This response was submitted to the call for evidence issued by the Nuffield Council on Bioethics’ Working Party on Cosmetic procedures. Responses were gathered from 11 January to 18 March 2017. The views expressed are solely those of the respondent(s) and not those of the Council.

Anonymous

Cosmetic procedures: ethical issues

Call for evidence

11 January 2016

(Closing date: 18 March 2016)
**Introduction**

The availability and use of invasive cosmetic procedures, both surgical and non-surgical, to enhance or ‘normalise’ appearance has grown significantly in recent decades: both in terms of the number of procedures on offer and the numbers of people who choose to undergo them. The Nuffield Council on Bioethics has established a working party to explore the ethical issues that arise in connection with this increasing access to cosmetic procedures.

The working party would like to hear from as many people and organisations as possible who have an interest in cosmetic procedures, and this call for evidence is open to anyone who wishes to respond. In addition to the call for evidence, we will be using a variety of consultative methods to ensure that we hear from a diverse range of people with personal or professional experience of cosmetic procedures, or opinions about the impact of the growing availability of such procedures on social attitudes to appearance. Please contact us if you would like to be kept up-to-date with opportunities to contribute, or to alert us to other people or organisations who would be interested in knowing about this project.

When responding to this call for evidence, feel free to answer as many, or as few, questions as you wish, and please use the ‘any other comments’ section to contribute any opinions or evidence that do not fit elsewhere. Where possible, please explain the reasons behind your responses, and the evidence or experience on which you are basing them, as this is more useful to the working party than simple yes/no answers.

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**Any other comments?**

**How to submit your response**
Definitions and aims

There are no clearly agreed definitions as to what constitutes a cosmetic procedure. Even in surgical procedures, it is not always straightforward to draw clear dividing lines between reconstructive or therapeutic procedures and those undertaken for cosmetic purposes: breast reconstructions after mastectomy, for example, are essentially undertaken for aesthetic reasons, rather than because they are medically necessary; and procedures regarded as ‘cosmetic’ may also be necessary after bariatric surgery.

People seeking cosmetic procedures may do so in order to enhance their appearance in accordance with prevailing beauty norms (for example in seeking breast augmentation, facelifts, and liposuction, or in the routine use of dental braces for children), or alternatively in order to ‘normalise’ their appearance (for example when seeking surgery for prominent ears). Less routine examples of procedures offered include: limb-lengthening surgery, the removal of additional fingers or toes, and gender reassignment procedures. The desire to be ‘more beautiful’ or look ‘more normal’ may also be underpinned by the hope that changes in appearance will lead to greater happiness, or greater success.

For non-surgical procedures, it is difficult to draw clear dividing lines between everyday beauty routines and procedures that span the beauty/clinical divide, such as chemical peels, laser treatments, skin-whitening treatments, dermal fillers and botulinum toxin (‘Botox’). Further distinctions arise between these procedures and other methods used to change appearance, such as tanning, piercing and tattooing, which are not ordinarily described as cosmetic procedures.

Questions 1-3

1. What, in your view, counts as a ‘cosmetic procedure’?
A cosmetic procedure is anything that is done for the sole aim to increase attractiveness beyond ‘average’ as judged by the non-specialist. For example, a revision of a scar (because it is unsightly) is not a cosmetic procedure in my view because most people (average) would not have a scar to revise. Similarly, removal of a cyst is generally of limited medical benefit, but a non-specialist would not describe the reason to undergo this procedure was purely for increasing attractiveness and would be deemed a normal desire. Non-experts would understand why a lady with a protuberant mole on her nose would want it removed—not to increase her attractiveness, but to realize normality.

2. What do you see as the underlying aim of cosmetic procedures (a) from the perspective of those seeking a procedure and (b) from the perspective of those providing procedures? How does this differ for different social groups?
   a. increase attractiveness
   b. fulfill a need

3. Most people use their clothes, hairstyle, and make up to beautify themselves. Does it make a difference when appearance is altered through biomedical or surgical procedures?
No. However, neither the NHS nor insurance policies pay for clothes or hairstyles. They are personal choice.
Increasing demand for cosmetic procedures

While there are no authoritative figures on the number of surgical or non-surgical procedures carried out in the UK or elsewhere, it is clear from the limited statistics available that the number of cosmetic procedures carried out has grown considerably in recent decades. Although it remains the case that the majority of people undergoing procedures are women, the ratio of men to women having procedures has remained constant as the numbers choosing procedures has grown (men continuing to make up around a tenth of all those undertaking procedures). Research exploring the factors that motivate people to undertake cosmetic procedures has highlighted both societal factors (such as the pressure to look young, media and celebrity influence, and seeking to confirm to cultural or social ideals), and intrapersonal factors (such as body dissatisfaction and impact on self-esteem, teasing, and experience of family and friends).

