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2 October 2016

Elaine Buckley

Chair

HCPC

184 Kennington Park Road

London

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Dear Mrs. Buckley

Thank you for your letter of the 21st September 2016. I have to express surprise at your position. I wrote to you in the knowledge that you are a physiotherapist and therefore governed by the same standards of conduct and competency that apply to every other registrant of the HCPC. As far as I’m aware, registrant members of Council are not exempt from these standards in respect of their duties and they must be paramount, even when faced with calls for collective corporate responsibility. Standard 9 is particularly applicable.

* Be honest and trustworthy.
* You must make sure that your conduct justifies the public trust and confidence in you and your profession.
* You must ensure that any promotional activities you are involved in are accurate and not likely to mislead.
* You must declare issues that might lead to a conflict of interest and make sure they do not influence your judgment.

You have not addressed any of the serious matters I have raised in previous correspondence. You will, however, undoubtedly know that the material issues of disclosure and concealment of the regulatory provision by the HCPC to be factually correct. If you were aware, before my prosecution, that a registrant could leave or be struck-off the register and still practice using a designated title providing they took every precaution to inform the public they were no longer registered, then you are very much on your own. That the HCPC are now seeking to deny that any concealment of this essential aspect of our legislation has taken place is absolutely disgusting and unsupportable.

I have asked you three times to acknowledge and confirm that the HCPC have misrepresented their claims for protected titles and you have nothing to say. Remaining silent is really not an option for you. Whilst I fully appreciate the limited powers of the Chair, you do have a statutory responsibility to ensure public confidence in the organisation is upheld – as well as your own responsibilities in complying with the aforementioned standards.

If you have read the material I have sent you, you will be acutely aware that the Registrar and your solicitors have been materially dishonest in their portrayal of the legislation and their pursuit of this case. The critical aspect is the concealment of the “intent to deceive” qualification - which you know to be true.

I fully understand the difficulty you face, but I ask you once more to do the right thing and simply be honest and tell the truth. That is what you will be asking your registrants to do when promoting the revised standards during your road show in the coming months. To do otherwise would be grossly hypocritical, if not criminal.

My only question, Mrs. Buckley. Do you agree with the registrar’s statement that the HCPC has not concealed the significance of the ITD in the legislation until my prosecution? Yes or no?

Yours sincerely

Mark Russell