

Health Professions Council
Council -12th May 2005
Peter Jellett

Executive Summary and Recommendations

1. Introduction

On 26th August 2004 a panel of the Conduct and Competence Committee heard an application for restoration to the register by Mr Peter Jellett. Mr Jellett, a physiotherapist, had been struck off in 1996. This followed his conviction on 28th June 1996 for indecent assault. Mr Jellett applied for restoration to the HPC register and this hearing was held on 26th August 2004. A transcript of this hearing is provided. The panel decided that it was appropriate to readmit him to the register but did not impose conditions of practice as he was subject to conditions (principally chaperoning) imposed by the Chartered Society of Physiotherapy. That decision was challenged by the Council for Healthcare Regulatory Excellence pursuant to its powers under the NHS Reform and Health Care Professions Act 2002. s29(4) of the 2002 Act provides that, if CRHE feel that a relevant decision was unduly lenient or should not have been made and that it is desirable for the protection of members of the public, it may refer that decision to the appropriate court (High Court or Court of Session).

The case was considered by the Administrative Court on 13th December 2004 and judgment was handed down on 4th February 2005. It was held that the Committee was entitled to take the view in the light of the chaperoning arrangements that Mr Jellett had put in place to readmit him to the register. The judge held that the Committee had fallen into error in not imposing conditions of practice but otherwise did not criticise its decision. He therefore remitted the case to the Committee with a direction that it consider and impose appropriate conditions of practice. The judgment in the case is also provided.

A reconvened panel of the Conduct and Competence Committee heard the remitted case on 31st March 2005. The panel was comprised of the same members that heard the original restoration application in August 2004. The Committee formulated conditions and Mr Jellett was restored to the register with conditions attached to his registration. The transcript and the decision from the hearing that was held on 31st March 2005 are also provided.

2. Decision

This paper is for information only. No decision is required.

3. Background information

None

4. Resource implications

None

5. Financial implications

None

6. Background papers

None

7. Appendices

Transcript of hearing held on 26th August 2004

Transcript of Administrative Court hearing 4th February 2005

Transcript of hearing held on 31st March 2005

Notice of Decision and Order 31st March 2005

8. Date of paper

27th April 2005

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