There is less research evidence exploring the reasons underpinning the radical growth in use of cosmetic procedures. Suggested explanations include increasing affordability; technological change making more procedures available; the pervasiveness of celebrity culture; the development of digitally manipulated photographs (leading to ever-more unrealistic representations of beauty); the rise in the use of social media (including the trend of postings ‘selfies’ online) and self-monitoring apps; and easier access to pornography depicting unrealistic images of what is normal or desirable. In the context of the UK, these proposed explanations are also embedded in a society where body image is poor compared with other countries.

The substantial increase in the number of cosmetic procedures performed has led to some commentators to argue that these procedures are becoming ‘normalised’: that is, that both cosmetic surgery, and invasive non-surgical procedures such as the use of injectable fillers and Botox, are increasingly perceived as routine, rather than exceptional, ways of changing one’s appearance. This perception has, in turn, led to concerns that what is regarded as a desirable, or even acceptable, appearance may become increasingly narrow, increasing pressure on those whose appearance does not conform to these norms, and reinforcing stereotypes with respect to factors such as age, gender, sexuality, race, ethnicity, class, disability, and disfigurement. It is also argued that the risks involved are increasingly likely to be overlooked or downplayed, if having a procedure is seen as something ‘normal’ or ‘routine’. In contrast, others take the view that the increasing use of cosmetic procedures should be seen as positive and empowering: enabling people to access procedures to change aspects of their appearance that they do not like, or that cause them distress.

Questions 4-8

4. What do you think are the main drivers generating the increasing demand for cosmetic procedures, both surgical and non-surgical? Age of enlightenment. We are an age of communication. Inevitably, people want to control their communication (how they look). Also, surgical skills have improved.

5. Do you think it is becoming more routine to undertake cosmetic procedures? If so, in your view, does this raise any ethical issues?
I don’t undertake cosmetic procedures.

6. How (if at all) does the increasing availability and use of cosmetic procedures affect social norms generally: for example with respect to assumptions about age, gender, race, disability etc (see above)? Probably, increasing uptake, increases demand which has societal and cost implications.

7. Are some motivations for having a cosmetic procedure ‘better’ than others? If so, what are they, and who should judge? The person having it done should judge.

8. Do you have any thoughts about, or experience of, the ways in which cosmetic procedures are advertised, marketed or promoted in the UK? no
The supply and regulation of cosmetic procedures

A number of features of cosmetic procedures raise particular challenges for regulation, when compared with ‘therapeutic’ interventions:

- Cosmetic treatments will usually be initiated by the patient/consumer, rather than proposed by a health professional after a diagnosis. This may affect the nature of the consent process. It also raises questions as to the professional’s responsibilities if they believe the procedure is not in the patient’s best interests, or if there are other less invasive ways that patients/consumers might be able to achieve their goals.

- Most cosmetic procedures are provided by the private sector, rather than the NHS. Information accessed by patients/consumers will often be in the form of marketing material, rather than ‘patient information’, and people may feel a degree of pressure to go ahead with treatment.

- Outcomes may be more subjective: a professional may regard a treatment as ‘successful’, while the patient may feel disappointed that their expectations have not been met.

Over the past decade, there have been a number of expert inquiries in the UK looking into the way cosmetic procedures, in particular surgical procedures, are regulated, culminating in the 2013 Review of the regulation of cosmetic interventions (the Keogh report) commissioned by the English Department of Health. Repeated concerns raised include issues of patient safety (particularly with reference to the quality of implants and injectable fillers); the training and qualifications of those providing procedures; and the quality of information available to potential patients, both with respect to the risks and likely outcomes of procedures, and with respect to choice of practitioner.

The Keogh report highlighted the absence of any standards of accredited training for those providing non-surgical procedures, whether health professionals, such as doctors, nurses, or dentists; or others, such as beauty therapists. The report recommended the development of such standards, accompanied by compulsory registration of all practitioners providing cosmetic procedures, with the aim of ensuring that only practitioners who had acquired the necessary qualifications to achieve registration should be allowed to practise. The Department of Health’s response did not accept the need for such a registration system, but promised to explore other legislative options, including a possible role for health professionals taking a supervisory role with respect to some cosmetic procedures carried out by non-health professionals.

In the light of other recommendations made in the Keogh review, there has been considerable activity by regulatory and educational bodies in the past two years, with a particular focus on defining standards for those providing cosmetic procedures (whether clinically qualified or not), and making it easier for patients to identify appropriately qualified practitioners and to make informed choices:

- Health Education England has been commissioned by the Department of Health to develop accredited qualifications for providers of non-surgical procedures, and its final report, including implementation proposals, was published in January 2016.
The General Medical Council (GMC) is developing a system of ‘credentialing’ so that doctors with a credential in a particular field of practice, such as cosmetic practice, can have this recorded in their entry on the medical register. The GMC has also issued draft ethical guidance for all doctors who offer cosmetic procedures.

