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EAP Statement on the Legal Position of Psychotherapy in Europe

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1: The Strasbourg Declaration:

The basic position of the European Association for Psychotherapy (EAP) is enshrined in the 1990 Strasbourg Declaration on Psychotherapy, which states:

In accordance with the aims of the World Health Organisation (WHO), the non-discrimination accord valid within the framework of the European Union (EU) and intended for the European Economic Area (EEA), and the principle of freedom of movement of persons and services, the undersigned agree on the following points:

- 1. Psychotherapy is an independent scientific discipline, the practice of which represents an independent and free profession.*
- 2. Training in psychotherapy takes place at an advanced, qualified and scientific level.*
- 3. The multiplicity of psychotherapeutic methods is assured and guaranteed.*
- 4. A full psychotherapeutic training covers theory, self-experience, and practice under supervision. Adequate knowledge of various psychotherapeutic processes is acquired.*
- 5. Access to training is through various preliminary qualifications, in particular human and social sciences.*

2: The EAP's Definition of Psychotherapy

The EAP's (2003) definition of psychotherapy is, as follows:

- 1.** The practice of psychotherapy is the comprehensive, conscious and planned treatment of psychosocial, psychosomatic and behavioural disturbances or states of suffering with scientific psychotherapeutic methods, through an interaction between one or more persons being treated, and one or more psychotherapists, with the aim of relieving disturbing attitudes to change, and to promote the maturation, development and health of the treated person. It requires both a general and a specific training/education.
- 2.** The independent practice of psychotherapy consists of autonomous, responsible enactment of the capacities described in paragraph 1; independent of whether the activity is in free practice or institutional work.

3: Psychotherapy Training

The European Association for Psychotherapy has achieved a common and agreed standard for the training required to become a Psychotherapist across all its constituent 41 European countries. The EAP training standards are that the total duration of the education and training for the profession of Psychotherapist is at Master's level and must fulfil EQF Level 7. The length of the training must not be less than 3200 hours.

There are now two routes to achieve accreditation as a Psychotherapist:

- ❖ **Either** – spread over a minimum of seven years, with the first three years being the equivalent of a relevant University degree, and then four years which must be a training specific to Psychotherapy and at Masters EQF7 standard. The specialist training specific to Psychotherapy must contain all of the elements outlined by EAP which are required to become a Psychotherapist and should comprise a minimum of 1400 hours.
- ❖ **Or** – conducted as a five year full-time academic education and training in Psychotherapy organised by a University. This must be at Masters EQF7 level and contain specialist training specific to Psychotherapy. The training must include all the elements outlined by EAP which are required to become a Psychotherapist.

The training elements required by EAP are the academic study of the theory and practice methodology of Psychotherapy (500 to 800 hours); clinical practice (not less than 300 hours) under supervision (not less than 150 hours); professional skill development through studying training methodologies and their application; extensive and extended personal Psychotherapy (not less than 250 hours); placement in a mental health setting or equivalent; Psychotherapy research and research methodology and technique, and the ability to critically evaluate research; diversity and equality training; safeguarding training and training in ethical professional codes and conduct.

Completion of training as a Psychotherapist can lead to the awarding of the EAP's European Certificate of Psychotherapy (ECP). The award of the ECP can be made when Psychotherapists can fulfil all the requirements laid out in §4 of the ECP document ([here](#)).

The EAP promotes the recognition of common standards of training throughout Europe, and tries to ensure the mobility of suitably qualified psychotherapists across member states. The EAP is endeavouring to assist all of its European Accredited Psychotherapy Training institutes (EAPTIs) to identify their ECP courses in terms of the European Credit Transfer System (ECTS) and then to register them with the National Qualifications Framework office in their country at EQF Level-7 (Master's degree).

4: The Current Position:

In 2018 the EAP has adopted the 'Psychotherapy Act'. This is part of the process of the submission for a Common Training Framework for the profession of "Psychotherapist" to be agreed by the European Commission:

The Psychotherapy Act encompasses all the professional actions, i.e. the autonomous, interdisciplinary, relationship-based and evidence-informed psychotherapeutic methods, for the treatment of psychological, psycho-social and psycho-somatic disorders and difficulties. A relationship of trust, empathy and confidentiality between the Psychotherapist and the client is essential

for effective clinical practice. The Psychotherapy Act is underpinned by national and international ethical codes which respect the dignity, autonomy and uniqueness of all human beings. Psychotherapy is an independent profession from psychology, psychiatry and counselling. Psychotherapists usually have a first degree followed by a professional, highly specialized, theoretical and clinical training which includes research methodology and continuous professional development. The range of psychotherapeutic modalities is broad, and the profession is constantly evolving new developments in theory and clinical practice.

