. Check Registration and Insurance

When choosing a counsellor, psychotherapist or other mental health professional, it's important to remember that neither "counsellor" nor "psychotherapist" are protected titles. This means that unlike, say, "registered nurse" or "occupational therapist" anybody can use these titles, regardless of whether or not they have any qualifications or are registered with a professional body.

Voluntary registers do exist for counsellors and psychotherapists. The three largest of these are the British Association for Counselling and Psychotherapy (BACP), the UK Council for Psychotherapy (UKCP) and the British Psychoanalytic Council (BPC). The Professional Standards Authority has given a number of these bodies Accredited Register status. This means that the PSA agrees that they reach a certain quality standard.

The BACP, UKCP and BPC are all Accredited Registers under the PSA scheme and so are several other smaller organisations. People can be struck off from these registers for misconduct. However, unlike, say, a doctor or a nurse, there isn't a legal requirement for them to stop working if they are struck off. Our research found that nearly one in four counsellors or psychotherapists who are struck off continue to practise afterwards.

For this reason, it's important to check their registration before commencing therapy. You can usually do this quickly and easily through the website of their register. **There have been cases of therapists claiming on their business website to be registered with a professional body when they are not, so always check with the online register.**

Other than counsellors and psychotherapists, there are a number of other professions who may advertise their services for psychological therapies. Some of these have protected titles and are subject to statutory regulation.

The following are regulated by the Health and Care Professions Council.

Practitioner psychologists

This includes practitioners using any one of the following protected titles:

- Practitioner psychologist
- Registered psychologist
- Clinical psychologist
- Counselling psychologist
- Educational psychologist
- Forensic psychologist
- Health psychologist
- Occupational psychologist
- Sport and exercise psychologist

Confusingly, **the word "psychologist" on its own is not a protected title.** Unless the professional is using one of the above titles, such as "clinical psychologist" or "counselling psychologist", do not



assume they are regulated. **“Consultant psychologist” is also not a protected title, and some unregistered psychologists have used this title.**

Arts therapists

This includes the following protected titles

- Art psychotherapist
- Art therapist
- Dramatherapist
- Music therapist

Occupational therapists

Social workers

For all of these professions, you can check their registration at <http://www.hpc-uk.org/check/>

Registered mental health nurses are regulated by the Nursing and Midwifery Council. You can check their registration at <https://www.nmc.org.uk/registration/search-the-register/>

Psychiatrists are regulated by the General Medical Council. You can check their registration at <http://www.gmc-uk.org/doctors/register/LRMP.asp>

Whichever profession you use, if they don't appear on the online register, don't use them.

Sometimes people advertise their services for therapy while claiming membership of other organisations. These may have very impressive-sounding names, such as “Institute of such-and-such” or “Register of so-and-so” but on checking may turn out not to be Accredited Registers or statutory regulators. In some cases, membership of these can require nothing more than the payment of a subscription fee. We have found instances of therapists who've been struck off by other bodies, and are using membership of these organisations to puff up their CV.

If you don't recognise the organisation a counsellor or psychotherapist is registered, with, you can check whether it's an Accredited Register at <http://www.professionalstandards.org.uk/what-we-do/accredited-registers/find-a-register>

If the professional isn't registered with either an Accredited Register or statutory regulator, don't use them.

As well as checking whether your therapist is registered, we also recommend asking them about their indemnity insurance. Every professional who provides psychological therapy should have this, in case they get sued. If you use an uninsured therapist, if something went wrong and you tried to sue them, they could well be bankrupted by the costs alone, leaving no money left over for you to claim as compensation. Litigation aside, **practising uninsured is grossly unprofessional, and a clear sign that this is a therapist to avoid.**

Choosing a professional who is both registered and insured does not guarantee that there will be no misconduct, but it means you will have recourse to a complaints procedure and possibly litigation if something goes wrong.

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



DO

- Make sure the professional you go to for therapy is with an Accredited Register or statutory regulator.
- Check their current registration online.
- Ask about their indemnity insurance.