The Royal College of Surgeons has established a Cosmetic Surgery Interspecialty Committee (CSIC) with a remit to develop standards for training and certification across the range of specialties offering cosmetic surgery; develop high quality patient information; and develop clinical outcome measures.

Particular regulatory issues may arise with respect to access to cosmetic procedures by children and young people, or by others regarded as vulnerable in some way, such as people with body dysmorphic disorder (BDD). With respect to children, while parents are legally entitled to provide consent for their children’s medical treatment, their authority to provide consent for invasive procedures undertaken for cosmetic purposes is more uncertain. Comparisons may be drawn with other areas of regulation, such as the Tattooing of Minors Act 1969 which specifically prohibits practitioners from tattooing persons under the age of 18.

Similar regulations apply to the use of sunbeds by children and young people under the age of 18, other than when under medical supervision.

Questions 9-15

9. Do you think that people seeking cosmetic procedures are ‘patients’ or ‘consumers’, neither, or both?

   Consumers – by definition

10. What information should be made available to those considering a procedure?

   The delivery of human body interventions should be regulated the same whether cosmetic or non-cosmetic

11. Are there (a) any people or groups of people who should not have access to cosmetic procedures or (b) any circumstances in which procedures should not be offered?

   Children should not be able to access cosmetic surgery. If a child has a disfiguring burn or large mole, removal is not cosmetic because the sole aim of removal is not to increase attractiveness beyond ‘average’ as judged by the non-specialist.

12. To what extent should parents be allowed to make decisions about cosmetic procedures for their children?

   Nil, by definition

13. Should there be any guidelines or regulation on who can provide non-surgical cosmetic procedures?

   There is no such thing. All cosmetic procedures are surgical by definition. Medical treatment with creams /tablets for wrinkles etc is not cosmetic.

14. What are the responsibilities of those who develop, market, or supply cosmetic procedures?
Honesty about the outcomes – successes and failures

15. Do you believe that current regulatory measures for cosmetic procedures are appropriate, too lax, or too restrictive?

Probable too lax
Different parts of the body

The latest statistics from the British Association of Aesthetic Plastic Surgeons (BAAPS) highlight how fashions in cosmetic procedures may change, with people choosing treatment in 2014 showing more interest in “subtle understated” procedures such as eyelid surgery, facelifts and fat transfers, accompanied by a significant drop in the number of breast augmentations. A further area of change relates to the extension of cosmetic procedures to more body parts, such as the growing interest in female genital cosmetic surgery, buttock augmentation, and penis enlargements. While such procedures are becoming increasingly popular, they sometimes elicit different responses from those generated by longer-established procedures, such as those undertaken on the face, abdomen or breasts.

Questions 16-18

17. Thinking of cosmetic procedures, are there some parts of the body that are more problematic than others? If so, can you explain why?
   no

18. The Female Genital Mutilation Act 2003 prohibits the excision or mutilation of “any part of a girl’s [or woman’s] labia majora, labia minora or clitoris”, unless this is held to be necessary for her physical or mental health. What are the implications of the Act for female genital cosmetic surgery?
   No idea

19. Thinking of genital procedures more broadly, are there any distinctive ethical issues, including gender issues, that do not apply to other parts of the body?
   Not sure
Any other comments?

Please highlight any relevant areas you think we have omitted, or any other views you would like to express about the ethical issues arising in connection with cosmetic procedures.
How to submit your response

Please email your response to Kate Harvey (kharvey@nuffieldbioethics.org), with ‘Cosmetic procedures’ in the subject line. If possible, responses should be in the form of a single Word document, with question numbers clearly indicated.

Please ensure that you also include a completed response form with your submission, which can be found on page 11 below.

If you would prefer to respond by post, please send your submission to:

Kate Harvey
Nuffield Council on Bioethics
28 Bedford Square
London WC1B 3JS

Telephone: +44 (0)20 7681 9619
Website: www.nuffieldbioethics.org/cosmetic-procedures

Closing date for responses: 18 March 2016

For more information about the working party, or the Nuffield Council, please follow the links listed below:

Terms of reference of the working party
List of working party members
Terms of reference of the Council
List of Council members

Before submitting your response, please make sure you have filled in the respondent’s form telling us how we can use the information you have given us. We will not publish your name without your express permission.
Respondent’s form

Please complete and return with your response by 18 March 2016. We will **not** publish your name without your express permission.

