

Citizen Participation and Public Petitions Committee
Wednesday 5 March 2025
4th Meeting, 2025 (Session 6)

PE2137: Fair regulation for non-medical aesthetic injectors

Introduction

Petitioner Jordan Morrison on behalf of Mr Skulpt Aesthetics Ltd

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to introduce an aesthetics licensing scheme to ensure that non-medical practitioners meet training and safety standards.

Webpage <https://petitions.parliament.scot/petitions/PE2137>

1. This is a new petition that was lodged on 6 January 2025.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 5,039 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received a submission from the Scottish Government which is set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
February 2025

Annexe A: Summary of petition

PE2137: Fair regulation for non-medical aesthetic injectors

Petitioner

Jordan Morrison on behalf of Mr Skulpt Aesthetics Ltd

Date Lodged

06 January 2025

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to introduce an aesthetics licensing scheme to ensure that non-medical practitioners meet training and safety standards.

Background information

Non-medical aesthetic injectors play a vital role in Scotland's beauty and wellness industry, offering accessible cosmetic treatments such as Botox and dermal fillers. While safety is paramount, banning these professionals is neither a practical nor fair solution. Instead, introducing robust regulation would ensure a higher standard of care while preserving consumer choice and protecting livelihoods.

A complete ban risks driving treatments underground, where unregulated and untrained individuals could operate without oversight, significantly increasing risks to public safety. By contrast, regulation would mandate accredited training, ongoing education, and adherence to strict safety protocols, ensuring injectors have the necessary knowledge to perform procedures responsibly.

Proper regulation, not prohibition, fosters a safer, more equitable industry while retaining the diversity of expertise and affordability that consumers value. Let us prioritise improvement over exclusion.

Annexe B: SPICe briefing on PE2137



Brief overview of issues raised by the petitioner

The petitioner is concerned that the Scottish Government might impose a ban on unregistered salons and unqualified people from carrying out non-medical cosmetic procedures, such as Botox and cosmetic/dermal fillers.

Botulinum toxins

These are medicines injected into the skin to smooth lines and wrinkles. There are several trade names used for cosmetic treatments made with botulinum toxin, the most common of which is Botox.

Cosmetic fillers

These are gel-like substances commonly injected into the lips or face to add volume and plump the injected area. They may also be used in hands, feet, or for 'non-surgical nose jobs'.

Rather than a ban, the petitioner proposes regulation that would 'mandate accredited training, ongoing education' and strict safety regulation for those working in premises not already regulated by NHS Health Improvement Scotland.

Scottish Government actions - Aesthetic regulation in Scotland

Currently, the only clinics that are regulated are those where qualified, registered health professionals work. These are registered and inspected by [NHS Health Improvement Scotland](#). Independent clinics are defined in the National Health Services (Scotland) Act 1978 as:

"A clinic which is not comprised in a hospital and in or from which services are provided by a medical practitioner, dental practitioner, registered nurse, registered midwife, registered pharmacist, registered pharmacy technician or dental care professional."

Because the legislation pre-dates the availability of modern cosmetic products and procedures in use today, such as [injectable dermal fillers](#) and Botox, the assumption at the time would have been that any health clinic would have been staffed by regulated health professionals, and that beauty salons would not have been carrying out such 'invasive' procedures.

In a [consultation paper for the regulation of cosmetic procedures, published in December 2024](#), the Scottish Government sets out the context for the requirement for regulation:

“In Scotland today more and more people are choosing to have non-surgical cosmetic procedures. This is a personal choice which people make for a whole range of reasons, and is supporting a growing industry of healthcare professionals and beauty therapists. It is increasingly visible on our high streets, however the sector is not currently fully regulated. The Scottish Government is concerned about the resulting undue level of risk for clients... While there are many reputable practitioners, we have also seen an increase in media reports about people who have experienced complications from procedures that have gone wrong.

Work on regulating aesthetic procedures and practitioners in Scotland has been progressing over the last decade.