DON'T

- Use professionals who are not with an Accredited Register or statutory regulator.
- Assume that the word “psychologist” alone implies they are a HCPC-regulated practitioner psychologist, unless they also use a full protected title such as “clinical psychologist” or “counselling psychologist”.
- Be fooled by flashy-sounding organisation names such as “Institute of...” or “Register of...” unless they’re also an Accredited Register.
- Use a professional who isn’t insured.



2. Spot the Early Warning Signs of Boundary Breaches

A therapist and their client should always have clear professional boundaries. Your therapist should not have any social contact with you outside of therapy, and should not become your friend, your business partner, and especially not your sexual partner. Any blurring of boundaries is misconduct and is likely to cause harm, and this is particularly true of sexual boundaries.

Any sexual contact between a therapist and a client is always serious misconduct. It may also be a criminal offence under the Sexual Offences Act, especially if the client is under their care for a mental disorder. **Such incidents are nearly always disastrous for the client and usually for the professional as well.**

The rules are less clear in regard to sexual contact between a therapist and a former client who is no longer under their care. However, this would often be misconduct. This would particularly be the case if they were in a position of power over you, if you were vulnerable at the time of the therapy, if they took any actions to pursue the relationship during the therapy, or if the therapy ended only recently.

When professionals breach sexual boundaries, they don't usually involve a normal session one week and the professional having sex with their client the next. What normally happens is a series of lesser, precursor breaches. This is sometimes known as "the slippery slope" or "grooming".

The Professional Standards Authority's [*Clear sexual boundaries between healthcare professionals and patients: responsibilities of healthcare professionals*](#) lists some of these precursor breaches.

- revealing intimate details to a patient during a professional consultation
- giving or accepting social invitations
- visiting a patient's home unannounced and without a prior appointment
- seeing patients outside of normal practice, for example when other staff are not there, appointments at unusual hours, not following normal patient appointment booking procedures or preferring a certain patient to have the last appointment of the day other than for clinical reasons
- clinically unnecessary communications

Even if these breaches do not lead to sex, these alone can cause harm, and are in themselves misconduct.

Exercise extreme caution if your therapist starts displaying any of these behaviours. Do not hesitate to tell them (and their manager or supervisor if they have one and you know who they are) that this behaviour is inappropriate and unwanted. Consider switching to a different therapist, especially if they continue the behaviour after being asked not to.

If you are a professional and you notice yourself engaging in any of the above behaviours, seek clinical supervision **immediately**. Consider handing over your client to another professional. Try to do this in as tactful a way as possible, taking care to minimise any distress or sense of rejection to them or disruption to their support.

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



It's possible that you might find yourself in a situation where you're sexually attracted yourself to your counsellor or psychotherapist. In many ways it's a very commonplace event for people to become attracted to people who are essentially unattainable (who can say they didn't have a crush on a particular teacher when they were in High School?) These feelings can also form part of what psychotherapists call "transference", where the client's feelings or memories are unconsciously projected onto the therapist. A competent therapist will handle this appropriately and ensure that nothing sexual happens to you.

If you trust your therapist, it may well be okay to talk about your feelings in therapy and a good therapist will allow you to explore any feeling you might have about them without acting upon them or making you feel any shame. **However, they should not make any attempt to pursue a sexual relationship, as this would be totally unethical.**

People who have encountered abuse in therapy often say that they wish they had trusted their gut feelings. They often ignore any feelings of unease about the therapist because the therapist is the "expert" and they might not trust their own feelings. If you have a gut feeling that something is wrong, it probably is.

DO

- Expect your counsellor or psychotherapist to maintain a clear boundary between their professional and personal or social life.
- Act quickly if the boundaries seem to be getting blurred.
- Trust your own feelings or intuitions. If it feels wrong then it probably is.

DON'T

- Ignore any blurring of professional and personal or social boundaries, however small.
- Try to pursue a sexual relationship with your counsellor or psychotherapist, though if you do have feelings towards them it may be helpful to talk about them in therapy.