**Your details:**

Name:________________________________________________________________________________________

Organisation (if applicable):____________________________________________________________________

Email:________________________________________________________________________________________

**About your response:**

**Are you responding personally (on your own behalf) or on behalf of your organisation?**

☐ Personal  ☐ Organisation

**May we include your name/your organisation’s name in the list of respondents that will be published in the final report?**

☐ Yes  ☐ No, I/we would prefer to be anonymous

If you have answered ‘yes’, please give your name or your organisation’s name as it should appear in print (this is the name that we will use in the list of respondents in the report):

__________________________________________________________________________________________

**May we quote your response in the report and make it available on the Council’s website when the report is published?**

☐ Yes, attributed to myself or my organisation  ☐ No

☐ Yes, anonymously*

*If you select this option, please note that your response will be published in full (but excluding this form), and if you wish to be anonymous you should ensure that your name, and any other identifying information, does not appear in the main text of your response. The Nuffield Council on Bioethics cannot take responsibility for anonymising responses in which the individual or organisation is identifiable from the content of their response. **Obtaining consent to publish a response does not commit the Council to publishing it. We will also not publish any response where it appears to us that to do so might result in detriment to the Council’s reputation or render it liable to legal proceedings.**
Why are you interested in this call for evidence? (Tick as many as apply)

- Professional interest – health professional providing cosmetic procedures
- Professional interest – non-health professional providing cosmetic procedures
- Professional interest – involved in developing/marketing cosmetic procedures
- Professional interest – work for, or represent, a charity or support group
- Professional interest – work for, or represent, a governmental or professional organisation
- Academic interest
- Legal/regulatory interest
- General interest
- Other (please state): ______________________________________________________

Personal interest –
- I have had one or more cosmetic procedures
- I am thinking about having a cosmetic procedure
- A close friend/relative has had one or more cosmetic procedures
- A close friend/relative is thinking about having a cosmetic procedure
- I have not had a cosmetic procedure but am interested in the issues
- Other personal interest (please state): ______________________________________________

Please let us know where you heard about the call for evidence:

- Received notification by email
- Newspaper, radio or television
- Nuffield Council on Bioethics website
- Twitter
- Other website (please state): ______________________________________________________
- Other (please state): ______________________________________________________________

Using your information

We ask for your email address in order that we can send you a link to the report when it is published and notify you about activities related to this project. (Please note that we do not make your email address available to anyone else, and we do not include it with the list of respondents in the report.)

May we keep your email address for these purposes?

- Yes
- No

Would you like to receive our newsletter by email which provides you with information about all of the Council’s activities?

- Yes
- No
References


2. 91% of procedures carried out by members of the British Association of Aesthetic Plastic Surgeons in 2014 were on women, and this ratio between men and women seeking procedures has remained constant over a number of years. See: The British Association of Aesthetic and Plastic Surgeons (26 January 2015) Tweak not tuck, available at: http://baaps.org.uk/about-us/audit/2040-auto-generate-from-title.


6. See: YouGov (21 July 2015) Over a third of Brits are unhappy with their bodies, available at: https://yougov.co.uk/news/2015/07/21/over-third-brits-unhappy-their-bodies-celebrity-cu/. This survey indicates that 37% of British people were not very happy or not happy at all with their body image and weight. The highest rate of positive body image was found in Indonesia, where 78% claim to be happy with their body weight and shape.


9. Creative Research (2013) Regulation of cosmetic interventions: research among the general public and practitioners, available at:
See, for example, the discussion in Gagne P, and McGaughey D (2002) Designing women: cultural hegemony and the exercise of power among women who have undergone elective mammoplasty Gender and Society 16(6): 814-38.


One UK provider of cosmetic procedures observed a 45 per cent increase in enquiries for female genital cosmetic procedures between 2010 and 2013. The provider also found that recipients of this range of procedures were getting younger: the average age of patients in 2010 was 35; in 2013, this had fallen to 28. See: Transform (30 August 2013) Transform reports surge in enquiries for vaginoplasty procedures, available at: https://www.transforminglives.co.uk/news-blog/news/2013/08/transform-reports-surge-in-enquiries-for-vaginoplasty-procedures/.


See, for example, the concerns expressed about motivations for female cosmetic genital surgery, as in Royal College of Obstetricians and Gynaecologists (2013) *Ethical opinion paper: ethical considerations in relation to female genital cosmetic surgery (FGCS)*, available at: https://www.rcog.org.uk/globalassets/documents/guidelines/ethics-issues-and-resources/rcog-fgcs-ethical-opinion-paper.pdf: it is difficult to imagine concerns being expressed in the same way about cosmetic procedures undertaken on the face or breasts.