

Private & Voluntary Healthcare Consultation  
Department of Health  
Room 330 Wellington House  
133-155 Waterloo Road  
London SE1 8UG

9 June 2008

Dear Department of Health

**Response to consultation – ‘Removal from Healthcare Commission regulation of certain private and voluntary healthcare services’**

We wish to register our strong disagreement with the proposal to remove type 3 hyperbaric oxygen chambers, some vitro fertilisation techniques and some types of laser and intense pulsed light technologies from the list of treatments which require regulation. We believe that these proposals fly in the face of Government proclamations that patient safety is a top priority. The question as to whether a treatment is required to be regulated should be “Does this treatment have the potential to cause harm if inappropriately carried out?” Any treatment with the potential to cause harm should be subject to regulation.

We feel particularly strongly about the proposal to de-regulate certain laser treatments which are carried out for cosmetic reasons. There have been recent examples of such treatment causing harm. There is likely to be an increase in the number of businesses offering this treatment, particularly if it is de-regulated. This will inevitably put members of the public at greater risk of harm. Only recently the Chief Medical Officer held a review of cosmetic treatments involving various stakeholders. The conclusion of that review was that there should be more regulation in this area not less. We have already seen a u-turn over the recommendation to regulate injectable treatments such as Botox. Instead, members of the public are being told they will have to rely on a voluntary registration scheme run by the industry itself. Some of the leading providers of cosmetic treatment themselves decry the dilution of regulation in this area, and have agreed with participation in a voluntary scheme merely as damage limitation.

We also find it ironic that the Department should cite the absence of recent reported incidents as an argument for the regulation of certain oxygen chambers. The whole point of regulation is to protect the public. The fact that regulation has proved successful in this area should not be used as a justification for de-regulating it.

We strongly urge that the Department rethinks its proposals for de-regulation of these treatments and places priority on where it should be – protecting the safety of patients and the public.

Yours sincerely

*Peter Walsh*

**Peter Walsh**  
**Chief Executive**