

The Association of Traditional Chinese Medicine (UK)

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ATCM Letter to the Secretary of State for Health to Call for the Decision to Be Made in Favour of Statutory Regulation of Practitioners of Acupuncture, Herbal Medicine and Traditional Chinese Medicine

Rt Hon Andy Burnham MP
Secretary of State for Health
Department of Health
Richmond House
79 Whitehall
London
SW1A 2NS

15th March 2010

Dear Mr Burnham,

The Statutory Regulation of Practitioners of Acupuncture, Herbal Medicine and Traditional Chinese Medicine

I write to you on behalf of The Association of Traditional Chinese Medicine (UK) - ATCM, to echo the call made by Mr Michael McIntyre, the chair of European Herbal and Traditional Medicine Practitioners Association, for the statutory regulation of practitioners of acupuncture, herbal medicine and traditional Chinese medicine.

The ATCM was founded in 1994 and is the largest self-regulatory body for the practice of traditional Chinese medicine (TCM) in the UK. Currently there are over 700 qualified practitioners of traditional Chinese medicine registered with the ATCM, 80% of who are of Chinese origin. Since 2002, the ATCM has been actively involved in the DH move towards statutory regulation of our sector. We participated in two successive Department of Health Statutory Regulation Working Groups, and, as Mr McIntyre mentioned in his letter, the ATCM has been and remains committed to the statutory regulation of TCM practitioners.

Statutory regulation will ensure that practitioners are properly qualified and are practising safely as well as securing appropriate quality control of herbal medicines by the MHRA and through professional clinical governance. Statutory licensing, on the other hand, will provide no such means of regulating the herbal medicines supplied by practitioners so that this option is clearly not in the interest of many patients seeking TCM treatment. We appreciate the work the government has done to introduce statutory regulation for our profession over last decade since the House of Lords report on complementary medicine in 2000. However, we become frustrated now as the prospective of statutory regulation seems uncertain or even negative as the recent DH consultation on Statutory Regulation seemed to have done a u-turn and gone back to

discussing whether or not practitioners should be statutorily regulated, the question that was answered by the House of Lords report and the government response years ago.

The necessity and the urgency to introduce Statutory Regulation were highlighted once again recently on BBC News over a legal case in the Old Bailey. A patient suffered from renal failure and cancer after having taken a herbal product containing banned ingredient Aristolochia for 5 years from an unqualified practitioner. This case reflects how serious the current situation is in the UK; as anybody can claim to be a Chinese medicine or herbal medicine practitioner without having the necessary qualifications. If there had been a statutory regulation in place, this “practitioner” would not have been able to practise and this tragedy would not have happened.

The members of ATCM are fully supportive of statutory regulation for traditional Chinese medicine practitioners. We believe this is the best way to prevent those unqualified people from practising and therefore to safeguard the public. Furthermore, we are also extremely anxious about the situation after the full implementation of the Traditional Herbal Medicinal Products Directive in April 2011. Without statutory regulation, we will no longer be able to use the full range of Chinese herbal medicines to treat our patients and as the consequence, many of us will be denied from practice and this is a real threat to our livelihood. And to general public, if trained practitioners are unable to supply patients with herbal medicines that have been available for many years, this will undoubtedly drive people to obtain these medicines from the internet or from bogus, backstreet traders. This is certainly not in the public interest.

We are pleased to know that after so many years of discussion about this subject, you are finally to take a decision about statutory regulation of our sector. In the interests of patient safety and to maintain the availability of a full range of herbal medicines we urge you to rule in favour of statutory regulation which is the only way to attain these goals.

Yours sincerely,

Hui Jun Shen, MB, MM (China), MATCM (UK)
President ATCM