

# STATES OF JERSEY



## REGULATION OF THE PROFESSIONAL PRACTICE OF THERAPEUTIC COUNSELLORS

---

Lodged au Greffe on 11th March 2025  
by Deputy T.A. Coles of St. Helier South  
Earliest date for debate: 1st April 2025

---

STATES GREFFE

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

to request the Minister for Health and Social Services to include, as part of his legislative programme for 2025, the regulation of the professional practice of therapeutic counsellors, including requiring registration with a governing body, and subsequently the Jersey Care Commission, to ensure they meet a minimum standard of qualifications, and to present the legislative requirements to the Assembly no later than January 2026.

DEPUTY T.A. COLES OF ST. HELIER SOUTH

## **REPORT**

### **Summary**

The purpose of this proposition is to require the regulation of therapeutic counsellors, so that any person wishing to practise counselling or call themselves a counsellor must register with a governing body, to ensure they meet a minimum standard of qualifications, and register with the Jersey Care Commission.

### **Definitions**

**Mental Health** – Mental health refers to a person’s emotional, psychological, and social well-being. It affects how we think, feel and act, and it also helps determine how we manage stress, relate to others and make choices. Good mental health is more than just the absence of mental illness.

**Talking therapies** – Also known as psychotherapy or counselling, involve discussing your thoughts, feelings, and behaviours with a trained therapist. The goal is to help understand and manage your mental health issues, improve your emotional well-being, and develop coping strategies.

### **Report**

Mental health and talking therapies have long histories, dating back to the ancient philosophers Socrates, Plato, and Aristotle, with Stoicism often considered to be first approach to self-help.<sup>1</sup> The modern understanding of talking therapies and psychoanalysis started to form in the 19<sup>th</sup> century, with Sigmund Freud and Carl Jung, focusing on concepts like the unconscious mind.<sup>2</sup> This led, in the 20<sup>th</sup> century, to the concept Humanistic psychology, developed by Carl Rogers and Abraham Maslow, which is where modern day counselling comes from.<sup>3</sup>

Mental health care involves a range of professionals, each with various levels of responsibility in diagnosing, treating, and supporting individuals. Below is a list of professions an individual might engage with when trying to overcome mental health issues:

1. Psychiatrist
2. Clinical Psychologist
3. Mental Health Nurse
4. Counsellor and Psychotherapist
5. Social Worker
6. Occupational Therapist
7. Peer Support Worker

The offer, from these professionals, is quite different. The Psychiatrist, as a medical doctor, offers everything from diagnosis and medication to therapy and support, but usually focused on the most severe conditions. The Peer Support Worker provides

---

<sup>1</sup> [Stoic Philosophers – The First Cognitive Behavioral Therapists - AllPsych](#)

<sup>2</sup> [The Evolution of Counselling and Talking Therapies: From Ancient Wisdom to Modern Science](#)

<sup>3</sup> [Modernizing Maslow’s Hierarchy through the Lens of Self-Care - AllPsych](#)

support, usually within an organisation, and would hold a form of certification, however, they do not offer any sort of therapy or treatment.

It is interesting, when we look back at the list of professionals, to compare registration requirements with the Jersey Care Commission and/or a professional body.<sup>4 5 6</sup>

1. Psychiatrist - Registered with the General Medical Council only
2. Clinical Psychologist - Registered with the Jersey Care Commission only
3. Mental Health Nurse - Registered with the Jersey Care Commission and Nursing & Midwifery Council
4. Psychotherapist - Registered with the Jersey Care Commission only
5. Counsellor - N/A
6. Social Worker - Registered with the Jersey Care Commission and Social Work England
7. Occupational Therapist - Registered with the Jersey Care Commission and professional body.

It is noticeable that counsellors are not treated in the same way as other professionals. It is worth noting that though Jersey does not legally require Clinical Psychologists and Psychotherapists to be a member of a professional body, the Jersey Care Commission's website<sup>7</sup> shows that all of them are a member of one body or another.

## **Risks**

Without regulation or accountability to an ethical standard, the greatest risk is to client safety. Mental health is a delicate area, and improper handling can exacerbate issues. Without regulation, there is no guarantee that counsellors have the necessary training, skills, or ethical standards to provide effective and safe care.

Without a formal complaints or accountability system, clients who experience harm or misconduct have no recourse, leaving others, especially vulnerable individuals, at risk. As a result, the whole counselling profession could suffer a lack of trust and credibility, and this, potentially, could see the demise of valuable services to those who need them.

There is also the risk of financial exploitation, whereby practitioners charge clients for services without providing effective treatment.

## **Regulation**

It is not the purpose of this proposition to dictate how far regulations should go but to indicate that those wishing to practise as a counsellor, in Jersey, should, at least, be registered with the Jersey Care Commission and be a member of a relevant governing body, which is registered with the Professional Standards Authority<sup>8</sup> in the UK.

There are at least three main organisations that govern the practice of counselling, [The British Association for Counselling and Psychotherapy](#) (BACP), [The National Counselling & Psychotherapy Society](#) (NCPS), and the [UK Council for Psychotherapy](#)

---

<sup>4</sup> [Health Care \(Registration\) \(Jersey\) Law 1995](#)

<sup>5</sup> [Jersey health and social care professionals register](#)

<sup>6</sup> [Register of Jersey Care Professionals | Jersey Care Commission](#)

<sup>8</sup> [PSA | Healthcare regulation | PSA](#)

(UKCP). Each group have a similar code of ethics, minimum educational requirements, and complaints system.

### **Conclusion**

Implementing regulations for therapeutic counsellors is essential to ensuring the safety and well-being of clients. By requiring counsellors to achieve a minimum level of qualification and register with a governing body, we can uphold high standards of care and accountability. This will not only protect clients from potential harm and financial exploitation but also enhance the credibility and trustworthiness of the counselling profession. Ultimately, implementing these regulations will help create a safer, more ethical counselling profession that clients can trust, ensuring long-term benefits for individuals and the wider community.

### **Financial and staffing implications**

There will be no additional financial or staffing implications, as part of this legislation where this would sit forms part of the Minister's legislative programme.

### **Children's Rights Impact Assessment**

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.