(Adopted by the EAP Governing Board: April, 2018)

A Common Training Framework (CTF) is a legal tool to achieve automatic professional qualification recognition across EU countries, meaning that learning outcomes and professional competencies received in one European country are recognized throughout Europe. This is an extension of EU Directive 2013/55/EC about the recognition of professional qualifications.

The National Associations for Psychotherapy in nine of the countries (below) are now proposing the Psychotherapy Act as being the basis of a Common Training Framework (CTF) for Psychotherapy to the European Commission (see §3). These nine countries are: Austria, Belgium, Croatia, Germany, Ireland, Italy, Malta, Romania, Slovenia: and these nine countries meet the condition of at least one third of the current 27 European countries needed to establish a Common Training Framework.

At the time of writing, January 2021, the process of establishing the Common Training Framework for the profession of Psychotherapist is still being considered by the European Commission.

5: Legal Situation of Psychotherapy in different European countries:

The current legal situation with regards to psychotherapy in a number of European countries is very varied and is somewhat complicated. Countries in the EU are designated here by a *:

- Albania:** There is no regulation by law on psychotherapy. (2017)
- *Austria:** Psychotherapy is an independent profession regulated by Austrian law since 1990 (Psychotherapy Act, 361st Federal Act of June 7, 1990 on the Exercise of Psychotherapy), which regulates the training, practice and exercise of professional psychotherapy, as well as the legal framework for the Psychotherapy Advisory Council ("Psychotherapiebeirat"). The competent supervisory authority, the Federal Ministry of Health issues additional professional guidelines on a regular basis which ensures that not only the legal framework, but also the exercise of psychotherapy in practice comply to very high standards.
- *Belgium:** In 2014, a law was voted that: defined psychotherapy; defined a general framework about training as being a post-graduate training of at least 70 ECTS over 4 years; recognised four main modalities; and established a Federal Council. In Sept. 2017, the Constitutional Court suspended part of the law and decided a delay on application of the law for existing psychotherapists.
- *Bulgaria:** There is no legislation on psychotherapy, which is not covered or paid for by any health insurance. (2014)
- *Czech Rep:** The profession of psychotherapy is not regulated by law: only a qualification in psychology and psychiatry and a post-graduate specialization in psychotherapy is regulated, which

includes a minimum of 5 years of practice in health care institutions, under supervision. There are about 10 approved modalities.

