



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Mark Russell
25 Westby Road
Lytham St Annes
FY8 2EJ

13 September 2016

Dear Mr Russell,

I am writing after you contacted me regarding issues with the recent court judgement made against you, in a case brought by the Health and Care Professions Council (HCPC) involving misuse of title.

I have now received responses from the Ministry of Justice, the Department of Health and the chairman of the Health Committee which I have enclosed herein. I have retained copies on file at my office for future reference.

Thank you for taking the time to contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'M. Menzies'.

Mark Menzies MP

MEMBER OF PARLIAMENT FOR FYLDE

Westminster: 020 7219 7073 Constituency: 01253 739848

Email: mark.menzies.mp@parliament.uk Website: www.markmenzies.org.uk



Ministry
of Justice

Sir Oliver Heald QC MP
Minister of State for Justice

Mark Menzies MP
House of Commons
London
SW1A 0AA

MoJ ref: MC36410

6

September 2016

13 SEP 2016

Dear Mark,

COURT CASE

Thank you for your letter of 8 August addressed to the Justice Secretary on behalf of your constituent, Mark Russell of 25 Westby Road, Lytham St Annes, Lancashire FY8 2EJ regarding his court case. I am responding as the Minister with responsibility for courts.

I am sorry to learn of the difficulties that Mr Russell has faced and the impact that pursuing his case through the court has had on his life. I appreciate that Mr Russell is concerned with the outcome of the hearing before Her Honour Justice Beach and feels that the evidence was not considered properly.

How a case is managed, including the evaluation of evidence and the final decision, is a matter for the judge and as a Government Minister I cannot comment or intervene. This is not through any lack of concern for Mr Russell, but because judges are independent of government and must be free to make their decisions without interference.

I understand that Mr Russell would like to speak to the Health Secretary regarding a number of points, and you may wish to write to the Department of Health on Mr Russell's behalf for these to be considered.

SIR OLIVER HEALD QC MP



Department
of Health

Philip Dunne MP
Minister of State for Health

Richmond House
79 Whitehall
London
SW1A 2NS

020 7210 4850

PO-1046162

Mark Menzies MP
House of Commons
Westminster
London SW1A 0AA

06 SEP 2016

Dear Mark

Thank you for your letter of 8 August to the Rt Hon Jeremy Hunt MP, Secretary of State for Health, on behalf of your constituent Mr Mark Russell of 25 Westby Road, Lytham St Annes FY8 2ES about the Health and Care Professions Council (HCPC). I am replying as the issues you raise fall within my ministerial portfolio.

I was sorry to read of Mr Russell's continuing concerns about the HCPC.

As set out in previous correspondence, however, the Secretary of State cannot comment on individual circumstances.

The HCPC is an independent regulator charged with the responsibility of taking appropriate action against individuals where necessary. Whilst I appreciate Mr Russell's disappointment at the verdict, the Government's position remains as set out in previous letters. The decision to initiate criminal proceedings is a matter for the HCPC and then for the court to adjudicate, with the benefit of legal argument and evidence before it in each case.

I am sorry I cannot be more helpful.

Yours ever
PH

PHILIP DUNNE



Health Committee

House of Commons London SW1A 0AA

Tel 020 7219 6182 Fax 020 7219 5171 Email healthcom@parliament.uk www.parliament.uk/healthcom

From Dr Sarah Wollaston MP, Chair

Mark Menzies MP

Letter by email to mark.menzies.mp@parliament.uk

12 September 2016

Dear Mark

Thank you for your letter of 8 August concerning your constituent Mark Russell.

Given that Mr Russell's case has gone before a court which has passed down a decision, I'm afraid I don't think that it would be appropriate for me to look any further into his case or to pursue it on his behalf. I can appreciate his dissatisfaction, even distress, at the situation in which he finds himself, but I'm afraid I really cannot intervene at this stage.

The Committee holds periodic accountability hearings with the health and social care regulators, including the Health and Social Care Professions Council. The Committee has no current plans for a hearing with the HCPC, but the broader questions raised by Mr Russell's case concerning the use of protected titles is one which I would expect the Committee to raise with the Council if and when it does hold such a hearing.

I am sorry not to be able to be of any further assistance.

Yours sincerely,

Dr Sarah Wollaston MP
Chair of the Committee