[The Scottish Cosmetic Interventions Expert Group](#) (SCIEG) was set up in January 2014 to explore the need for introducing regulation to cosmetic procedures in Scotland. This was on the back of the publication of the [Review of the Regulation of Cosmetic Interventions](#) which was commissioned by the UK Department of Health and conducted by Sir Bruce Keogh.

The Keogh review recognised that many procedures are not fully covered by existing regulatory frameworks, thereby allowing anyone to be able to purchase and administer products such as dermal fillers and Botox, despite the potential for significant harm.

Products like Botox require a prescription so there is some level of safeguard there, however, dermal fillers are categorised as medical devices and therefore anyone can buy them. There are also currently no restrictions on who can administer Botox and fillers.

The report by SCIEG made several recommendations, including a three-phase approach to regulation:

Phase 1 would allow regulation to be commenced for independent clinics being provided by (or on behalf of) specific regulated health care professionals. **This phase of regulation commenced in 2016** and now registered healthcare professionals operating independent cosmetic clinics must register with Healthcare Improvement Scotland (HIS).

Phase 2. Phase 1 did not include non-surgical cosmetic procedures being provided by independent cosmetic practitioners who are not members of a statutory register. For example, services being provided by beauticians, hairdressers or similar therapists are not subject to regulation. Phase 2 would attempt to address this and would allow regulation of these services to be introduced in a manner that is ‘proportionate and risk-based’.

Phase 3 will be to consider the voluntary or legislative options for any additional health care professionals who provide services and wish to be accredited. For example, any clinical scientists who are supervising and performing aesthetic laser procedures.

Work on phases 2 and 3 is underway and a Scottish Government consultation was conducted in 2020 on the regulation of non-surgical procedures which pierce or penetrate the skin.

In 2022, The Scottish Government published [an analysis of the consultation responses](#) and issued a [press release](#) committing to regulate these procedures. At that time, the Scottish Government indicated that it may introduce a licensing scheme for all practitioners carrying out this work (by amending the Licensing of Skin Piercing and Tattooing Order 2006) but this did not happen.

In a [letter to the Health, Social Care and Sport Committee](#), the Cabinet Secretary for Health wrote that they had since become aware of an increasing number of procedures with the potential for harm and:

“It is therefore essential that we consider the non-surgical cosmetics sector more broadly, and that any proposals we develop around potential future legislation are robust, flexible, and future-proof to maintain pace with the emergence of any new procedures in this changing landscape.”

On the back of this concern, the Scottish Government reconvened SCIEG in 2023 to review the current aesthetic procedures landscape.

Differences in regulation between England and Scotland

In England, regulation is different. The [Health and Care Act 2022](#)

“gave the Secretary of State for Health and Social Care the power to introduce a licensing regime for non-surgical cosmetic procedures in England. The purpose of the scheme is to ensure that consumers who choose to undergo a non-surgical cosmetic procedure can be confident that the treatment they receive is safe and of a high standard.”

[A consultation was undertaken by the then UK Government on the licensing scheme, which closed in September 2023.](#) The information supplied set out the government’s intentions for what the scheme would cover.

The 2022 Act provided for regulations to be made to prohibit someone in England from carrying out specified cosmetic procedures without a licence, and also to prohibit the use of premises in England without a licence to carry out specified procedures.

[The Botulinum Toxin and Cosmetic Fillers \(Children\) Act 2021](#) made it [an offence to administer these to anyone under 18 in England](#). This age limit does not apply in Scotland.

At present (February 2025), no licensing scheme has been finalised by the UK Government.

Scottish Parliament actions

The [most recent PQ on the issue](#) was answered on 15 January 2025.

“The Scottish Government launched a consultation on 20th December 2024, to seek views on how best to further regulate non-surgical cosmetics procedures.

The consultation has been informed by extensive work with a range of stakeholders, including beauty industry representatives, among others, but it is important we receive further feedback before the Scottish Government commits to any proposals.

In taking forward work on any potential new regulations, we will continue to seek views from, and consider the impact on, existing businesses.

Our proposals aim to be both robust and proportionate, protecting the public and supporting reputable business to operate safely.”

