

# **Hairdressers in the UK: Time to Regulate the 'Candy Floss Profession'?**

## **Part two – the attempts at regulation – or at the very least, at registration**

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### **Key Words**

Hairdressing, regulation, personal professional services

### **Abstract**

*This article considers the perhaps remarkable fact that there is no regulation, nor even compulsory registration, of the hairdressing profession in the United Kingdom. Part one included a thumbnail history of its development, pausing to consider the colourful characters of fact and fiction which are part of the story. Part two examines the series of attempts at remedying the situation – up until the demise of the last effort – which failed because Parliament was more concerned on the day with banning foxhunting. It concludes that this apparently straightforward amendment of existing legislation is both necessary and long overdue.*

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### **Introduction**

In the first part of this article we traced the chequered history of the hairdressing profession in the UK. In this, the second part, we will consider the many and various attempts that have been made to regulate it. Many supporters of regulation might settle for mere registration. But, as will be seen, even this has proved politically, or procedurally, impossible.

### **The profession today**

There are around 35,000 salons and 3000 barber shops in the UK. The vast majority, nearly 95%, are small concerns, employing no more than 10 people. 50% are owned by men, although many of those are managed by women. They are mostly independent, although franchising is present and growing. There are small local and regional chains and there are several larger multiples, such as Vidal Sassoon, Regis Europe and Toni & Guy but these represent only about 2% of salons. ([http://business.timesonline.co.uk/tol/business/industry\\_sectors/leisure/article5014558.ece](http://business.timesonline.co.uk/tol/business/industry_sectors/leisure/article5014558.ece)).

Only 11,885 hairdressing and other beauty treatment businesses were registered for VAT in 2004 (ONS Business Monitor PA10030). There is considerable fluidity in the pattern of openings, closures and changes of ownership. About 100 salons close permanently every month. They are usually replaced elsewhere. Businesses last on average about 10 years. About 20% have job vacancies. Staff turnover is 14%. The

average time spent in the industry is about 8 years. The annual turnover is about £5 billion, reflecting 420 million client visits each year – around six by each client.

Around a quarter of a million people are employed across the wider industry, including nail bars/technicians, beauty salons/consultants, beauty therapists and those that work in spas - 90% are women., In hairdressing alone there are around 125,000 employees; 25% are men. About 30% of employees are aged 16-24, 22% are 25-34, 30% are 35-44, 15% are 45-59 and 3% are 60 and over. 60% are employed (rather than self employed) but only about 30% work full time. (Low Pay Commission Report 2005)<sup>1</sup>. In 1992 a set of guidelines for the legitimate operation of 'rent a chair' schemes in salons was agreed between the National Hairdressers' Federation and the then HM Customs & Excise. (<http://www.hji.co.uk/blogs/business/2008/09/hairdresser-chair-rental-and-t.html>). About 3% of hairdressers are graduates. The national population in the UK is aging. This is increasing the need to cater for a widening age range of clients, but the proportion of young entrants is falling demographically and also as a result of government encouragement to continue into higher education, (<http://www.habia.org/index.php>)<sup>2</sup>

### **Regulating the profession – unfinished business**

What is a 'profession'? Perhaps: 'a vocation, a calling, especially one requiring advanced knowledge or training'. (Shorter Oxford English Dictionary, 6th ed. 2007) There have been a number of attempts to avoid the present unregulated position. The first was made in 1922 when hairdressers, both employees and employers, formed the Hairdressers Registration Council. It was a voluntary organisation intended to improve the standard, competence, training and public recognition of the craft by inviting hairdressers to become registered and certified.

After the First World War there was a doubling of those working in the industry. The number of ladies' hairdressing salons grew rapidly and the Shops Act 1912 permitted an extra hour's opening just for them. This was unpopular in some quarters and led to the Hairdressers' and Barbers' Shops (Sunday Closing) Act 1930. Lord Buckmaster said "Is there any particular reason why this particular industry should be carried on on Sunday? My submission is that not only is there no reason why it should be, but there is every reason why it should not be." (HL Deb 09 July 1930 vol 78 cc355-64, 359). The effect of the Act was to replace the salons within the ambit of the Lord's Day Observance Act, 1677.

