

# Pharmaceutical Society of Northern Ireland



**FOR IMMEDIATE RELEASE – Wednesday, 25<sup>th</sup> June 2008**

## **Stormont Voice On Medical Regulation Must Be Heard**

The Pharmaceutical Society of Northern Ireland this afternoon welcomed the Government' statement of sympathy with an amendment to the Health and Social Care Bill which would ensure the Northern Ireland Assembly is consulted on all changes to regulation affecting professionals working in the health sector.

The amendment to the Bill was tabled by Lord Trimble of Lisnagarvey on Tuesday evening. He explained to peers that the approval of the Scottish Parliament is required by law before any regulatory changes can be introduced for the small number of health professions over which the Scottish Parliament has competence. This would include, for example, any regulations affecting “new professions” such as dental care professionals and pharmacy technicians.

However, in a legislative aberration, **no** approval is currently required from the Northern Ireland Assembly for **any** changes to legislation affecting health professionals, even though the regulation of **all** health professionals in Northern Ireland is a devolved matter. Lord Trimble stated this amounted to the exercise of power by Westminster by “statutory override” rather than proper consultation. He warned that this could be seen as a lack of good practice and good relations between Parliament and the devolved legislatures.

Responding for the Department of Health, Baroness Thornton said: *“The Government are sympathetic to the amendment, but we would make such a change to the current arrangements only with the agreement of the Ministers in the Northern Ireland Executive... the Northern Ireland Executive have indicated that at present they do not wish to have this power. We will be happy to consider the issue again if the Ministers in the Northern Ireland Executive feel that the position has changed.”*

Raymond Anderson, President of the Pharmaceutical Society of Northern Ireland called on the Northern Ireland Health department to place an official request with the Department of Health in London to rectify the irregularity before the Health and Social Care Bill completes its passage through parliament:

*“It is good constitutional practice for Westminster to get the consent of the Northern Ireland Assembly before passing legislation over which Stormont has competence. It is therefore puzzling why our Department of Health appears to be resisting a sensible correcting measure. This is a safeguarding mechanism to ensure professional regulation is “devolution-proofed”.*

*Time is now of the essence for the Northern Ireland Executive to request this correction with London Ministers. The alternative is that our MLAs will be routinely bypassed on matters over which they have jurisdiction.”*

**Ends**

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### **Editor's notes**

1. The transcript of the discussion in the House of Lords on the amendment is here:  
<http://www.publications.parliament.uk/pa/ld200708/ldhansrd/text/80624-0007.htm>
2. A briefing note which was made available to members of the House of Lords is available upon request from the Society.