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| Jeremy Hunt MP  Dept of Health  Richmond House  79 Whitehall  London  SW1A 2NS |  |
| 24 January 2018 |

Dear Jeremy,

**RE: Mark Russell, 94 Woodlands Road, Ansdell, Lytham St Annes, Lancashire, FY8 1DA**

I write once again on behalf of my constituent regarding the long-running issue he has with the HCPC and its actions as a regulator.

I thank Philip Dunne for his letter of November 30 2017, but must raise some pertinent points with the content. I have included my constituent’s response herein for your convenience, which explains the issue in more detail.

Of concern is Mr Russell’s note that the HCPC is referred to by Government as an independent regulator, when Mr Russell is quite sure it is a statutory regulator.

More importantly, he states there is a Memorandum of Understanding through which an ‘intent to deceive element’ was included in the Health Professions Order 2001, which actually allows anyone to use so-called protected titles, such as ‘chirpodist’ or ‘podiatrist’, so long as they do not claim membership of the HCPC. It is clear from Mr Russell’s extensive research in this area that no-one in his profession was ever made aware of such a clause.

It is clear Mr Russell was prosecuted by the HCPC when the body was in the full knowledge that an ‘intent to deceive’ clause was in place, and it is quite clear the HCPC did not want, and does not want, that to become public.

Its actions in pursuing Mr Russell in a test case, as he sought to highlight the issue, is fraudulent.

Given the HCPC will not respond to calls for disclosure of the provisions in the legislation to Mr Russell, and will not respond to me as an MP, I am fully supporting him in his next actions, which will be to take the matter to police in relation to misrepresentation and misuse of public office. Why will the Council not disclose the information if it backs up its position?

We must never lose sight of the fact Mr Russell set out some 10 years ago to highlight an issue which he identified as putting the public at risk. Nothing more. He has been lied to, prosecuted, misled and ignored, and has lost his home, savings, profession and pension in the process.

It also means there is still a lacuna which puts the public at risk. The ‘intent to deceive’ clause effectively remedies the protected title legislation useless, and that puts the public at risk from unscrupulous practitioners.

I believe this is a last chance for Government to engage with Mr Russell before the matter is brought before the courts once more.

I would like you to look into the ‘intent to deceive’ clause in more detail. It is putting members of the public at risk.

Many thanks in advance for your assistance in this matter.

Yours sincerely,

**Mark Menzies MP**