Meantime, the movement towards statutory recognition – for the first time since 1745 – saw the Hairdressers (Registration) Bill presented in the House of Commons on the 29th of July 1936 "to provide for the registration of hairdressers and to regulate the practice of hairdressing; and for purposes connected therewith." (HC Deb 29 July 1936 vol 315 c1526)

It was presented by Mr. Joseph Compton, then the MP for Manchester, Gorton. It was set to be read a Second time on Thursday, 29th October, and supported by Mr. Barr, Colonel Baldwin-Webb, Sir John Haslam, Mr. Chorlton, Mr. Magnay, Mr. Temple Morris, Mr. Chater, and Mr. Kelly but it was doomed.

Earlier that same year, on the 20th January 1936, King George V had died. He was a heavy smoker and suffered from emphysema, bronchitis, chronic obstructive lung disease and pleurisy. Eventually these conditions weakened him to the point of death. It has been reported that his physician, Lord Dawson of Penn, had injected a lethal mixture of cocaine and morphine into the King's jugular vein. The immediate family were consulted and their agreement, it is said, was linked to an aim to have the tragic news reported with suitable dignity in the next morning's papers, particularly *The Times*, rather than in "the less appropriate evening journals." (Watson, F. 1986, December 28. <http://www.cocaine.org/misc/george-v.html>)<sup>3</sup>

Whilst the demise of the monarch no longer automatically brought an end to a parliamentary session, (Representation of the People Act 1867, s. 51). The death of George V sparked an extraordinary 11 month period at the end of which the new king, Edward VIII, son of George V, eventually abdicated (for the love of Mrs Simpson) on the 11th of December. He was never crowned, but he prorogued Parliament on the 3rd of November 1936, (13HL Deb 30 October 1936 vol 102 c487).

So to the next Parliamentary session: on the 2nd of July 1937 Lord Strabolgi introduced a registration Bill in the House of Lords, (HL Deb 02 July 1937 vol 105 c1039) but it was killed by the combined opposition of powerful pressure groups – as he explained when he returned in 1938 with a new edition: “[m]y Lords, this Bill has been reintroduced in a slightly different form from the Bill which I had the privilege of introducing in this House last year, and the alterations have been made to meet the objections ... The object of the Bill is to give the hairdressing profession an opportunity of putting its own house in order, and imposing some means of internal discipline, as is the case in other professions, (HL Deb 23 March 1938 vol 108 c 374) ... I submit that there is need of regulation of this industry, because the dressing of women's hair has become once again a very complicated matter, in which electrical machinery is used, and all sorts of chemicals and heating apparatus. It has become complicated, and, as your Lordships are no doubt aware, expensive, and in the hands of ignorant or unskilful people much damage can be done.” (HL Deb 23 March 1938 vol 108 c 375). “Not only have a number of ignorant people come into the industry without proper qualifications, especially in recent years, but some undesirable characters also, who, if they had been cases of dentists, surgeons, or architects, could have been removed by the ordinary machinery of their profession. With these cases, however, the respectable hairdressers have no means of dealing; they can only be dealt with by the police, and that is not always easy. (HL Deb 23 March 1938 vol 108 c 376).

However, he faced considerable opposition, for example, from Viscount Bertie of Thame who spoke on behalf of the Institute of Trichologists who feared that the Bill would prevent the its members from practising as trichologists unless they became registered hairdressers. (HL Deb 23 March 1938 vol 108 c 378) ” He raised other points and was answered: “... he asked about the man who cuts his friend's hair. I suppose he was thinking of the farmer's wife cutting her son's hair round a pudding basin and that sort of thing. We have an Act registering and regulating the practice of dentistry, and yet I would not be surprised if the noble Lord, when he was young, pulled out one of his

own teeth or even pulled out a brother's tooth or that his father might have pulled out his son's tooth when it was loose. Is he therefore practising as a dentist and liable to pains and penalties for not being registered as a dentist?" (HL Deb 23 March 1938 vol 108 c 381)

Crucially, it was government opposition that killed this Bill. Lord Eversley denied support for "a Bill which in fact seeks to apply to the hairdressing trade restrictions similar to the most severe applied to doctors, dentists, midwives, nurses, and a host of other important occupations." In essence it was felt in government that claims of danger in unhygienic premises were answerable by local government powers and claims of dangers from untrained and unregulated hairdressers were exaggerated. "The Government have every reason to sympathise with the desire of trades and professions to improve their status, but we are not satisfied that there is any sufficient public interest at stake to justify the stringent statutory restrictions on the right to practise this ancient craft." (HL Deb 23 March 1938 vol 108 c 379). This governmental position in 1938 has echoed down the years.

