

Our ref: 452/MIB/00522 0350

Your ref:

2 October 2017

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**Strictly Private and Confidential**  
**Addressee Only**  
John Dooley

Cheshire  
SK15

Dear Mr. Dooley,

We act on behalf of the Institution of Mechanical Engineers ("IMEchE") who have passed us your letter to them dated 29 August 2017.

We note the seriousness of your complaint of professional misconduct against Mr. David Arnold. If it was within the IMechE's legal power to commence an action against Mr. Arnold, it would do so. Unfortunately, the IMechE only has legal authority to take disciplinary proceedings against, and impose sanctions on, existing registered members of the IMechE. The ultimate sanction lying within the power of the IMechE's Disciplinary Board is permanent disqualification from the register of mechanical engineers, thereby preventing members from practising the profession.

However, as confirmed in the IMechE's Investigating Panel's letter to you dated 22 August 2017, Mr. Arnold is not a member of the IMechE. As such, for the reasons explained above, the IMechE has no legal mandate or authority to take any disciplinary action against him. This is not a technical legal point, but a fundamental lawful limitation on its powers as a regulatory body for the mechanical engineering profession. Acting beyond its powers would be unlawful and lack validity. Otherwise, the IMechE takes extremely seriously its duties to discipline its members where breaches of the relevant codes of conduct and rules are suspected and, we can ourselves attest, is very active in doing so.

We note your threat to update your website: [www.thehsetruth.co.uk/index.htm](http://www.thehsetruth.co.uk/index.htm) by alleging that the IMechE is "*fully aware of the criminality but choose[s] to be complicit in it by remaining silent*". Such a publication suggesting intentional complicity with criminal conduct would be gravely and actionably defamatory of the IMechE. We hope that you accept our explanation for the institution's legal inability to take any action against Mr. Arnold even if it wanted to do so, and that you will refrain from posting such defamatory content.

We also note that under the page of your website headed "Professional "Blind Eyes"", you have made certain defamatory statements against the IMechE and its Mr. Frank Mills suggesting that he "back tracked" on his previous position by not taking action and has sought to turn a blind eye and "pass the buck" in relation to Mr. Arnold's conduct. This is untrue and defamatory of both Mr. Mills and, by association, the IMechE. The position is simply that Mr. Mills and the IMechE have no legal power to take action against Mr. Arnold, notwithstanding that this is of course a serious issue with which our client sympathises.

In the circumstances, we should be grateful if you would promptly remove the entire section relating to the IMechE from your web page <https://www.thehsetruth.co.uk/professionalblindeyes.htm>. We would kindly ask that you do so by Wednesday 11 October 2017.

If you have any questions, please do contact us by telephone or email.

Yours faithfully

*Bristows LLP*

Mark Brown  
for Bristows LLP

\* BUT AT 28.06.20 STILL ADVERTISED  
ON EXPERTWITNESS.CO.UK AS A  
MEMBER OF IMECH E — AS THEY  
HAVE BEEN INFORMED MANY TIMES.