- *Croatia:** There is a 'Psychotherapy Act' (2018) ([here](#)) in Croatia that establishes psychotherapy as an independent profession, separate from psychology.
- *Cyprus:** There is no law about psychotherapy and anyone can use the title "psychotherapist": there is a law regulating psychologists, some of whom claim to be psychotherapists. (2017)
- *Denmark:** In Denmark, doctors and psychologists can be trained in psychotherapy as a part of their education and use psychotherapy in their work with patients. Otherwise, psychotherapy is not a part of the Danish public healthcare system.
- *Estonia:** There is currently no law about psychotherapy in Estonia. There is a predominance of biological treatment methods and psychiatric services. The availability of psychotherapy, counselling or help for emergency situations is very limited.
- *Finland:** In Finland, there is a 1994 regulation about using the title of "psychotherapist". Psychotherapy training programmes are multi-professional, but all training is either in psychological or psychiatric institutions in universities.
- *France:** In France, since 2010, the title "psychotherapist" has been restricted to a register consisting of medical doctors, psychologists and/or psychoanalysts. The practice of psychotherapy is not regulated by law.
- *Germany:** In 1999, a 'Psychotherapists' law was passed which made a psychotherapist a licenced health profession with similar rights and duties as physicians, but restricted the prescribing of medication or other medical interventions. A psychotherapist is required to have a substantive post-graduate training. There is a Chamber of Psychotherapists that regulates and monitors their professional competencies and decides which approaches are scientifically valid. There are a huge number of non-licenced psychotherapists that have a legal permission to treat patients under a "health practitioner" licence. Law reform was planned by the Ministry of Health in 2017.
- *Greece:** There is no legislation concerning psychotherapy: it is not recognised as an autonomous profession and the title of "psychotherapist" is not legally protected. (2014)
- *Hungary:** Psychotherapy is defined by the Health Act CLIV 1997, which recognised 16 accredited psychotherapeutic methods. It can only be practiced by a specialised physician or clinical psychologist with a specialised qualification in psychotherapy, which thus has a post-graduate level of entry and three years of training.
- *Ireland:** The professions of counselling and psychotherapy are currently self-regulated by a number of professional bodies. In 2018, the Oireachtas (Irish Parliament) approved the regulation and protection of titles for the two designating professions of counselling and psychotherapy. In 2019, the Minister of Health established and appointed the members to the Counsellors and Psychotherapists Registration Board with the aim of establishing a register and assess and monitor the training courses.
- *Italy:** Italian Law (1982, #162) establishes that psychotherapy can only be practiced after a specific 4-year post-graduate training, with entry only via a medical or psychology degree. Training is the prerogative of universities or recognised private institutes (Law: 1998, #509). All psychotherapy approaches are recognised.
- *Latvia:** There are 'Psychotherapist's Speciality Regulations' issued by the Latvian Welfare Ministry in 2002, that defines psychotherapy as a primary medical speciality of a psychodynamic psychiatrist and doctor in psychosomatic medicine, who provides aetiologies, pathogenesis, diagnosis, treatment, prevention and rehabilitation, based on an integrative biopsychosocial approach. Interestingly, the 'psychotherapy' title and practice in the private sector is not regulated by law.
- *Lithuania:** Currently, there are no psychology or psychotherapy laws in Lithuania, thus, 'psychologist' or 'psychotherapist' are not protected titles. The title of "medical psychologist" is

regulated by the Ministry of Health: Medical psychologist is a psychologist, who graduated from university with a master degree in clinical or health psychology, who has a professional seal with professional number provided by the state accreditation body and who is practicing in a health care institution which also is licensed to provide personal health care services. Medical psychologists work in various mental health care setting including primary care, psychiatric hospitals, rehabilitation facilities, etc.

- *Luxembourg:** There was a 2015 psychotherapy law passed, under which all practitioners must have a Master's degree in psychology or psychotherapy, or an equivalent medical training certificate. In principle, all psychotherapy patients can get reimbursed.
- Kosovo:** The profession of "Psychotherapy" in Kosovo is not regulated by law and no public institutions have any legal status for psychotherapy. This means that is not forbidden to use the title of psychotherapist, nor to train, nor to provide services. (2014)
- *Malta:** There is a new law in Malta, voted in 2018, that regulate psychotherapist in a similar fashion to the Austrian law.
- *Netherlands:** There is a restrictive law on psychotherapy, with an entrance level as well as the modality-training defined by governmental bodies. Only psychologists, psychiatrists and medical doctors can start a modality-training in Cognitive-Behavioural Therapy and then enter a national register. All other modalities are called 'alternative' therapies and are not accepted. It is even prohibited to use the word 'psychotherapist'. (2017)
- Norway:** There is no specific law on psychotherapy or psychotherapists, but the law for practitioners of alternative treatments apply. (2014)
- *Poland:** There is no law and no national register of psychotherapists. Every 2 years, the Ministry of Health issues various decrees that limit the certification of psychotherapists to psychologists and doctors. There are a large number of practising psychotherapists, but only about 25% are certified. There are an unknown number of untrained people claiming they perform psychotherapy, which include psychologists, addiction therapists, counsellors, medical doctors, esoteric therapists, etc. There is a consensus about psychotherapy training being at a 4-year, post-graduate level. (2014)
- *Portugal:** In Portugal, psychotherapy is not regulated by any special law, though there are specific regulations for the provision of some health services, which may apply. The title of psychotherapist is not protected by law, but there are some efforts (possibly by psychologists and psychiatrists) to limit the title and apply restrictive training standards.
- *Romania:** Psychologists are regulated by a Law 213/2004. Some can fulfil competency in the field of psychotherapy. There was a draft law, rejected in 2007, proposed psychotherapy as a profession. Currently, psychotherapy is considered as a specialisation of psychology. (2017)
- Serbia:** There is currently no legal regulation of Psychotherapy in Serbia. Since the Serbian professional organisation was formed in 1997 there have been several attempts to approach State bodies and Ministries. Associations of psychologists, psychiatrists, and social workers, Universities having Departments for Psychology, and other professional associations are all involved in discussing the legal regulation of Psychotherapy at a national level.
- *Slovakia:** There is no currently no law about psychotherapy in Slovakia, nor any other form of legal regulation, so attempts were made to legitimise the practice of psychotherapy with the Ministry of Health, and these concluded in 2008. Psychotherapy can now only be practiced by people registered as healthcare professionals, which requires an appropriate degree and then professional training.
- *Slovenia:** There is no law about psychotherapy in Slovenia, nor any other form of legal regulation. There have been several attempts to regulate the profession, but currently 3 professional associations provide some structure. (2017)
- *Spain:** There is no law in Spain that recognises psychotherapy as a profession. There are attempts to legalise psychotherapists, but only if they are psychologists. FEAP (Spanish Federation of

