COUNSELLING AND PSYCHOTHERAPY PROFESSIONS — REGULATION

Statement

HON ALISON XAMON (East Metropolitan) [10.02 pm]: I rise tonight to speak about an issue that I have spoken about previously in this place. It is the lack of regulation for the counselling and psychotherapy professions. As I say, I have spoken about it previously, and I have asked a number of questions about the matter. I wish to draw attention to the matter once again, because the people I deal with on this issue are certainly very unhappy that no progress seems to have been made.

I will restate the fundamental issue: no regulation of the counselling or psychotherapy industries means that there is no set requirement for training, for supervised practice or for any ongoing professional development. It means that, effectively, anyone can claim the title of counsellor or psychotherapist. Importantly, there is very little recourse for the consumer when something goes wrong. The only complaint option at the moment is the Health and Disability Services Complaints Office, formerly the Office of Health Review, which does not have the capacity or is unable to stop someone from practising. I note that there have also tried complaining to the Consumer Protection Division about this issue but have met with no success.

The response from government to this issue has lacked the urgency that I believe the situation requires. The Minister for Health, in answer to questions that I have asked in this place, has essentially said that he has no intention of dealing with the matter until and unless it comes up at the next round of health regulation reviews at the Council of Australian Governments. I note that no time frame at all is attached to this review. I also note that this is an issue that is still coming up in recent reports. I note that the bona fides of counsellors were identified as an issue in the major incident review of the Toodyay fire, yet the issue still seems to be a low priority for government. I am starting to wonder how many times we need to keep hearing the same concerns from different sources before we see this issue prioritised and before we see some action on it.

I want to relay a particular story that I hope will underscore the importance of the need to act on this issue sooner rather than later. This is a story about a Western Australian family. It is the story about a family that live in my electorate with whom my office has contact. It is a story about people like this, which illustrates who we as legislators and as members of Parliament should be working to try to protect. When I first spoke about this issue, I recommended that members make time to see the Four Corners story “Over the Edge”. If members have not had a chance to see it, it is still available on the Four Corners website. In the program, Carline Humfrey and members of her family very bravely came forward to tell their stories about how an unqualified psychotherapist had effectively ripped their family apart, and how they are still dealing with the incredible psychological wounds that have been inflicted on their family. Other families also talked about very similar experiences with that particular psychotherapist. At the time Four Corners aired the story it was April 2010 and there were 11 people who claimed that this therapist had created false memories of sexual abuse. Carline’s daughter was a client of this psychotherapist for five years, having been referred suffering from some quite treatable depression and anxiety. However, while subject to this psychotherapist’s treatment, she progressively came to believe that, as a child growing up, her father had raped her; that her brothers had raped her; that her family and friends had raped her; that her mother, Carline, knew about it and had witnessed it; and eventually she believed that she herself was molesting the children who were left in her care. Obviously, during this time she cut off all contact with her family and took out a restraining order against her brother. It was subsequently found that these memories were false; yet understandably those false memories actually ripped this family apart; and they are still suffering almost three years after the daughter finally broke free of the psychotherapist.

I want members to think about the sort of damage that that family is now trying to deal with and trying to reconcile. As I say, my office has been in contact with Carline and others since last year, and Carline says that she is still regularly being contacted by other families and individuals who are newly discovering what it means to have received counselling from this particular person. I know that this psychotherapist, who has numerous complaints against him and who has left a trail of devastated lives behind him, is still practising in this state. Government agencies who have been involved with the Humfreys—the Consumer Protection Division and the Health and Disability Services Complaints Office—are hamstrung by the lack of legislation to enable them to do anything about this issue. Carline wants it noted that although this is true, she feels that the officers she has worked with at both agencies are outstanding and that they have provided as much support as they can. The trouble is that they simply do not have the power to stop this unqualified psychotherapist from practising.

So that is the reason for the urgency, because the experience of Carline and her family is not a one-off incident. It is being repeated again and again and, shamefully, it is being repeated with the same people at the centre simply because we have not yet put in the regulatory regime to stop even one person like this acting as a psychotherapist.
Models of regulation already exist in other states, so the question I ask is: why is there no movement on an interim measure to provide protection to those who need it, particularly when we are confronted with an almost non-existent time frame for this issue to be included in the national health regulation review? The lack of movement on this issue, frankly, is galling to the people who have been harmed. Once again I state, as I have stated before in this place, that a negative licensing scheme is not going to affect those counsellors and psychotherapists who are doing the right thing and who by far are the majority. I am sure that many of us in this place would be able to relay very positive experiences of quality counsellors and psychotherapists. These people will not be adversely affected by a regulatory scheme.

Therefore, I am taking the opportunity to call on the new Minister for Mental Health to investigate the scheme in New South Wales in particular, and to clarify the time and the money it would take to implement a similar scheme in this state, because even a small sign of movement at this stage would be welcomed enormously by those people who are fighting hard to protect the public from this happening again and who need to feel as though something positive has emerged from the trauma that they and their families have been through. We know that Western Australia has stood out as a state that is willing to go it alone on issues that matter. We do not have to wait for things to occur at a federal level. And this issue matters. This is one issue on which we should certainly go out and engage in the best practice we possibly can and not wait until it is raised at the Council of Australian Governments meeting because that is just not good enough.

I urge the Minister for Mental Health and the Minister for Health to urgently get together to discuss this issue and to prioritise addressing these issues, because people and their families are suffering and we should be taking action on this now. We know there is a problem; we need to address it.