Further Reading

Clear Sexual Boundaries Between Healthcare Professionals and Patients: Information for Patients and Carers

<http://www.professionalstandards.org.uk/docs/default-source/publications/policy-advice/clear-sexual-boundaries-information-for-patients-and-carers.pdf?sfvrsn=6>



3. Look for a Therapist, not a Guru

If you've watched *Monty Python's Life of Brian*, you'll know the scene in which Brian's mother tells an enraptured crowd, "He's not the Messiah. He's a very naughty boy." Unfortunately, these words have played out in a far from comedic way during misconduct cases where the counsellor or psychotherapist viewed themselves as some sort of guru or imparter of truth. A guru is the exact opposite of what a counsellor or psychotherapist should be. A good therapist is a humble helper, a facilitator and reflector of **your** needs, **your** thoughts, **your** truth, not theirs.

Some psychotherapy modalities seem more prone to behave like gurus than others. I don't think it's a coincidence that Jungians are over-represented in misconduct cases, because Jung himself was something of a guru. Therapists with a fondness for New Age mysticism have also turned into gurus at times.

This isn't to say that you can't discuss religion in therapy. If, for example, you're a practising Christian, and attending a Christian counselling service, it may be considered appropriate to engage in Bible study with your counsellor. However, that should only happen if it's something that **you** want to do, rather than simply because your counsellor wants you to do it.

Besides, it doesn't necessarily need religion for a therapist to turn into a guru. Any situation where the therapist is behaving as parent figure, or as a font of ultimate truth and wisdom, takes the therapy dangerously into guru territory. If that's happening, you have to ask whose needs are being served – yours or theirs?

In group therapy, having a guru as therapist can play out in all kinds of harmful ways. This might involve different members of the group vying for approval of the therapist/guru/father/mother and seeking "favourite disciple/child" status. In extreme instances, this can start to look more like a cult than therapy.

DO

- Expect your counsellor or psychotherapist to be focused on helping you to find your truth rather than theirs.
- Discuss religion in therapy if you find it helpful, but only on your own terms.

DON'T

- View your therapist as the Messiah. If they want you to see them in that way, they're more likely to be a very naughty boy or girl.



4. Beware of Narcissists

In a number of misconduct cases, the counsellor or psychotherapist has shown evidence of a condition called narcissistic personality disorder. Signs that somebody might have narcissistic personality disorder include:

- An apparently very high level of self-esteem, though when you get to know them better, this self-esteem often turns out to be very fragile
- Often very good at reading people, but with a lack of genuine empathy behind this
- May initially seem very charming, but turn out to be very manipulative behind the charm
- A sense of self-entitlement, which may cause them to seem grandiose or pompous
- Envious of others, or believes that others are envious of him or her
- Believes themselves to be special, or to have high status, and only wanting to associate with high-status people
- Seems to expect others to admire him or her
- Willing to demean others to boost their own self-esteem
- Impulsive and easily bored
- Quick to become angry, especially in response to real or perceived criticism
- Willing to tell lies or exploit others to get what they want
- Lack of guilt or regret if they cause harm to others

A lot of people (often very successful people in business, professions, politics or the media) may exhibit some or all of these traits, but not to the extent that they cause significant harm to themselves or others. Such people are sometimes referred to as having “narcissistic personality traits” or simply “narcissistic” rather than having narcissistic personality disorder.

Counselling or psychotherapy can be an attractive career option for a narcissist. You get people coming to you at their most vulnerable, where you’re in a position of power over them, where they tell you their deepest, darkest secrets, where you can act as authority figure, parent figure, source-of-all-wisdom or guru (see the section: Look for a therapist, not a guru)...and they even pay you to do it! If you’re a narcissist, what’s not to love about that?

Although their ability to read and influence people can be a useful skill for a narcissistic therapist, their lack of true empathy and willingness to exploit others can cause the therapy to become driven by their needs and desires rather than yours. In extreme cases, this has led to sexual exploitation of vulnerable clients.