A [PQ in July](#) 2024 asked about timescales for primary and secondary legislation and the Minister responded:

“Scottish Government officials are currently undertaking scoping work with a variety of stakeholders including healthcare professionals (representatives from British College of Aesthetic Medicine and British Association of Cosmetic Nurses), hair and beauty industry representatives, Environmental Health Officers, Healthcare Improvement Scotland (HIS), and other UK Governments in order to bring forward proposals regarding the potential further regulation of non-surgical cosmetic procedures within the beauty sector in Scotland.

The scoping of further regulation of non-surgical cosmetics procedures includes the consideration of age restrictions, the levels of insurance, training, qualifications and supervision required to safely perform various types of non-surgical cosmetic procedures that pierce and penetrate the skin, is underway.

We hope to be in a position to update Parliament on timescale for this in due course.”

Anne Jepson and Kathleen Robson
SPICe Research

Annexe C: Written submission

Scottish Government written submission, 24 January 2025

PE2137/A: Fair regulation for non-medical aesthetic injectors

The petition follows the publication on 20 December of a [consultation](#) on proposals to regulate non-surgical cosmetic procedures (NSCPs). The consultation closes on 14 February 2025 and builds on an earlier [consultation in 2020](#) which showed overwhelming (98%) support for tighter regulation for these procedures. The new consultation puts forward more detailed proposals for what that further regulation could look like.

Scottish Government welcomes the petition's support for robust regulation of NSCPs.

The petitioner objects to banning non-medical 'aesthetic injectors' from performing these procedures and says that any ban will drive such services underground whereas 'proper regulation' that includes mandatory accredited training, knowledge of the procedures and strict safety protocols would foster a safer, more equitable industry while retaining the diversity of expertise and affordability that consumers value.

The consultation *does not* propose a ban on non healthcare professional practitioners from performing injections of Botox[®] or dermal fillers. The proposal is that certain procedures should be undertaken in a premises regulated by Healthcare Improvement Scotland, that they should be undertaken by a trained practitioner working under the supervision of an appropriate healthcare professional, who would be available to prescribe any prescription only medicines required in the procedure, or support in the management of any complications.

This is part of a differentiated approach where NSCPs have been categorised into three groups based on a number of factors including the risks of the procedures, and the level of training required to carry them out safely. The groupings are:

- **Group 1** procedures are the least invasive and lowest risk. We propose that these can take place in a licensed premises by licenced individuals or in a Healthcare Improvement Scotland (HIS) regulated premises.
- **Group 2** procedures are more invasive and higher risk. We propose that these be restricted to HIS regulated premises, where they can be undertaken by either a healthcare professional or a trained practitioner working under the supervision of such a professional. The proposal is that this group includes any procedure that requires, (or may require) the use of a POM. This may include Botox[®] and dermal fillers, as well as other injection procedures.
- **Group 3** procedures are those which by virtue of either the complexity of the procedure, or the risk profile (e.g. Brazilian Butt Lifts), we propose should only be undertaken by the appropriate healthcare professional.

Full details of the procedures and proposed groupings are available in the consultation.

Both Botox[®], and the dissolving agent Hyaluronidase (frequently required in the management of complications arising from dermal filler procedures) are prescription only medicines, which must be prescribed by a registered healthcare professional who is a prescriber and who has completed a full assessment of the patient. We are not proposing any changes to this.

In taking forward work on any potential new regulations, Scottish Government will continue to seek views from, and consider the impact on, existing businesses. In addition to the consultation, Scottish Government is engaging further with practitioners working in the sector.

No decisions have been made. Scottish Government will confirm any plans for legislation required once the consultation is closed and we have analysed the consultation responses. The proposals will be refined in the light of the feedback received. Any further regulation will be subject to parliamentary processes.

Scottish Government anticipate strong views in response to this consultation. That is why the consultation is open to enable us to hear them before any decisions are made. The petitioner, signatories to the petition, businesses and members of the public are all encouraged to respond to the consultation, to help inform the preparation of any future regulations for NSCPs that are proportionate, robust and future-proofed, protecting the public and supporting reputable businesses to operate safely.

I hope you find my response helpful and informative.

Chief Operating Officer