

**Health Professions Council  
Council -7<sup>th</sup> July 2005  
Tariq Azam**

## **Executive Summary and Recommendations**

### **1. Introduction**

On 9<sup>th</sup> December 2005 a panel of the Conduct and Competence Committee heard an allegation regarding the fitness to practise of Tariq Azam, a Biomedical Scientist. The panel found that Mr Azam's fitness to practise was impaired by reason of his convictions for common assault a criminal damage and imposed a suspension order for a period of six months.

Mr Azam appealed this decision to the High Court and the case was considered by the Administrative Court on 13<sup>th</sup> May 2005. Mr Azam's appeal was on two specific grounds. He argued that the order of the Conduct and Competence Committee was unjust on the grounds that he was not represented on the day of the hearing having been advised not to appear. This ground of the appeal failed. The judge stated that the Panel were entitled to reject the application and no error of law was revealed within consideration of the application to do so.

The second ground of the appeal was on the basis that the outcome was "extremely severe". This ground of appeal also failed. The Judge commented that "the penalty for any disciplinary offence must always fall within the range of potentially reasonable responses to the conduct of which complaint is made. It is only if a penalty imposed falls outside the range of reasonable responses that an appellate court is likely to interfere. This is all the more so where members of the disciplinary panel include fellow professionals of the person whose behaviour has given rise to the complaint because they are usually in the best position to identify the true impact of the behaviour on the proper conduct of professional life."

The judgment in this case is provided.

### **2. Decision**

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

### **3. Background information**

None

### **4. Resource implications**

None

### **5. Financial implications**

Costs were imposed against Mr Azam

### **6. Background papers**

None

**7. Appendices**

Transcript of Administrative Court hearing 13<sup>th</sup> May 2005

**8. Date of paper**

27<sup>th</sup> June 2005



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