Psychotherapy Associations) recognise people with EAP's European Certificate of Psychotherapy (2017).

***Sweden:** To become a licensed psychotherapist in Sweden, you need firstly 5 years of both practical and theoretical education as a psychologist, and then one year of supervised practice. (2019)

Switzerland: A Federal Law about Psychology Professions (PsyG) was introduced in 2013. All students who want to follow postgraduate training in psychotherapy have to pass a master degree in psychology at an accredited Swiss high school or university. As a consequence, all institutions licensed to offer postgraduate training have to have their curricula accredited, according to the PsyG quality standards. The accreditation process was finalised in 2019 and has to be repeated every seven years. Psychotherapists – whether independent or employed – are only allowed to treat by prescription or by delegation, mandated by a medical doctor. Only psychotherapists who have completed the above training are licensed to use the title “Federally Approved Psychotherapist” and only this title allows them to practice independently; permission has to be issued by the cantonal departments of health.

United Kingdom: Since 2010, there has been an Accredited Voluntary Register for Psychotherapists, which is accredited by the Professional Standards Authority (PSA). The PSA is itself authorised by the Governmental Privy Council. There are many modalities of psychotherapy recognised. Qualification requires the completion of 4-years of training at Masters level. Following the political changes of Brexit (2020), the UK continues to be a full member of the European Association for Psychotherapy.

[Some of this information came from the Network for Psychotherapeutic Care in Europe (NPCE) (www.ncpe.eu).]

The conclusion is that – in some of these countries – there are, in effect, restrictive practices regarding who can access psychotherapy training and who can practice in psychotherapy. These practices can restrict the free movement of labour across the EU. There have been a few cases where psychotherapists, registered in one EU country with less restrictions, have been able to practice in another EU country with different restrictions, but this has usually meant going to court to establish that EU principles are superior to more restrictive national regulations.

Several countries have adopted a system whereby the Ministry of Health effectively determines who can practice psychotherapy in that country. This is significantly different from a ‘legal right’ to practice. There are also significant differences in many countries between psychotherapy in the health care system and the private practice of psychotherapy.

Several countries have no laws or regulations, but most of these seem to be moving to some form of registration. There is a significant difference between ‘registration’ as a qualified psychotherapist and the regulation of who can use the title of ‘psychotherapist’. Therefore, there seems to be a need for a European-wide consensus.

6: The Professional Core Competencies of a European Psychotherapist:

In 2013, the EAP established the professional Core Competencies of a European Psychotherapist. These are available [here](#). These Core Competencies clearly establish a significant differentiation between the professions of a psychologist and a psychotherapist.

This differentiation has now been accepted by the European Skills, Competences, Qualifications and Occupations (ESCO), which identifies and categorises skills, competences, qualifications and occupations relevant for the EU labour market, education and training. ESCO is part of the Europe 2020 strategy, in that in the description of a psychotherapist (Code: 2634.2.4) it states ([here](#)):

Psychotherapists assist and treat healthcare users with varying degrees of psychological, psychosocial, or psychosomatic behavioural disorders and pathogenic conditions by means of psychotherapeutic

methods. They promote personal development and well-being and provide advice on improving relationships, capabilities, and problem-solving techniques. They use science-based psychotherapeutic methods such as behavioural therapy, existential analysis and logotherapy, psychoanalysis or systemic family therapy in order to guide the patients in their development and help them search for appropriate solutions to their problems. Psychotherapists are not required to have academic degrees in psychology or a medical qualification in psychiatry. It is an independent occupation from psychology, psychiatry, and counselling.

