

I agree with the GMC position that accepting undertakings or imposing conditions is not an appropriate sanction.

Suspension has been suggested as the sanction most appropriate by the GMC. This is designed to have a deterrent effect and send a signal to myself, the profession and the public about what is regarded as behaviour unbecoming a registered doctor. It is a response designed for conduct so serious that action must be taken to maintain public confidence in the profession; that conduct falling short however, of being fundamentally incompatible with continued registration. So my conduct **in itself** was not felt by the GMC to be fundamentally incompatible with continued registration-albeit at some point in the future after a period of suspension and remediation.

Factors indicating suspension might be appropriate include the following:

- that I were prepared to engage in remediation
- no evidence of repetition of similar behaviour since the incident
- that I have insight and pose little risk of repeating the behaviour

For clarity, my position is unchanged from when I was invited to comment on the GMC investigation of my case in 2021. Then I stated that I would not undertake to refrain from future participation in similar acts of nonviolent disruptive civil disobedience in the context of the climate crisis, as long as this was needed. I stated that I was not likely to be willing to undertake remediation. All that has changed since then is that I will definitely not engage in remediation, assuming that 'remediation' means a process of, as per my dictionary, "improving or correcting (the) situation" and assuming the "situation" is my continued involvement in climate activism which may break the law- if that's what it takes to get action.

In fact I intend to continue taking action with as much intensity as I can muster, until such time as our government takes meaningful urgent action to protect its citizens and future generations from the effects of climate breakdown. So the risk of repeating behaviour is high.

Though for clarity I will say:

- I don't want to break the law
- I will not break the law for any other reason than to protect life
- I will never be violent
- I will stop when urgent action is taken over the climate emergency

As for insight, the tribunal and GMC judge me to lack insight into the consequences of my behaviour on the reputation of the profession and the trust of the public, and the

impact of my disruptive behaviour on people impacted and police resources. I say that I retain such insight, along with insight into the likely consequences in both those domains when horrendous climate and ecological catastrophe starts to bite, and people realise they have been utterly failed by those who knew or suspected something terrible was unfolding and chose to do nothing beyond encouraging low energy light bulbs and a bit more recycling. (Not that there's anything wrong with either of those, they are absolutely needed). I contend that GMC and tribunal processes demonstrate a total lack of insight into the climate emergency and its consequences.

Addressing my insight into the direct effect of my actions at the oil terminal, which you have questioned me over in detail this morning... I caused more disruption to ordinary people going about their business when I sat down in the road on 2 occasions in London in 2019, when I was charged and pleaded guilty to obstruction of the highway, and the GMC closed my case with a letter of advice that I should reflect on my actions. Well I have reflected on them. As for the use of police resources involved in arresting 51 peaceful protesters sitting at the entrance of a private road into an oil terminal, I say that protest is an essential part of democracy and must have resources allocated. Policing resource is unquestioningly allocated when large crowds assemble and traffic is diverted for events such as the London Marathon.

This morning, this building was evacuated due to a fire alarm. Someone or something detected a risk of fire, a mortal danger, and then let everyone know as loudly as possible. This caused disruption to hundreds of people. But the greater good for everyone was without question to take a precautionary approach. In 2019 the UK Parliament declared a climate emergency. Does it feel like our government and institutions are now leading us through an emergency?

It is pointless to suspend me, and will likely only delay the inevitable erasure of my name from the register. The GMC currently have another case open on me, being aware of a Magistrates' court conviction and three further charges against me that will be proceeding to jury trial in Crown Court in due course. I have had ample time to reflect on my situation, and I can assure you that suspension will not assist me in reaching a different mindset. I do not regret what I have done and I intend to continue. I say this not in defiance, but as a calm and honest statement of fact. I really do not relish the prospect of preparing for, waiting for, and then partaking in further MPTS proceedings. Nor would I wish for even more time, money, and energy to be expended on them by anyone involved. If what I have done, standing and sitting down at an oil terminal as you saw in the video, if that behaviour is **so** undefitting a registered doctor, so disgraceful, dishonourable and morally culpable (in the words of the definition of serious

misconduct) be clear in your communication and erase my name from the medical register. If you reach that decision then I am at peace with that. I knew it might happen.