Another Hairdressers (Registration) Bill was given a first reading the following year. (HL Deb 23 March 1938 vol 108 c 380). This time the familiar arguments were put by Sir Robert Tasker, then the MP for Holborn, as a Private Member's Bill,<sup>4</sup> using the Ten Minute Rule procedure. "This is a Bill which was introduced previously in another place. ... It will safeguard all legitimate, qualified hairdressers, raise the standard of the craft, and lead to efficiency and skill; and that, in turn, will have a direct bearing on the health of the people." Sadly, however, the Bill was lost in the wash upon the outbreak of the Second World War. (HC Deb 28 March 1939 vol 345 cc1901-2).

It was to be 1949 before the debate about hairdressers was renewed. Joseph Sparks, then the MP for Acton, successfully introduced his Hairdressers (Registration) Bill on the 11th of February 1949, (HC Deb 11 February 1949 vol 461 c718). By then more than 40,000 hairdressers had joined the voluntary Hairdressers Registration Council. He said: "the time has come when we ought to decide whether all hairdressers should approximate to the standard of the most competent in the industry. We believe, therefore, that it is the duty of the State to have regard to what has already been done in a voluntary capacity and that, by means of the powers vested in us, we should take steps to effect a complete improvement over the whole field. ... Their customers are drawn from all classes and may be clean or dirty; yet any individual, without any knowledge whatever of hygienic standards or of various compounds and lotions, as long as he has a pair of scissors, a comb and a razor, can practise on a multitude of people without any degree of competence or efficiency being required of him. ... The Bill does not restrict the extension or development of hairdressing establishments, nor is it an attempt to make the trade a closed shop. It gives no power whatever to restrict the development of trade, but it does attempt to lay down a standard of competence for those who operate in the craft." (HC Deb 11 February 1949 vol 461 c730).

Lieut.-Colonel Sir Thomas Moore, the then MP for Ayr Burghs,(a constituency abolished in 1950) regarded the Bill as worthwhile but premature, particularly regarding what he thought of as excessive power to be given to a regulatory board

(although he seems to have been confused about which board), (HC Deb 11 February 1949 vol 461 c731). John Paton, then the member for Norwich, declared himself as “the only registered, qualified trichologist in this House” and commented: “[i]t has always been to me a matter of great surprise that while we in this country, over the last 100 years, have built up a great mass of protective legislation to prevent deleterious practices arising in all sorts of trades and professions, affecting the health of our community, yet we have been content to allow this particular trade, which covers in its operation nearly every man, woman and child in the country, from the cradle to the grave, to carry on at its own sweet will.” (HC Deb 11 February 1949 vol 461 c734). Beverley Baxter, then MP for Wood Green, added: “[t]here are two kinds of people we want to protect. First, we want to protect the honest hairdresser, who deals with a man's hair - or a woman's hair or hair that falls in between the two like that of the Under-Secretary. We also want to protect the customers from infection, inferior work and from disgraceful conduct. Therefore, we are in favour of giving this Bill a Second Reading.” (HC Deb 11 February 1949 vol 461 c737). This Secretary of State, Kenneth Younger, rose for the government: “It is really not right that we should compare, at any rate in degree, the dangers involved in medical practice by entirely untrained and unqualified people and those in hairdressing practice by untrained and unqualified people. There is such a difference in degree that it amounts almost to a difference in kind.” (HC Deb 11 February 1949 vol 461 c739). He went on to repeat the familiar governmental position - that health and hygiene problems would be dealt with by local authorities and that he was aware of little or no evidence of lack of public safety. Nevertheless, the admirable Osbert Peake, then the MP for Leeds North, offered: “modern woman spends something like three per cent. of her waking hours in the hairdresser's chair, and I had not fully appreciated ... the grave risks to life and limb, not to mention the risks of disease, to which our womenfolk are so frequently subjected and for such prolonged periods. I suggest, therefore, that, on motives of chivalry alone, we of the male sex ought to support the Second Reading of this Bill.” (HC Deb 11 February 1949 vol 461 c740). Barbara Castle, then MP for Blackburn and later to be one of the most significant female politicians of her century, said: “I want very briefly in the few minutes that remain to appeal to the Under-Secretary to change the attitude he adopted this afternoon. His speech was a very great disappointment. After all, he has one of the best heads of hair on the Front Bench and we might have expected him to have been a little more hair-conscious. I feel very strongly that the case which he made against the Bill was not a case at all. We agree, perhaps, that some of the powers asked for go a little too far; the constitution of the proposed board could be altered, but the principle of the Bill he himself, in his opening remarks, had to accept, for he said that the claims put forward were perfectly legitimate. But he has given us no alternative or suggestion of how we shall meet what is a very serious potential and actual danger.

