

29 September 2022

Mr Robin Swann MLA
Health Minister
Department of Health
Castle Buildings
Stormont
Belfast
Northern Ireland
BT4 3SQ



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Dear Mr Swann

Re: The Regulation of Cosmetic Treatments in Northern Ireland

Due to the continuing popularity and rapid growth of new non-surgical cosmetic procedures that are emerging onto the market, Mid Ulster District Council wishes to highlight its concern regarding the increased risk to public health arising from these substantially unregulated procedures.

Elected Members are aware and concerned that the existing legislative framework available to environmental health departments across Northern Ireland is no longer fit for purpose and does not provide the necessary regulatory toolkit in which to address this area of public health concern.

It is notable that due to the significant rise in the number and type of non-surgical aesthetic procedures available, the UK Government have agreed to amend the Health and Care Bill in England to introduce a licensing scheme for non-surgical cosmetic procedures, to better regulate the cosmetic industry in England.

Whilst it is acknowledged that our environmental health officers currently engage with relevant businesses and utilise existing health and safety legislation and local bye-laws, Council would welcome better regulation of cosmetic treatments and the introduction of a licensing scheme as it is essential to adequately protecting the public's health.

Mid Ulster District Council therefore respectfully requests that your Department gives serious consideration to remedying this legislative shortfall within Northern Ireland.

Thank you in anticipation of your assistance in this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ryan Black', is written over a light blue horizontal line.

Ryan Black
Strategic Director for Communities and Place, on behalf of Mid Ulster District Council

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Your Ref:

Our Ref: CORR-1492-2022

Date: 10th October 2022

Dear *Ryan,*

Thank you for your correspondence of 29 September 2022 in relation to a request for better regulation of cosmetic treatments in Northern Ireland and the introduction of a licensing scheme for non-cosmetic procedures.

Under the Independent Health Care Regulations (Northern Ireland) 2005, the Regulation and Quality Improvement Authority (RQIA) regulate clinics providing certain laser or intense pulsed light cosmetic treatments and these providers are required to undergo the appropriate training etc. However, those carrying out non-surgical cosmetic procedures/treatments such as Botox or dermal fillers are not required to register with RQIA. There are no qualifications legally required to administer Botox or dermal fillers.

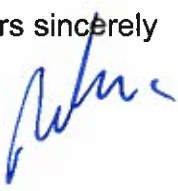
My Department's Medicines Regulatory Group (MRG) carried out an enforcement and compliance programme into the provision of Botox over a 6 month period. Initial investigations and assessments have been conducted into over 200 individual providers of Botulinum Toxin Type A. Shortcomings in prescribing processes and breaches of advertising legislation have been identified. Those in breach of legislation have been issued formal advice and warning notices where appropriate and have moved into legal compliance in the vast majority of cases investigated. In addition, formal referrals have been made to professional bodies, e.g. GMC where appropriate. The MRG continues to monitor the situation.

My Department is aware of the changing health and social care environment, notably around cosmetic treatments, and has carried out a fundamental review of health and social care regulatory framework. My officials have developed a new draft regulatory policy that includes the principles of regulation, along with the broad scope of services to be regulated and the proposal that the regulator should have wider powers of enforcement etc.

This work has been the first phase of the process before moving on to phase 2. As part of my Department's response to the pandemic the launch of the consultation on phase 1 was delayed. Before a draft policy is consulted upon it will be subject to further review taking into account any additional lessons from the pandemic and any other regulatory and quality issues that have emerged over the past few years.

It is my intention that a Review of Regulation will be taken forward during the current mandate of the Assembly. This Review of Regulation will also include an assessment of current standards in order to consider whether any further assurances are required.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robin Swann', written over the typed name.

Robin Swann MLA
Minister of Health