Let me be clear though, I am definitely **not** arguing that your first choice of response should be erasure. Having looked through previous tribunal determinations, I see cases resulting in erasure for serious misconduct that really would undermine public trust and the reputation of an honourable profession. Leaving aside clinical matters, which the GMC agree do not apply in my case, such cases involve behaviour such as sexual relationships with patients, possession of child pornography, physical violence, blatant financial dishonesty, publicly airing deeply racist, misogynistic, extremist or otherwise offensive views, and so on. I can quite see why the epithets alluded to by Ms Rolfe on Day 2 (conduct that is dishonourable, disgraceful, infamous, morally culpable), might be applied to such cases. I don't feel I fall into that category.

There is another option. My position is that instead you take no action. This course is open to tribunal if they determine that exceptional circumstances apply, being unusual, special or uncommon. Paragraph 70 of the sanctions guidance suggests such cases are rare but I will explain why mine is such a case.

Please bear with me here, just a little longer as I have tried very hard to avoid wasting time, and to keep to procedure. I will not repeat my previous arguments at any length, but must reiterate some key points. The climate emergency is a challenge of dangerousness, complexity, and existential threat that has never before been faced by humanity. So slow has been the response to this threat that it now requires urgent and drastic action, action which is not happening despite decades of talks, targets, greenwashing, political underambition and backtracking and yes, legal peaceful protest and alarmed citizens using every legal democratic tool available.

I know that my time to submit evidence is long past, and so you may give zero weight to the two things I will briefly draw your attention to, but I will still try to draw them to your attention...Both are from last week

1. A Daily Telegraph article from 10th April- "Farmers are warning of food shortages as record rainfall threatens to bring the first season without a harvest since the Second World War" ... "farms (are) facing an existential moment because of climate change which could put many out of business, reducing UK food security" **UK food security**
2. A temperature graph- global surface temp anomaly 1941 to date with degrees above pre-industrial baseline (1850-1900); a 365 day running mean to the nearest 0.01°C. 1.5°C was breached for the first time ever on 19th Jan 2024, the

temperature rise keeps going up daily; most recently standing at 1.59°C on 8th April 2024- last week.

Stuff is happening to our planet that is exceptional. As per my evidence on Day 1, the scientists tell us that we cannot continue to burn fossil fuels if we are to avert disaster, we must turn off the tap. Instead the government is enabling oil companies to make obscene profits as they ensure the destruction of our biosphere. The climate emergency is a health emergency and a global social justice emergency, and a huge number of health professionals (as per my evidence) have shouted this out for years using entirely legal and democratic means...publishing research, lobbying politicians, engaging in local politics, educational campaigns and so on. CO2 levels continue to rise and so does global heating. So here am I, blowing my whistle in a different way, and I will continue.

I went to an oil terminal and held a placard and sat down in an entry road. I did that three times. I know the GMC have no issue with my protesting per se...holding a placard and sitting in different roads in 2019 (central London, not an oil terminal) on 2 occasions culminated in just a letter of advice when my case was closed. What is different here is that peaceful protest outside that oil terminal had been made illegal through the imposition of a High court injunction,, a bit of civil law being bought to stop protest there, to frighten protesters away for fear of severe financial penalty, of imprisonment, and the further consequences resulting from such a punishment- such as a professional person like myself facing severe disciplinary consequences. The fundamental rule of law is designed to protect all of us and I have no issue with that. Use of civil law to squash peaceful and necessary actions is manifestly not a good, moral and just use of law, and I make no apology for breaking the injunction at Kingsbury.