Unfortunately, people who are narcissistic or even have narcissistic personality disorder can be hard to spot, at least initially. Their ability to charm, flatter and deceive can leave even highly intelligent people thinking they’re talking to the greatest person on Earth...the manipulative and deceitful sides of a narcissist often only become apparent later on. This can lead to strong feelings of guilt and shame from people realising they’ve been hoodwinked. Don’t blame yourself if it happens to you – you won’t be the first or the last.

Not all misconduct cases involving counsellors or psychotherapists are committed by narcissists. In some cases the opposite has been true – the therapist seemed like a very unhappy person with very

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



low self-esteem. Such therapists are sometimes referred to as “wounded healers”. On other occasions, the therapist has been well-meaning but simply incompetent.

Whatever the reason, if your therapist is acting in a way that makes you feel uncomfortable, draw this to their attention. They should respond to your concerns respectfully. If they do not, consider changing to a different therapist and/or making a complaint.

DO

- Exercise caution if your counsellor or psychotherapist starts behaving like a narcissist.
- Discuss your concerns with your therapist if they are acting in ways that make you feel uncomfortable. If they do not respond respectfully, consider changing to a different therapist and/or making a complaint.

DON'T

- Allow yourself to feel guilty or ashamed about being fooled by a narcissist. Many people have before you, and many more will be after you.



5. Take Action

If you have experienced misconduct at the hands of a counsellor or psychotherapist, there are a number of ways you can take action. People often think they will not be believed, but this is not usually the case. Taking action can be scary, but there are people who will listen to and believe you.

Get Support

The Clinic for Boundaries Studies has a witness support service that can help you with preparing a complaint and also provide emotional support and representation at professional conduct hearings. This service incurs a fee.

For more information go to: <http://www.professionalboundaries.org.uk/witness-support/>

Catalyst Counselling provide advice, counselling and support to people who have experienced abuse during therapy or in toxic relationships.

For more information go to: <http://www.catalystcounselling.org.uk/>

Complaints to employers

Many counsellors and psychotherapists are self-employed, so this may not be an option. However, if they do have an employer (such as an NHS trust, or a voluntary sector agency), this may well be the quickest and easiest way to complain. If this becomes a disciplinary investigation, you would not be entitled to know the outcome, as under employment law this would be confidential between the employee or employer.

Complaints to professional bodies

If your therapist is registered with an Accredited Register (such as the British Association for Counselling and Psychotherapy, UK Council for Psychotherapy or British Psychoanalytic Council) or a statutory regulator (General Medical Council for psychiatrists, Nursing and Midwifery Council for nurses, Health and Care Professions Council for practitioner psychologists, arts therapists, occupational therapists and social workers) then you should be able to find details of their complaints procedure online.

For professional bodies that aren't regulators or Accredited Registers, complaints procedures can vary wildly. In some cases the complaints procedures are so bad they might as well not be there at all. This is why we recommend you **always** check a counsellor or psychotherapist's registration before you start therapy (see the section: Check Registration and Insurance).

Complaints to the police

Some acts of misconduct may be a criminal offence. For serious sexual misconduct, Section 38 of the Sexual Offences Act may be applicable. This section reads:

38 Care workers: sexual activity with a person with a mental disorder

(1) A person (A) commits an offence if—

(a) he intentionally touches another person (B),

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



(b)the touching is sexual,

(c)B has a mental disorder,

(d)A knows or could reasonably be expected to know that B has a mental disorder, and

(e)A is involved in B's care in a way that falls within section 42.

If sexual contact has taken place between a professional and somebody who was under their care for a mental disorder, call the police. Also call the police if you fear for your safety in any way.

Reporting safeguarding concerns

If there is an ongoing risk to a child or a vulnerable adult, I recommend contacting the child protection or adult safeguarding services of your local authority. Check the website of the local authority for your area to find out how to do this.

Litigation

It may be possible to take civil action against your therapist in respect of their inappropriate behaviour or the inappropriate treatment provided. A UK law firm who specialise in claims of this nature is Switalskis Solicitors so we recommend you speak to them if you live in England or Wales. They will consider the individual circumstances of what you have been through and whether or not they are able to help you on a “no win, no fee” basis.