As a woman who has frequently availed herself of the hairdressing service, I know that this service today enters into the lives of nine women out of ten. It is because of the widespread use of these services that this matter has become one of vital public importance. Today, also, the complications, extent and nature of the hairdressing service are such that it is a matter of extreme seriousness that it should [not] be practised by

untrained people. ... I ask him, therefore, to withdraw his opposition, and I hope that, in the interests of the mass of the people of this country, hon. Members will go into the Division Lobby in support of the Bill." (HC Deb 11 February 1949 vol 461 c743). The Bill was given its second reading, but it too was doomed.

It was washed away by the general election which was held on the 23rd of February 1950. This was the first to be called after a full term of a Labour government. Despite polling over one and a half million votes more than the Conservatives, it resulted in a Labour net majority of only five seats. Almost inevitably, they called another in 1951. This time Labour polled nearly a quarter of a million votes more than the Conservative Party (and its National Liberal allies), and more votes than in the 1950 election. Nevertheless, the Conservatives formed the next government. Labour's extra votes mostly went to increased majorities for MPs in already safe seats, rather than winning new seats.

During the late 1950s the matter was raised from time to time: Percy Morris, then MP for Swansea West, asked the Secretary of State for the Home Department if he had agreed to the request of the Hairdressers' Registration Council to introduce a Bill for the compulsory registration of hairdressers. This Secretary was none other than R. A. Butler - one of the few British politicians to have held the three posts of Chancellor of the Exchequer, Home Secretary and Foreign Secretary. He was never Prime Minister. He was passed over twice. In the present context however, he was characteristically brief: "The Government have not been asked to introduce a Bill on this subject and do not contemplate doing so." (HC Deb 01 April 1958 vol 585 c137W. And see a similar exchange at HC Deb 26 June 1958 vol 590 c40W). There had been an interesting exchange earlier that year. Barbara Castle had asked: "Is the Under-Secretary aware that she is now receiving representations from the women Members of the House to do something in the matter? Will she take steps to give help and statutory encouragement to the Hairdressers' Registration Council in its efforts to raise the professional standards in this important industry?" The reply, from Miss Patricia Hornsby-Smith, evinces the attitude of the government then and now: "In view of the intense competition in this industry, I should have thought that any hon. Lady, or anyone else, is perfectly free to ensure that she goes to a satisfactory and adequate hairdresser." (HC Deb 19 February 1959 vol 600 cc530).

The next step was taken in 1964. The Hairdressers (Registration) Bill was introduced as a Private Member's Bill, and given a first reading on the 6th of February, (HC Deb 06 February 1964 vol 688 c1355) and a second reading (without debate) later that same month, and sent to standing committee for detailed consideration. (HC Deb 28 February 1964 vol 690 c873). It was at third reading on the 26th of June, (HC Deb 26 June 1964 vol 697 cc839-44) that the damage done to the Bill in committee was made clear by Ernest Partridge (Battersea, South) said: "[a]nxiety was expressed in the Standing Committee that some hairdressers who ought, perhaps, to be on the register might be excluded by some of the Bill's provisions; that there was an exclusiveness about those entitled to be registered that was foreign to modern thinking." Sir Barnett Janner, (Leicester, North West), referring to the voluntary Hairdresser's Registration Council added: "The Council ... has been endeavouring to get a Statute, [and] would

have preferred the Bill to have gone further than it now does. I know that the hairdressers want their calling to be a good one, and to be as safe as possible for customers. [The] Council has taken preliminary steps in this matter. It conducts examinations and grants certificates so that the customer can see the certificate displayed in a shop and will know that the hairdresser is qualified. This process is carried further in the Bill. There will be registration of hairdressers, though it is true that it will be voluntary." (HC Deb 26 June 1964 vol 697 cc839-41).

