

Report by HANIS ZAINAL and CLARISSA CHUNG

'There are existing legal provisions to protect public from quacks'

PETALING JAYA: Although professional mental health practitioners say regulation in the industry still leaves much to be desired, there are existing legal provisions to protect the public from quacks.

Lawyer Muhammad Akram Abdul Aziz said the public are able to seek legal recourse from quack psychologists and counsellors with a number of Acts – the Counsellors Act 1998, the Allied Health Professions Act 2016 and the Penal Code.

Under the Counsellors Act, he said, Sections 44 and 45 provide for punishment for anyone who forges a practising certificate or impersonates a counsellor; the offender faces a maximum RM10,000 fine or two years' jail, or both.

For fake psychologists, he noted that there is no Psychology Act in force at the moment, though it has been proposed by psychological associations.

"However, with regard to bogus psychologists, the public are not without protection despite the absence of a specific Act akin to Counsellors Act," he said.

"Clinical psychologists are listed as one of the professions bound by the Allied Health Professions Act.

"Sections 35 until 37 of the Act do provide the types of offences to cover these bogus psychologists."

"A person who impersonates an allied health practitioner can be subject to a fine up to RM50,000 or imprisonment up to two

years, or both.

Muhammad said the public may also refer to the Penal Code to seek legal redress against false mental health practitioners, citing Sections 415 to 420.

Under Section 416 and 419, a person who "cheats by personation" or by pretending to be some other person may face a jail term of up to seven years or a fine, or both.

Meanwhile, Health director-general Datuk Dr Noor Hisham Abdullah said clinical psychologists will soon be regulated under the Allied Health Professions Act 2016.

"Once the Act is enforced, a council known as the Malaysian Allied Health Profession Council (MAHPC) will be established and empowered

to regulate all related services and activities in the country," he said.

Site visits by the Health Ministry to reprimand unqualified clinical psychologists are also currently not in place, he added.

"Once the Act comes into force, MAHPC and the regulatory section of the Allied Health Sciences Division will play an essential role in strengthening protection for the patients," he said.

He, however, said there will not be any specific occupational licensing requirement for general psychologists as they will be self-regulated.

"A person who is qualified with the speciality of counselling psychology will be employed as a coun-

sellor, whereas a person who qualified in the speciality of clinical psychology will be employed as clinical psychologist.

"Apart from that, others will be employed as general psychologists," he defined.

Counsellors are regulated by the Board of Counsellors, said its president Assoc Prof Dr Wan Marzuwan Wan Jaafar.

He said the board, which is under the Women, Family and Community Development Ministry, also checks the websites and social media sites for counselling services that are advertised.

Site visits to centres where counselling services are offered are also regularly conducted, he added.

Quacks a threat to public

Bogus psychologists are giving the wrong treatment

PETALING JAYA: The post on social media might seem innocuous to a layman's eye – an event page for a certification course in "professional adult psychotherapy", open to members of the public.

The one-day course promises attendees that they would be able to learn how to assess and solve the "problems" people face.

On the event page itself, few details were offered on who would be conducting the course.

The organiser was a psychology centre in the Klang Valley, which, on its website, says that it offers services such as individual and family counselling, hypnotherapy, divorce mediation and addiction therapy.

A visit by *The Star* found the centre to be nondescript and clean, much like any other centres offering counselling and psychological services. A chat with the receptionist revealed that the centre did offer all the services it touted on the website.

The centre also offered a bevy of mental health tests, which included what is called a "leaky gut" test and a neurotransmitter test.

These tests, the centre claimed, could help tell one's mental health.

Asked about the qualifications of the psychologists who will be handling the counselling and psychotherapy sessions, however, the answer was less forthcoming.

"We haven't updated our website yet but our psychologists are all qualified," said the receptionist.

To the public, the centre seems to be a place one can visit to seek help for mental health.

To experts in the psychological field, however, the seemingly legitimate operation, one of many in the country, is a danger to the public.

Malaysian Society of Clinical Psychology (MSCP) vice-president Dr Alvin Ng is all too familiar with the modus operandi of these centres, said to be founded and staffed by bogus "psychologists".

Ng, who is also Sunway University Department of Psychology head and associate professor, said these "psychologists" lack proper qualifications and training.

He pointed out that bogus psychologists would often prey on the vulnerability of those seeking mental health aid.

"First of all, the damage would be financial. These people, who are desperate (for help), usually do not have that much money to spend on treatment, so they can be persuaded to pay a lot of money for some kind of 'miracle cure' that these bogus psychologists promise.

