

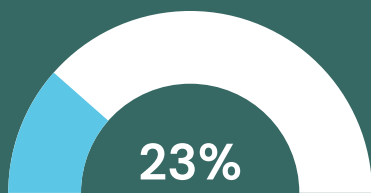
Confidentiality in Counselling: The Impact of Routine Police Requests for Counselling Notes

The NCPS is a professional body for counsellors and psychotherapists in the UK, representing over 16,000 therapists. We have conducted a survey of our members looking at the impact of routine requests for counselling notes, and the proposed Government plans that would make it explicit in law that the police do not need a client's consent to access therapy notes. The survey captured perspectives and experiences from across our membership.

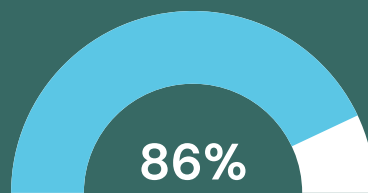
Summary:

- A **significant number** of cases where notes have been **requested relate to sexual violence**
- The majority of therapists cite **issues with the impact of Government proposals** on the therapeutic relationship and client confidentiality
- Therapists advise the **fear of note disclosure leads clients to self-censoring**, which impacts the efficacy of therapy
- A number of therapists have reported **clients choosing not to access therapy** in cases where notes may be requested
- Proposals to negate the need for client consent in order to request notes pose **significant ethical challenges**
- The majority of therapists **support judicial oversight** as recommended by the Keep Counselling Confidential campaign

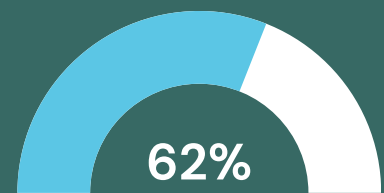
23% of therapists surveyed have had their **notes requested by the police**



86% of those who have had their notes requested said that the case **related to sexual violence 'most of the time' or 'all of the time'**



62% of therapists who have had their notes requested said that it **related to sexual violence 'all of the time'**



“If the police, or any other organisations, were able to access client records without explicit consent, then how are we therapists supposed to build trust with our clients?”

The results of the survey clearly show the issues faced by therapists in cases where the police request access to therapy notes, especially in instances of sexual violence. This practice **challenges the core principles of confidentiality and trust in therapy**, leading to ethical dilemmas and **impacting the effectiveness of the therapeutic process**.

A significant number of therapists who responded to the survey emphasised **the importance of client consent and confidentiality in the therapeutic relationship**, and concerns about the **ethical implications of routine requests for notes**, leading to an impact on professional standards, were highlighted by many. Some respondents expressed **distrust or scepticism regarding the police or the legal system’s handling of such sensitive information**.

“I’ve worked as a therapist supporting CYP who have been sexually abused – notes are frequently requested as a ‘fishing’ exercise by police. People should be able to access therapy in order to heal.”

“Counselling is an essential support to victims and survivors. Clients need to know their notes are kept in the highest confidence. Without this they may be even more reluctant to seek the support they need.”

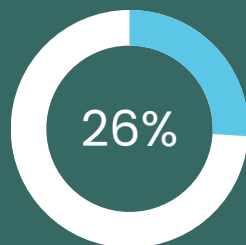
“Counsellor notes are NOT a regulated form of work (e.g. some counsellors will not take any notes, some counsellors may write their own opinions in notes, nobody is checking or verifying the notes, usually the client doesn’t even see these notes) and so should not be used as reliable evidence source.”

94.5%



94.5% of therapists who responded feel that **there are ethical concerns to the police requesting counselling notes**

Only 26% of therapists who responded would feel confident in making the decision as to **whether to disclose counselling notes** when requested by the police



92%



92% of therapists who responded **disagreed with the Government’s plans** to make it explicit in law that the police do not need a client’s consent to access therapy notes

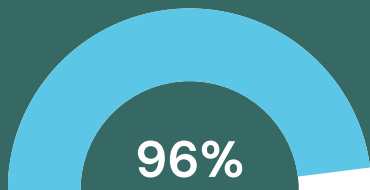
“Survivors tell me it feels as if the rapist is back for more, this time with the law on their side. They grant access because they may be told the case will be dropped if they don't. They say to prove they aren't lying they give access without knowing what else from their private lives, or the lives of their loved ones, will be released.”

Alongside this, therapists also mentioned issues related to **human rights and privacy and concerns about how such practices could affect the effectiveness of therapy.**

“Confidentiality is one of the most important aspects of the therapeutic relationship and process of therapy.”



90% of therapists who responded support the [Keep Counselling Confidential campaign](#)



96% of therapists who responded support the need for access to free legal advice for clients whose notes have been requested

A few respondents pointed out the risk of **further harm or re-victimisation** of clients.

“For those that have taken decades to report, to then 'open the box' and disclose childhood abuse without feeling they can access full therapy for years is incredibly difficult.”

“The only reason to request notes is usually to try and either discredit the therapist or discredit the witness. Therapy is not fact finding or investigative.”



Thank you for taking the time to read these findings. You can find more information on the [Keep Counselling Confidential campaign here.](#)

Key Figures & Considerations:

- 23% of therapists surveyed have had their notes requested by the police
 - 86% of those who have had their notes requested said that the case related to sexual violence 'most of the time' or 'all of the time'.
 - 62% of therapists who have had their notes requested said that it related to sexual violence 'all of the time'.
 - 94.5% of therapists who responded feel that there are ethical concerns to the police requesting counselling notes
 - 92% of therapists who responded disagreed with the Government's plans to make it explicit in law that the police do not need a client's consent to access therapy notes
 - Only 26% of therapists who responded would feel confident in deciding as to whether to disclose counselling notes when requested by the police
 - 90% of therapists who responded support the Keep Counselling Confidential campaign
 - 96% of therapists who responded support the need for access to free legal advice for clients whose notes have been requested
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- "If the police, or any other organisation, are able to access client records without explicit consent, then how are we therapists supposed to build trust with our clients?"
 - "I've worked as a therapist supporting CYP who have been sexually abused - notes are frequently requested as a 'fishing' exercise by police. People should be able to access therapy in order to heal."
 - "Counselling is an essential support to victims and survivors. Clients need to know their notes are kept in the highest confidence. Without this, they may be even more reluctant to seek the support they need."
 - "Survivors tell me it feels as if the rapist is back for more, this time with the law on their side. They grant access because they may be told the case will be dropped if they don't. They say to prove they aren't lying they give access without knowing what else from their private lives, or the lives of their loved ones, will be released."
 - "Counsellor notes are NOT a regulated form of work (e.g. some counsellors will not take any notes, some counsellors may write their own opinions in notes, nobody is checking or verifying the notes, usually the client doesn't even see these notes) and so should not be used as reliable evidence source."
 - "Confidentiality is one of the most important aspects of the therapeutic relationship and process of therapy."
 - "The only reason to request notes is usually to try and either discredit the therapist or discredit the witness. Therapy is not fact finding or investigative."
 - "I think counsellors are generally scared of consequences to themselves if they don't obey the police."
 - "For those that have taken decades to report, to then 'open the box' and disclose childhood abuse without feeling they can access full therapy for years is incredibly difficult."
 - "Police strong-arm us into handing over information, and guilt-trip us if we refuse."