So the standing committee had amended the Bill so that whilst there was to be a Statutory Registration Council, no hairdresser would be obliged to register with it. The Joint Under-Secretary of State for the Home Department (Mr. C. M. Woodhouse) confirmed that; "the Amendments made to the Bill in Committee have been so extensive as to alter its whole nature. While the Hairdressers' Registration Council to be established under the Bill will still have power to maintain a register and to prescribe courses of training or other qualifications required of those who wish their names to be entered on the register, failure to secure registration will no longer debar anyone from continuing to practise hairdressing, as it would have done under the Bill as originally drafted." (HC Deb 26 June 1964 vol 697 cc842-43). The Bill was given its third reading and duly sent to the House of Lords for their consideration. One aspect of the original Bill which was particularly frowned upon by the government was that various Ministries were to have had to appoint members to the Council. Lord Derwent commented: "... the Ministry have said that they have no interest in the Bill and do not wish to become implicated in the way a voluntary body like the Council conducts its affairs. This is clearly right. The removal of all ministerial responsibility for the activities of the Council was one of the chief conditions on which the Bill obtained its passage through the other place, and it would be quite unacceptable for the Government to go back on that arrangement." (HL Deb 20 July 1964 vol 260 cc521). So, having rendered the Council merely a voluntary body the government could distance themselves from it.

There have been attempts to reverse this move. In 1978 Stephen Ross, then MP for the Isle of Wight, introduced His Hairdressers (Registration) (Amendment) Bill: "I urge that it is time that we joined most of our partners in the EEC as well as our colleagues in the United States of America and most Western countries and put our house in order, giving, incidentally at the same time, some protection to registered established hairdressers. ... The Farriers Registration Act, which was passed by the House in two stages last year and the year before, now rightly requires people who shoe horses to be properly qualified. Surely it is time that we applied a similar criterion to those who treat our hair." (HC Deb 24 January 1978 vol 942 cc1187-89). It was given a first reading, (1HC Deb 24 January 1978 vol 942 c1194). The date for second reading was set but deferred, (HC Deb 24 February 1978 vol 944 c1958). It gradually ran out of steam - as Private Members' Bills without government support do. Nevertheless in June 1978 John Hunt, then MP for Ravensbourne, asked the Under-Secretary of State for Trade (Michael Meacher) about government plans for the 1964 Act. He was told that there were none, but this question seems to have been used as a vehicle for a discussion about the probity of the Hairdressers Council, (HC Deb 19 June 1978 vol 952 cc6-7). He

repeated the exercise in December 1979 (HC Deb 17 December 1979 vol 976 c8) and February 1980, (HC Deb 04 February 1980 vol 978 c4).

At the end of May 1982 Richard Alexander, then the MP for Newark, spoke: “[t]he Hairdressing Council receives an average of 50 complaints a week from the victims of unskilled hairdressers. The complaints are about burning and blistering of the scalp and broken and damaged hair. Psychological harm is done to women who feel unable to venture out in front of the common gaze. Staff at the Hairdressing Council are often in the front line, dealing with deeply distressed women who have suffered at the hands of untrained and unskilled practitioners. Women are surprised to learn that there is nothing at all to protect them from the activities of such people. They are surprised that there is no statutory control over who may practise for gain as a hairdresser. ... The primary objective is not to shut out competition, but to protect the public. The hairdresser is often taking money for his services from people who are unable to make a judgment about his competence. I refer to small children, teenagers, the elderly, the infirm and the handicapped. No British hairdresser can practise for gain in EEC countries unless he or she has the recognition of that country. He cannot open a salon there, yet anyone from those countries can put the British consumer at risk in this way without so much as a day's training.” (HC Deb 28 May 1982 vol 24 cc1224-6). The Under-Secretary of State for Trade (Iain Sproat) replied: “I am conscious of the efforts of the Hairdressing Council ... [it] is wholly desirable that they should continue to strive for the high reputation of the hairdressing trade and to give encouragement to those engaged in the craft to aim for even higher standards. It has been a long tradition in Britain that entry to the crafts in general should be free, and it is no part of our philosophy to depart from that general principle without very strong reasons for doing so. My hon. Friend's argument presupposes that the general public needs safeguards against inefficient hairdressers, yet there is certainly no shortage of competition, and we should expect that to ensure that good hairdressers drive out the bad. ... That is not to deny a strong public interest in the capable operation of the craft of hairdressing, but it is an assertion of faith in the free play of competition.” (HC Deb 28 May 1982 vol 24 cc1224-6). In June 1985, David Trippier, then a Junior Minister replying to a Parliamentary question, was more succinct: “Entry into the hairdressing craft has traditionally been free. It is important to maximise competition, and I have no plans to introduce legislation concerning compulsory registration.” (HC Deb 24 June 1985 vol 81 c275W).

