

PsyPraxis - the Changing Context

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Please do circulate to anyone you think interested.

At last year's Convention on Modern Liberty author Philip Pullman stepped up to the podium and invoked courage, humbleness, and wakefulness as essential virtues for a nation. The text has just been reprinted (an anniversary debate held at the British Museum gave the occasion) in a Guardian pamphlet, which can be [consulted on the website](#). "A nation whose laws express fear and suspicion and hostility cannot sustain delight for very long" he said, and for my money, comes closest to indicating what is wrong with HPC-State Regulation, and why we need to pay attention.

Last month, a general news item reported that an "NHS chief executive has been sacked for swearing too much at work". He was sacked seven months after that Trust's chairman resigned (he said he was being put under pressure to meet targets). The implication is that the swearing was just an excuse to get rid of someone no longer liked. It was implied in the report that his fall from grace came when he voiced the opinion that meeting government targets would put patients at risk. For full article see [Guardian, Wednesday, 10 February 2010](#)

Pullman himself shows what happens when you become ensnared in the modern 'protection' racket. Thinking back to July last year (2009) the Guardian reported the launch of yet another data-base 'solution' masquerading as protection for the public. The ISA (Independent Safeguarding Authority) was proposed as a register for anyone coming into contact with children in schools. The idea was that bureaucrats could vet entries to the database and exclude all potential paedophiles, thus preventing them from access to children at school. Pullman was reduced to outrage: "When you go into

a school as an author or an illustrator you talk to a class at a time or else to the whole school. How on earth – how on earth – how in the world is anybody going to rape or assault a child in those circumstances? It's preposterous". The discourse already presumes that someone is going to rape a child, the work then becomes trying to defend oneself against the implicit accusation. The loud public protest against this led the Government to climb down, but rather than chuck out the faulty logic, they have 'watered down' the requirements (The checks will now involve only those working with the same children once a week, not once a month, for example.)

Meanwhile, I am grateful for the diligent work of Bruce Scott from the PA who has drawn attention to an interesting case due to be heard in the Fitness to Practise panel at HPC on 15th March. A counselling psychologist has been accused of drunk and lewd behaviour at a BPS dinner, which the HPC Panel deem prima facie evidence of potential danger to the public.

But this psychologist is not an ordinary case, he holds a position on the [HPC Council](#). How did the HPC appoint someone to the Council when there was a FTP allegation against him? Perhaps the allegation came after the fact, in which case we can marvel at the speed with which it is actually being heard (it is more typical to wait at least 18 months, according to the HPC documentation, but here only 8 months will have passed by). But another question emerges: is the public appointment itself implicated in the allegation? The logic of the HPC, like that of the ISA, already skews the case.

The allegation is printed on the HPC website in the usual way, and it will be up to the

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1

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players on the day to bring information to light to enable the panel (one lay, one other profession, one from the 'same' profession) to come to a sound conclusion. It is tempting to conjecture and analyse the allegation before the hearing, but this simply spreads the allegation farther and wider before the case has had a chance to be heard. Any damage done cannot then be undone. All questions must be answered at the time of the hearing (15th March). The underlying logic presumes the professional is probably guilty.

I am grateful to Dr Jay Watts, CPsychol AFBPsS, for the following report:

"I have some knowledge of the effects of HPC regulation on Clinical Psychology as a lead psychologist in the NHS who recruits clinicians, and someone involved in doctoral training programmes. Marc Seale (CEO HPC) has often said that psychologists have gone into the HPC with no complaint. This is not true. I am one of many people who have formally written to the HPC objecting to them as the regulators. Further, there has been substantial discord within the profession about being allied to a health/illness opposition to which many of us fundamentally disagree. Though the critical sections within psychology have been less active in opposition to the HPC than psychotherapists, this partly results from an exhaustion following the mock consultations associated with the Mental Health Act (and especially the process of the Bill) in the early years of millenium (when we literally took to the streets).

"Some speakers at the recent 'Confer' conference gave the impression that psychotherapists would have a choice about whether to have their data transferred to the HPC or not. Our experiences with data protection were far murkier than that. All chartered psychologists registered with the BPS were automatically transferred to the HPC. Those of us who then chose not to register were chased for our fees as we deemed to have "forgotten" to re-register (as opposed to having opted-out in the first place). The HPC then wrote not only to the

psychologist but also to their employing organisation (NHS, voluntary organisations) to say the psychologist must have "forgotten" to pay and to remind them and their employing organisation to do so immediately for the "protection of the public". A risk adverse NHS reacts jumpily to that, as you can imagine.

"Furthermore, national job descriptions have changed for psychology: HPC registration is already an 'essential' criteria for both NHS and clinical academic posts. Already, trainees in clinical and counselling psychology now have to receive their clinical supervision and personal therapy from HPC registered psychologists. The delights of modern computer applications (whereby one can't start writing an application form until one has ticked 'yes' to the essential criteria) make it very difficult if not impossible for organisations to even short-list psychologists who support principled non-compliance. At best, this produces a two-tier system where the NHS and many voluntary organisations keeps the more conventional psychologists whilst those opposed to increased governmentality find themselves restricted to private practice. This is unacceptable given that the majority of the poorest, most marginalised potential patients have reduced to centrally controlled treatment approaches. However, there are still many practitioners in the NHS and other organisations (such as Mind) that offer therapeutic spaces that are not about mental hygiene or the seeking of mature object relations. Whilst we all support a proper system of regulation for the psy-professions, state regulation by the HPC is already having a constraining effect on clinical psychology practice and training in the NHS. The structural changes which occur so quickly when HPC enters the scene make it naïve to believe some psychotherapists will be able to opt out of HPC. If something is precious, then it is worth fighting to protect it even if one makes some enemies on the way."

Thanks, as ever, to colleagues for bringing news to my attention.