



Mr John-Paul Marks
First Permanent Secretary and Chief Executive
HMRC
100 Parliament Street,
London
SW1A 2BQ

29th January 2026

Dear Mr Marks,

Comments you made at your recent appearance before the Treasury Select Committee

We are writing to you about your recent appearance before the Treasury Select Committee on 13 January 2026.

You were [asked questions](#) related to the McCann Review into Loan Charge settlements, by Jim Dickson MP.

Your refusal to address the injustice that those who have settled will now be penalised

Mr Dickson raised with you the clear injustice that those who settled with HMRC, having done what HMRC was asking them to do, will now face worse terms and higher demands than those who did not.

In your replies, you clearly did not want to respond to this point, but when Mr Dickson asked you a second time, you merely stated, *“customers who have settled have settled those tax affairs under previous legislation, and that is complete”*.

This is frankly a grotesque statement, considering that these individuals who settled, did precisely what HMRC was pushing them to do, whilst threatening that if they did not do so, ***they would face far higher demands due to the loan charge.***

To now simply try to brush this off as saying it was the legislation at the time is shameful, when you know full well that HMRC’s whole strategy was that it would push people to settle, due to the threat of paying much more if they did not and would become subject to the Loan Charge.

Whilst we realise that applying the new McCann Review settlement terms to those who have already settled would be a decision by the elected Government, such a dismissive statement is deeply offensive to all those who have settled, under duress from HMRC and are now being penalised for doing so.

Whatever you say publicly, you will know privately that it is morally indefensible not to offer the same terms to all those individual individuals who settled due to the threaten of the loan charge.

Your comment that most people will see a 50% reduction in liabilities

When discussing the situation regarding those who have not yet settled, you stated, *“there are around 37,000 outstanding liabilities to settle. Most could see reductions of 50%”*.

We do not believe the claim that “most people” will see reductions of 50% is at all credible, because as you know, the Government has imposed an arbitrary £70,000 limit on settlement reductions. This means that all those with liabilities of over £140,000 will not – mathematically cannot – receive a reduction of 50%.

On what data/calculations are you basing your claim? As you know, you have a duty to give accurate and honest answers and information to Parliamentary Select Committees. We are concerned that you have not done so, because we do not believe that the statement you made is credible, based on what the Government intention (and also HMRC’s announced intention to add promoters’ fees to totals). We are therefore asking you publicly to explain your claim. We have therefore, copied in the Treasury Select Committee.

We also note the figure of 37,000 unresolved cases. This presents an ongoing huge administrative burden to HMRC. We would therefore be interested to know what HMRC’s prediction is for (a) how long it will take to resolve these cases and (b) the cost to the taxpayer of doing so. As you know, the McCann Review exposed the scandal that only 800 cases were settled between 2019 and the time of the review in 2025.

We also wish to know, of these 37,000 cases, how many people have some pre December 2010 and some post December 2010 cases. This is very important, because the McCann Review deliberately excluded pre-December 2010 cases (despite them originally being subject to the Loan Charge and also being the same schemes as post December 2010 mis-sold by the same promoters, Chartered Accountants and tax advisers). People who are in this unworkable situation will find it difficult or impossible to settle, as they are being told they must settle their pre-December 2010 cases for them to access the McCann Review settlement terms for their post December 2010 cases. This means doing so on more punitive terms – and effectively means settlement for many of this group will remain completely impossible.

Your confirmation of the very limited scope of the McCann Review

In your comments, you also confirmed the reality of the McCann Review. As you said,

“Ultimately, the scope of the McCann review was to try to provide that pragmatic settlement for those who had not settled”.

That is indeed precisely what the McCann Review was. It is very helpful that you have openly and honestly admitted this. This is in stark contrast to the deliberately misleading descriptions of it by Treasury Ministers and officials, as presenting it as a review of the Loan Charge, which they have done consistently, to try to give the false impression that it was.

Moreover, they have dishonestly presented it as the ‘Independent Loan Charge Review’ . Not only was it not a review of the Loan Charge, but it was most certainly not independent. To have a review of anything to do with the HMRC ill-conceived Loan Charge policy conducted by a former senior HMRC official – in this case HMRC settlement terms and HMRC’s conduct within settlements - is the

same as having a review of the Post Office Scandal reviewed by a former Post Office official. That cannot honestly or credibly be called an 'independent' review.

We look forward to your response, including answers on the questions asked within this letter:

1. On what basis (data/calculations) are you claiming that "most people could see reductions of 50%" as a result of the forthcoming McCann Review settlement?
2. With 37,000 unresolved cases
 - (a) how long it will take to resolve these cases?
 - (b) what is HMRC's predicted cost of resolving these?
3. How many people have both pre-December 2010 cases and post- December 2010 cases?

We look forward to hearing from you.

Yours sincerely,



Steve Packham
Spokesman & Executive Director

Andrew Earnshaw
Executive Director

On behalf of the Loan Charge Action Group

cc The Loan Charge and Taxpayer Fairness APPG
House of Commons Treasury Select Committee
House of Lords Economic Affairs Committee
House of Commons Public Accounts Committee