So it was that the last attempt (so far) to amend the 1964 Act by means of a Private Member's Bill was made by Austin Mitchell, MP for Great Grimsby, on the 7th of July 1997, (HC Deb 07 July 1997 vol 297 cc629-32) : “I introduce this Bill with particular pleasure because it is unfinished business ... because it completes the intention of the Hairdressers (Registration) Act 1964, which provided for a framework of registration and set up the Hairdressing Council, of which I am a member. The council was created to supervise courses and examinations, to investigate hairdressing and to discipline hairdressers.



That Act did not take the necessary next step to make it all work by making registration compulsory. ... The industry has a turnover of £2.5 billion a year, but it is largely unregulated. Consumers believe it to be regulated, however, because a survey conducted by the Consumers Association in 1993 found that most people thought that their hairdresser was registered, insured for liability and accountable. (Which? April 1993, p.27). Many hairdressers are none of those things.

My Bill is a short back and sides measure. It aims to achieve three principles, the first of which is registration. That basic principle applies everywhere in hairdressing in Europe apart from Greece—I do not go there often for my haircuts—and Ireland. An anomaly exists whereby those who fail to qualify in France or Germany can come here and set themselves up in Grimsby as Anatole of Paris. The best qualified hairdresser in this country, however, is not allowed to set up in Paris as, romantically, Fred de Grimsby, and attract business. Our qualifications are not recognised there. Our hairdressers must be registered to bring them into line with Europe.” (HC Deb 07 July 1997 vol 297 cc629-32). Opposition came in the shape of Anthony Steen, MP for Totnes: “I wonder whether the hon. Gentleman has thought of the consequence of registering 110,000 hairdressers. First, not hundreds but thousands of inspectors would be needed to enforce the rules and regulations; so many would be needed because they would need time for their hair to grow before they could go back to the hairdresser to enforce the rules and regulations that the hon. Gentleman proposes.” ((HC Deb 07 July 1997 vol 297 cc629-32). Nevertheless, the Bill was given a first reading and set for its second on the 28th of November 1997.

The business of the House began at 9.38 that morning. The lead story everywhere (<http://212.58.226.17:8080/1/hi/uk/35164.stm>) was the first item when Private Members' Bills came up for discussion). It was the Wild Mammals (Hunting with Dogs) Bill. There was so much interest that the Speaker said: “Before we commence the main business, let me tell the House that more than 50 hon. Members are seeking to speak in this debate. Therefore, I have imposed a time limit of 10 minutes on all speeches other than those from the promoter of the Bill and Front Benchers, but I hope that Front Benchers will respond to my appeal for short speeches.” (Commons Sitting of 28 November 1997 Series 6 Vol. 301 c1197).

Item 4 on the agenda was 'Remaining Private Members' Bills'. Number 6 amongst these was the Hairdressers Registration (Amendment) Bill. At 2.14 its second reading was formally 'objected' to, ((HC Deb 28 November 1997 vol 301 c1272). It was dead in the water, killed by the determination of Parliament to ban fox hunting.