"So you lose your money, your savings for something that doesn't work – how will you get back that (wasted) resources to go for the real treatment?" he said when interviewed.

The more pressing damage, he said, was that those who genuinely needed mental health help did not receive the treatment they needed.

"They are not getting proper help – one that is evidence-based.

"And if things do not improve, they might think, 'Oh, all psychologists are like that,' and stop getting treatment," he said.

Ng said he came across a bogus psychologist who was found to have used an assessment tool



Things to look out for when choosing a psychologist/counsellor

- > Ensure that a clinical psychologist has at least a Masters degree in clinical psychology. And if the psychologist graduated from the United Kingdom, the United States or New Zealand, a professional doctorate in clinical psychology is needed
- > Ensure that the clinical psychologists work closely with other professionals, as some issues cannot be addressed only through treatments with clinical psychologists

- > Be wary if a mental health practitioner claims to have many areas of expertise
- > For clinical psychologists, check the name with the Malaysian Society of Clinical Psychologists
- > For counsellors, check if the counsellor is registered with the Board of Counsellors
- > You can also check the name of the mental health practitioner with Malaysian Marriage and Family Therapy Association or Perkama International

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for children on an elderly person.

"You know what it was called? The Wechsler Intelligence Scale for Children," he added.

He said it was difficult for legitimate psychologists to call out these bogus operators as there are currently limited laws in the country against calling oneself a psychologist and offering psychology treatment.

"There is nothing in legal terms in this country to protect the term 'psychologist'," he said, adding that in countries such as the United States, "psychologist" is a protected term.

"Only people who are licensed specifically as a clinical psychologist or counselling psychologist can be called a psychologist in the US," he said.

He said while Malaysia has the Allied Health Professions Act 2016, it is still not enforceable yet.

Universiti Pendidikan Sultan Idris Psychology and Counselling Department professor and clinical psychologist Dr Rahmatullah Khan said that as long as there is no licensing board for psychologists, the public will still be vulnerable to bogus psychologists.

He said that while MSCP is doing its part by vetting clinical psychologists, it is only a professional body.

"You still need a licensing board that can issue licences," he said.

He said it was important to raise public awareness of how to differentiate between qualified psychologists and those who only graduated with a degree in psychology but have had no training in treating psychological disorders.

Counsellors are also bemoaning the quacks

Ex-employees pour scorn on 'psychologist' and his iffy credentials

PETALING JAYA: Former employees of a so-called "psychologist" spoke of his iffy credentials, unscrupulous practice of overcharging his patients and sexual advances.

One of them, who only wanted to be known as Annabelle, noticed that her boss had been charging his patients RM600 per hour for his services while under guidelines by the Malaysian Society of Clinical Psychology, the usual private psychological consultation fees should only be between RM150 and RM450 per hour.

Annabelle also realised that vitamins he "prescribed" for his clients would be bought in bulk from pharmacies and later given at a mark-up rate of 1,000%.

"When I questioned him about it, he only gave excuses," she said.

She also said he would make sexual advances towards her and other female staff members, telling them to be more "sexually open-minded".

Anita (not her real name), who worked with the same fake psychologist, said his credentials were made up of certificates that he would earn from short courses.

"He is definitely not certified – he has so many certificates showcased in his office but we all know that these are certificates you can get by going to, say, a one-day workshop," she said during the interview.

The fake psychologist, said Anita, used "tests" he created on his own, instead of valid assessment tools used by legitimate clinical psychologists and counsellors.

She said he would also pressure clients to take up packages that would run up to thousands of ringgit for a few sessions, regardless of the clients' mental health issues.

"He once billed a patient RM17,000 for the sessions and 'supplements'," she added.

Confirming Annabelle's claim, she said he also sexually harassed her by continuously pressuring her to have meals or to go for music shows or movies with him.

"He would do this to his female employees and interns and even got very upset if you rejected him.

"On top of that, he'd even give you more work and act very cold towards you because of the rejection," she said.

Once she was asked to stay back alone in the office after working hours with the excuse of assisting him with a client.

"I said no ... and I was crying. He threatened to give me a warning letter (for misconduct at work) but I still went home.

"The so-called client never turned up, so I wasn't even sure whether he was due to see a client that evening," she said.

Many of his employees, she added, were cowed by his threats and did not report him.

Anita lasted less than five months working in the clinic.