

# WELSH HEALTH CIRCULAR



Llywodraeth Cymru  
Welsh Government

Issue Date: 1 February 2018

**STATUS: INFORMATION**

**CATEGORY: LEGISLATION**

**Title:** 1 February 2018 Coming into Force of the Intimate Piercing Provisions Within the Public Health (Wales) Act 2017

**Date of Expiry / Review** N/A

**For information to:**

**Chief Executives**, Health Boards and NHS Trusts  
**Chairs**, Health Boards and NHS Trusts  
**Medical Directors Health**, Health Boards and NHS Trusts  
**Nurse Directors**, Health Boards and NHS Trusts  
**Infection Control Doctors and Nurses**, Health Boards and NHS Trusts  
**Directors of Public Health**, Health Boards and NHS Trusts  
**Chief Pharmacists**, Health Boards and NHS Trusts  
**School Nursing Leads**, Health Boards  
**Directors of Maternity Services**, Health Boards  
**Chief Executive**, Public Health Wales  
**Consultants in Communicable Disease Control**, Public Health Wales  
**Executive Director of Public Health Services**, Public Health Wales  
Welsh Government Director General HSS / Chief Executive NHS Wales  
**Deputy Chief Executive**, NHS Wales  
**General Practitioners**  
**Pharmacists**  
**Community Pharmacy Wales**  
**Royal College of GPs**  
**Royal College of Nursing**  
**Royal College of Midwives**  
**Royal Pharmaceutical Society**  
**General Practitioner Committee** British Medical Association, Wales  
**British Dental Association**, Wales

**Sender: Dr Frank Atherton, Chief Medical Officer for Wales**

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**Enclosure(s): None**

**Dear Colleagues,**

The purpose of this circular is to make you aware that the new law on intimate piercing in Wales comes into force on 1 February 2018.

## **Background**

The Public Health (Wales) Act 2017, which came into force in July 2017 (<http://www.legislation.gov.uk/anaw/2017/2/contents>), includes provisions at Part 5 relating to the intimate piercing of children. These provisions come into force on **1 February 2018** and make it an offence to intimately pierce children and young people under the age of 18 in Wales. It is also an offence to “make arrangements” to perform an intimate piercing on a person under the age of 18 in Wales. There are ten “intimate areas” specified within the Act, and these apply to all genders (the anus; breast [including the nipple and areola]; buttock; natal cleft; penis [including the foreskin]; perineum; pubic mound; scrotum; tongue, and vulva).

The aim of this new law is to protect children and young people from the potential health harms which can be caused by an intimate piercing, such as the incidence of body piercing-related complications (including infections and injuries) amongst young people whose bodies are still maturing, and who may be less adept at keeping up with aftercare requirements. Additionally the aim is to further protect children through the removal of circumstances where children and young people may be placed in a potentially vulnerable situation.

A person under the age of 18 will not be able to give their consent to an intimate piercing, nor will a parent or guardian be able to give consent to an intimate piercing on behalf of a young person. This new law is not retrospective and only applies to intimate piercings performed on children and young people under the age of 18 from 1 February 2018.

The definition of “**body piercing**” within the Act is “*the perforation of an individual’s skin or mucous membrane (including breaching the integrity of the skin) with a view to enabling jewellery or an object to be attached to, implanted in, **or removed from** an individual’s body*”. The Act includes an exemption for the intimate body piercing of children under the age of 18 where performed in the course of a medical procedure by a registered medical practitioner, a registered nurse or registered midwife. Such instances would include the **removal** of an intimate body piercing to prevent, treat or alleviate disease or ill health etc, including to enable effective birth control.

Local authorities in Wales have a duty to undertake enforcement action in relation to the intimate piercing provisions, including bringing forward prosecutions, investigating complaints and taking other steps. In undertaking a programme of enforcement action, local authorities must consult with the Chief Officer of Police who may assist local authorities with the enforcement of the provisions.

The Welsh Government has produced:

- a guidance document to assist local authorities and the police in their enforcement of this new law;
- a separate Q&A guidance document for body piercing practitioners and businesses to assist their understanding of the new law; and
- a separate guidance leaflet for under 18s and their parents, guardians and carers to help them to understand the new law.

These documents are being made available in Welsh and English on the Welsh Government website from 1 February 2018: [www.gov.wales/publichealthact](http://www.gov.wales/publichealthact) and I would encourage you to view these documents.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Frank Atherton', with a horizontal line extending to the right.

**DR FRANK ATHERTON**  
**Prif Swyddog Meddygol/Cyfarwyddwr Meddygol, GIG Cymru**  
**Chief Medical Officer/Medical Director NHS Wales**