## **The relationship between the client and the hairdresser**

In 1882, the Hairdressers' Weekly Journal, in an effort to elevate the image of barbers at the time Parisian hairdressers were increasing in reputation, offered: “The Average Barber is in a state of perspiration and is greasy; he wears a paper collar; his fingers are pudgy and his nails are in mourning, evidently for some near relation; he snips and snips away, pinching your ears, nipping your eyelashes and your jaw until you think he must have cut off enough hair to fill a mattress. He always says, 'Shampoo, sir?' to which you say, 'No', and he says, 'Eh, sir?' to which you reply, 'No!' two octaves

higher. 'Head's very dirty, sah,' to which, if you have experience you respond: 'I always have it so,' and cut off further debate. But he has his revenge. He draws his fingers in a pot of axle grease, scented with musk and age, and before you can define his fearful intent, smears it all over your head, and rubs it in until you look like an animated gunswab. Then he showers weak bay rum down your back and over your shirt, ingeniously arranges your locks in a way that would make Socrates look like an idiot, and collects his stipend with an air of virtuous condescension.' (HAIRDRESSERS' WEEKLY JOURNAL, 3 June 1882, p.65)

Much more recently, in *The Guardian*: "...what with the 16-year-old male trainee hairdresser with blond hair and spots who insists on giving my scalp a really good rub, and always opens the conversation with: 'Been away on holiday yet this year?' Then, before I can answer, it's time for the cut and the 17-year-old apprentice hairdresser who begins with 'Been away on holiday yet this year?' 'Funny, I've just been asked that - and no, I haven't'. 'Oh! Are you going anywhere nice, then?' 'No. "Oh, you've got something to look forward to next year then. Now what did you say you wanted done to your hair?' 'Short please, but not too short if you know what I mean. 'OK.' 'How can you know what I mean, you're not a mind reader are you?' 'Mmm. ' 'About the same as last time, not short short, okay?' 'Yeah, but then again, last time I was here, you asked me if I had been anywhere nice for my holidays, and I told you I hadn't, so you probably don't remember much about me or how short my hair was. In fact, you probably don't remember me at all. ' All this, of course, is drowned out by the incessant clicking of the scissors and the constant hum of the blow driers. The hairdressers is no place to bare your soul." (Beattie, G. 1987).

Whilst we may recognise our own experiences here, there seems little doubt that the relationship between many hairdressers and many of their clients is much more profound. Emory Cowen's research into the relationships between clients or customers and four identified groups of service providers: hairdressers, family -practice attorneys, industrial supervisors, and bartenders suggested that what he called 'moderate to serious personal problems' were raised with all groups, but particularly with hairdressers and lawyers. He found that about a third of all hairdressers' clients brought their problems with them. For hairdressers the "big three" were problems with children, health, and marriage, with depression and anxiety not too far behind. As to the ways in which such problems are handled he found a series of strategies ranging from "mental health standbys," such as listening and proposing alternatives, and others such as changing the topic, telling people to count their blessings and refusing to get involved. Hairdressers' three most frequent tactics were 'offering support and sympathy', 'trying to be light hearted' and 'just listening'." (Cowen, Emory L .1982: pp.385-395). Of the four groups, he found that hairdressers said that they felt the most natural and comfortable when dealing with clients' personal problems. When asked about alternative careers, many hairdressers chose one of the helping professions.

The relationship between a hairdresser and a regular client is a matter of confidence and respect. Once established it is likely to last. If the hairdresser moves, the

client moves. However, with the current complexity of the craft and despite the training often (but not always) given to those who exercise it, accidents happen. Then the quality of the relationship will be seen in the way the hairdresser deals with it.

Brenda Howe's story at the beginning of this article is far from an isolated incident. Nicola Crowley was 17 when she left school. She had promised herself a treat with her first pay packet. She took herself along to her hairdresser for highlighting. She left with a bald patch and second-degree burns. "How could I have known that one visit to the hairdresser could cause so much devastation or that the chemicals they use can be so dangerous? I presumed they knew what they were doing." (Cohen, J. DAILY MAIL, December 29 1998, p.46)

Sarah George decided to have her hair permed for her 18th birthday party. Within a few weeks her hair began to fall out. There were bald strips across the top of her head. The perm did not cause permanent injury, but it took two years for her hair to grow back properly. "I went to see the doctor and he said it was nothing medical, but after a few months I looked like a zebra. ... Like most people I didn't think twice about going to the hairdresser. I booked the appointment at the salon I'd used regularly. ... I think all women should be aware that perming solutions and colours can have a devastating effect on your hair if not used properly. Everyone should take great care who they trust to do their hair." (Cohen, J. DAILY MAIL, December 29 1998, p.46)

### **In summary - a small and overdue amendment to a statute butchered in committee**

In the UK anyone is free to practise as a hairdresser without registration, qualification, even without proper training. In short, hairdressing is totally unregulated. This simple point amazes consumers. The Hairdressers (Registration) Act 1964 left registration as a voluntary option. Only about ten per cent of hairdressers have chosen to register. Consumers are in danger of being exposed to the work of unregistered and perhaps even unregistrable practitioners every time they sit in 'the chair' Conservative governments have refused reform, arguing that 'market forces are a sufficient regulator'. Labour governments have listened, taken the points, but still failed to act on the Act.