The alternative labels (sub-categories) of 'psychotherapist' include:

neuro-linguistic psychotherapist; geriatric psychotherapist; psychotherapy practitioner; person-centred psychotherapist; humanistic psychotherapist; youth psychotherapist; systemic therapist; body psychotherapist; hypno-psychotherapist; group psychotherapist; existential psychotherapist; reality therapy psychotherapist; transactional analytic psychotherapist; cognitive behavioural therapist; specialist psychotherapist; person-centred psychotherapist; integrative psychotherapist; positive psychotherapist; transpersonal psychotherapist; gestalt psychotherapist; psychodynamic psychotherapist; psychoanalytical psychotherapist; multi-modal psychotherapist; child psychotherapist; psychotherapy expert; practitioner of psychotherapy; expert psychotherapist; expert in psychotherapy; psychodrama psychotherapist.

7: The European Council of the Liberal Professions (CEPLIS):

The European Council of the Liberal Professions (CEPLIS) (www.ceplis.org) is the only inter-professional association bringing together the various liberal professions at the European Community level. All of its members are national inter-professional and European mono-professional bodies representative of the various sectors. The EAP is recognised as a mono-professional member: so is the European Federation of Psychologists Associations (EFPA).

CEPLIS can only take a position on a specific problem concerning a given liberal profession on the express request of the member representing this profession within CEPLIS and exclusively within the limits defined by its association objectives. Moreover, CEPLIS shall not take sides in any conflict involving different professions represented by it, different representations of the same profession at the European level, or different Interprofessional Organisations within any one State. Each member of CEPLIS maintains the right to defend itself the special interests of its profession within Europe.

This Council therefore establishes a clear structure that can help to maintain the differentiation and the independence between the two parallel professions of psychotherapy and psychology.

8: A European Professional Card (EPC) & the Europass:

The European Professional Card (EPC) only works for regulated professions and is thus only currently available for some professions (general care nurses, physiotherapists, pharmacists, real estate agents, engineers, and mountain guides). It clarifies the qualifications of a professional and thus acts as a sort of professional passport.

This EPC system may be extended to other professions, or they may choose to adopt a similar system (maybe something like a 'Europass'), which helps to communicate a professional's skills and qualifications and thus assists their mobility of learning and labour.

9: EFPA & EAP

The European Federation of Psychologists Associations (EFPA), which represents European psychologists, is developing a 'EuroPsy' (a European Certificate in Psychology) that establishes a European standard of education and professional training in psychology. It may be worth

noting that a “EuroPsy Specialist Certificate in Psychotherapy” can be issued to a psychologist, with more advanced training in this specialist area of psychotherapy.

The EAP may well decide to develop a ‘EuroPsych’ (based on the European Certificate in Psychotherapy), as a way of identifying the professional training and qualifications of a European psychotherapist.

These are practical methods of both differentiating, and also identifying, the professional training and qualifications of members of these two parallel professions.

10: Differences between European Psychotherapy and European Counselling:

Whilst there are some obvious similarities between these two professional activities, there are also considerable differences. Firstly, counselling is often not present as a significant professional activity in a number of European countries. There is a European Association for Counselling (www.eac.eu.com) and there are a number of articles available that differentiate between the two professions.

In academic terms, a counselling training is often set at a Certificate (1-year: EQF-4) or a Diploma level (2-years of tertiary education: EQF-5), though there are also some professional 3-year and 4-year trainings, as well as degree-level trainings (EQF-6). Entry into a full professional counselling training is usually not set at a post-graduate level.

While there are various different forms (methods) of counselling, it seems to be somewhat more multi-disciplinary than psychotherapy, where there are many very clearly defined different modalities (see §5). The professional core competencies of a European Counsellor (see [here](#)) are significantly different from the (previously mentioned) professional Core Competencies of a European Psychotherapist (see [here](#)).

There are also several intermediate positions in different countries like: “counselling psychologist”, “psychological counselling”, “psychotherapeutic counselling”, etc. and some professional associations (like the British Association for Counselling & Psychotherapy) do not differentiate between these two professions.