For more information contact Victoria Thackstone at their Doncaster office on 01302 297570 or go to: <https://www.switalskis.com/about-us/our-lawyers/victoria-thackstone/>

There are legal time limits for pursuing a claim and so if this is something you are interested in you should make contact so as not to fall foul of the time limits.

We've spoken to people who were very angry about going through a lengthy complaints process only for their therapist to receive a token sanction and they have cheered up when they have realised they have another avenue of recourse, even though recovering money from the therapist is very rarely the instigating factor for pursuing a claim. Pursuing a civil claim against your therapist may enable you to recover compensation to include private therapy fees paid to your therapist, the cost of any reparative therapy (therapy to put right what the therapist did wrong) and other financial losses which are directly linked to the negligent therapy.

Pursuing a civil claim can also be empowering for the Client and give them a sense of being “heard”.

Going to the Media

Unfortunately, it's not always easy to get the media to take an interest in therapy abuse cases. News editors tend to view psychotherapy as a slightly weird activity done by self-obsessed celebrities. Of course, it's nothing of the sort, and more and more people seek therapy every year. Even so, that's often how they see it.

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



If the media do take an interest in your story, there's a health warning we have to give. When you tell your account to a journalist, it's not just that you don't have control over how they write it. For some newspapers, the journalist may not have control over how their editor rewrites it. We've seen sex abuse cases that were recorded in good faith by the journalist, and by the time the story had gone through the editor's desk, it had transformed into a salacious kiss'n'tell.

Unsurprisingly, some of the worst reporting of therapy abuse we've seen was in the Daily Mail. Perhaps more surprising is that some of the best we've seen was in the Mail on Sunday. Despite what a lot of people assume, the Daily Mail and Mail on Sunday don't operate as the same newspaper, and they don't have the same ethos.

Of course, if the media aren't interested, or if you don't feel you can trust the journalist or their editor, you could just go straight to social media and tell your story direct. However, as with traditional media we have to give a health warning.

Although Britain's libel laws have been reformed in recent years to protect freedom of speech, in the event of a libel lawsuit the burden of proof lies with the defendant to prove the allegation is true, not on the claimant to prove it's not true. The costs of defending a libel action can be absolutely eye-watering, to the extent that you could win your case and still be bankrupted from the legal costs alone. Recouping those costs afterwards can be a nightmare, especially if the other side doesn't have the money to give you.

Do not use social media (or any other type of media) to broadcast allegations you can't prove, and even then be very careful. If in doubt, consult a solicitor who specialises in defamation law before putting your story online.

We also don't recommend publicising the case if complaints and/or litigation are ongoing. The other side could use this to accuse you of prejudicing the case, and this could cause it to be thrown out.

DO

- Seek support from the Clinic for Boundaries Studies or Catalyst Counselling.
- Make complaints to employers and/or the therapist's professional body.
- Call the police if there has been sexual contact between a professional and somebody who was under their care for a mental disorder, or if you fear for your safety.
- Report safeguarding risks to a child or vulnerable adult to the local authority.
- Contact a solicitor who specialises in claims of this nature if you are considering litigation.
- Exercise caution when talking to journalists. You lose control of the story when you tell it to them, and they may lose control of the story when they pass it to their editor.

This guide is produced by Unsafe Spaces. It is intended to give basic advice and is not a substitute for medical or legal advice. The author gives permission for reprinting and distribution for non-commercial purposes only. For more information go to <http://www.unsafespaces.com>



DON'T

- Post allegations you can't prove on social media. You could leave yourself vulnerable to a libel lawsuit.
- Publicise your case if complaints and/or litigation are ongoing. You don't want to hand ammunition to your opponent.

Author

Phil Doré RMN

Acknowledgements

The author would like to thank the following for their feedback, advice and suggestions in preparing this report.

Amanda Williamson Reg MBACP (Accred)

Dawn Devereux PhD of the Clinic for Boundaries Studies

Emma Thompson Registered Member MBACP

Jon Bolton

Hope C

Patrick Killeen

Howard Martin

Tina Childs