There has been a climate of deregulation in recent years, yet at the same time other professions have been afforded precisely the form of regulation argued for by the Hairdressing Council. Consider, as examples, two fields of complementary medicine, osteopaths and chiropractors. Each now has its own general council created to administer a register of the members of their professions. It is a criminal offence for anyone who is not on the appropriate register to call themselves an osteopath or a chiropractor. To be entered onto and to remain on the register practitioners have to meet educational requirements, adhere to a published code of conduct, undertake continuing professional development, and have public indemnity insurance. Thus standards are maintained and consumers can approach members of the professional body with confidence. The osteopaths were first: the General Osteopathic Council was established in 1997 following the Osteopaths Act 1993 to 'provide for the regulation of the profession of osteopathy'. It produced the first Statutory Register of Osteopaths in 2000. Until then the law allowed anyone to call themselves an osteopath and set up in

practice. The General Chiropractic Council. was created by the Chiropractors Act 1994. Since the 14th of June 2001 the title of 'chiropractor' has been protected.

Primary legislation is not required to provide similar protection for consumers against the unqualified, untrained and incompetent hairdresser. It would only take an amendment to an existing statute. The 'Candy Floss Profession' is an description credited to Harold Wilson,( British Prime Minister from 1964 to 1970, and again from 1974 to 1976) but injuries suffered by their clients are real, serious and in some cases permanent. Given the peculiar and often personal relationship between hairdresser and client, such personal injury, or just poor work, is more than tripping on an uneven pavement, more than a stomach ache from sausages fashioned from mysterious animal parts - it is an act of betrayal. Regulation, or at the very least registration, is long overdue.

## Notes

1. According to the government's Low Pay Commission Report 2005 the number of part time workers in this sector is steadily increasing, from 83,000 in 1998 to around 101,000 in 2004.
2. The figures are drawn from HABIA. See: <http://www.habia.org/index.php?page=0,0,0,1&action=faq&status=show&id=617> and the Yellow Pages Business Database, now administered by Experian, (January 2006). HABIA The Hairdressing And Beauty Industry Authority) was created in 1997. It is the Sector Skills Council (formerly the National Training Organisation (NTO)) for the hairdressing and beauty industries. During 2005 HABIA became the government approved Standard Setting Body for the hair and beauty industry and is responsible for developing National Occupational Standards which form the basis of training and qualifications for the industry.
3. See: Watson, F. (1986, December 28) : The Death of George V , History Today 28. <http://www.cocaine.org/misc/george-v.html>; There is some dispute over King George V's last words. According to The Times, they were "How goes the Empire?" On another account, when a courtier remarked, "Cheer up, your Majesty, you will soon be at Bognor again", the expiring King replied: "Bugger Bognor".
4. Private Members' Bills are Public Bills introduced by MPs and Lords who are not government ministers. A minority of Private Members' Bills become law but, by creating publicity around an issue, they may affect legislation indirectly. They can be introduced in either House, but because as less time is allocated to these Bills, they are unlikely to become law without direct government support. There are three ways of introducing Private Members' Bills: the Ballot, the Ten Minute Rule and Presentation. Ballot Bills have the best chance of becoming law, as they get priority for the limited amount of debating time available. The names of Members applying for a Bill are drawn in a ballot held at the beginning of the parliamentary year. Normally, the first seven ballot Bills get a day's debate. Ten Minute Rule Bills are often an opportunity for Members to voice an opinion on a subject or aspect of existing legislation, rather than a serious attempt to get a Bill

passed. Members make speeches of no more than ten minutes outlining their position, which another Member may oppose in a similar short statement. It is a good opportunity to raise the profile of an issue and to see whether it has support among other Members. Any Member may introduce a Bill by presentation if notice has been given. Usually only the title is given. They almost never become law. See: [http://www.parliament.uk/about/how/laws/private\\_members.cfm](http://www.parliament.uk/about/how/laws/private_members.cfm)

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