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To Trading_Standards@bathnes.gov.uk

Dear Sir/Madam

Complaint about illegal conduct of Health Creation

I wish to report that Health Creation, a Bath trader, is in significant and serious breach of both the Cancer Act 1939 and the Consumer Protection from Unfair Trading Regulations 2008.

This is a case which gives rise to grave concern. In this letter I set out the relevant unlawful conduct and unfair commercial practices of Health Creation, and also why I believe it is in in significant and serious breach of the applicable law.

I urge Bath Trading Standards to investigate this complaint as a matter of urgency. This is because the commercial practices of Health Creation give rise to real risk to the health of any consumers who purchase Health Creation's products because of these commercial practices.

The address of this Bath trader is:
Health Creation
The Apthorp Centre,
Weston Rd,
Weston,
Bath
BA1 2XT

The unlawful conduct and unfair commercial practices of Health Creation

Health Creation states on its website:

"Apthorp Centre in Bath providing consultations for those with cancer who are seeking advice on how to integrate alternative, complementary and self-help approaches to fighting and healing cancer alongside orthodox medical treatment."

<http://www.healthcreation.co.uk/node/69>

The phrase "healing cancer" is untrue, and it would lead the average consumer to believe that the alternative treatments that are being sold would, or would be likely to, "heal", i.e. cure, cancer.

Health Creation further states on its website:

"Rosy has specialized in the treatment of cancer with the herbal medicines [carctol](#), and salvestrol and has had some notable success with carctol since introducing its use to Great Britain in 2000."

This sentence would lead the average consumer to believe that cancer will be (or will be likely to be) treated *successfully* by the herbal treatments that are being sold by Health Creation.

Although such herbal treatments may have been on sale, there is actually no scientific or medical evidence that they work in the way contended by Health Creation: please see the paper attached to this letter.

Health Creation also states on its website:

"Dr Rosy Daniel, Director of Health Creation and former Medical Director of the Bristol Cancer Help Centre sparked a media row in September 2004 by going public with an announcement of her cancer successes using an unlicensed Indian herbal medicine, Carctol. Five people who were terminally ill with cancer are now alive and well, after Rosy prescribed the Indian herbal medicine Carctol. Dr Daniel has prescribed Carctol for years and now feels she is seeing a breakthrough."

<http://www.healthcreation.co.uk/news>

The average consumer would interpret this as a claim that the treatment being sold would be effective, when there is no medical or scientific evidence that it has any effect.

Health Creation also sell a **Cancer Lifeline Kit**:

“The Cancer Lifeline Kit is designed to provide the crucial missing support to all people in the UK with cancer that is not currently provided by the NHS, but in order to make the Cancer Lifeline Kit available to all, the NHS require hard evidence for its benefits.”

This item is therefore for sale without any hard evidence of its medical efficacy.

The Applicable Law

All the above claims by Health Creation made for herbal treatments of cancer are in clear breach of the Cancer Act 1939.

In addition, the claims by Health Creation undoubtedly constitute unfair commercial practices under the Consumer Protection from Unfair Trading Regulations 2008.

In particular, the commercial practices of Health Creation appear to be in breach of the following prohibitions under the 2008 Regulations:

- they are misleading in that the average consumer would (or would be likely to) buy products from Health Creation which they would not do so if Health Creation correctly stated information about their products;
- they are aggressive in that they are directly addressed to a class of vulnerable people, ie cancer sufferers; and
- they falsely state that product are able to cure (or “heal”) illnesses (which is in breach of one of the core commercial practices prohibited in all circumstances).

It is my understanding that Trading Standards have a statutory duty to enforce the provisions of both the Cancer Act 1939 and the 2008 Regulations against traders such as Health creation. It appears to me that the seriousness of the commercial practices of Health Creation, especially in view of the false claims to heal cancer, warrants such an investigation and indeed a decision to prosecute.

I should be grateful for confirmation that Bath Trading Standards will proceed to investigate Health Creation. I should also be grateful for further details of how the Cancer Act and the 2009 Regulations will be enforced by Bath Trading Standards in this case.

I am happy to provide any further information which may assist Bath Trading Standards.

Yours faithfully



David Colquhoun