The GMC say that my impairment is easily remediable, I just need to stop breaking the law and my continuing in environmental activism is not precluded. But it's not that easy at all. Without the lawbreaking of the suffragettes, or the Freedom Riders of the American civil rights movement for example, how long would it have taken for change to happen? What would you have me, and all the other health professionals do, when we know of this terrible thing barreling down the road towards us, and no-one with the power to stop it is choosing to listen? And it's our particular duty, what we went into our profession to do -to save life and protect health, and we can see what is happening to both? I would love there to be a different way that seemed to me to have any plausible chance of getting us out of trouble but I just don't see it.

Apologies to keep on about duty and responsibility, but that's what it keeps coming back to. Anyone and everyone can do something- anyone can go vegan, stop flying, write to their MP and vote Green, move their bank account. They can at least, at the very least inform themselves properly about the climate emergency and make their decisions from a position of knowledge and attention. But an individual can't change the world, or the understanding of that section of the public that Ms Rolfe feels is unachievable to reach, they can't do that alone.

I will return to trust again, because it is so important to this case. Yes, there will always be that section of the population that Ms Rolfe says 'just can't and won't understand', but should we not even try to explain? There is likely to still be a section of UK society that does not trust a doctor whose skin colour is different to their own, or is homosexual or transgender- it's shrinking though. The group that does not understand the danger of climate breakdown is shrinking too, and also the group (who knows how big or small in number), who do not understand why sometimes peaceful protesters are driven to break the law, who might judge a whole profession as dishonourable if a doctor acted like this out of conscience.....I suggest that they are shrinking too.

It needs those with particular influence and privilege by virtue of their position in organisations and institutions to act too...not illegally, but certainly with courage and conviction. For this is where politicians are routinely failing us- rowing back on climate promises, failing to be truthful about our situation and gaslighting the population into believing that aspirational targets (never achieved in reality), will save the day. There will come a time of reckoning though, the public will want answers, and as our climate obviously starts to break down, the trust in politicians will evaporate.

What of other groups, how can they act with courage and conviction?

Health professionals can speak up for, and explain the actions of colleagues such as myself, or at least decline to condemn them. Those who are legally qualified can withhold their legal services to the fossil fuel industry, or in the prosecution of climate protesters...this is a 'thing'...it's called Lawyers are Responsible...they have a website. Police can pause a bit longer before they arrest those engaged in peaceful climate protests. Tribunals can think outside the box- and then stand by that thinking, and explain its rationale. We all have choices.

Returning to what constitutes exceptional, I don't think it is often that a United Nations Rapporteur feels minded to make a special statement about a "triple planetary emergency"; a statement of concern about cases such as mine that may represent breach of a binding obligation under an international treaty if professional sanctions are applied. Has that happened before? Indeed has a doctor been sanctioned before for

undertaking action for a matter of conscience with the same or similar nexus? If not, then I contend that this is such an exceptional case, the circumstances being unusual, special or uncommon. This is an emergency.

If you feel there is an ounce of justification for my argument, then I ask you to exercise your judgement. The flow charts that guide you when doctors transgress by doing the things that usually result in suspension or erasure just don't lead to a proper result here...they are not fit for purpose in this unusual situation. (Although I suspect this situation will not remain unique, other doctors driven by care and concern are coming down the tribunal pipeline. Perhaps it's a good time to reevaluate the ways such cases can be dealt with, and see if they remain fit for purpose in 2024 and beyond).

There is no gun to your individual or collective heads. You **can choose** to think a little outside the box. I understand that a determination to take no action must fully and clearly address what the exceptional circumstances are, why they are exceptional, and how they justify taking no further action against me. This is not straightforward, but it is not beyond the wit of man to find a way.

Being a doctor has been a core part of my identity for most of my adult life, and obviously I would prefer to remain on the medical register. If that cannot be, then I am at peace with such an outcome because I've tried my best to do the right thing and have no regrets. But this goes way beyond me, for all the reasons I have elaborated already. We are in an emergency. There is no Medicine on a dead planet, no tribunals, no GMC, none of that. Don't let this be only about me and what I have been told on so many occasions are my "passionately held convictions", my "beliefs". This is an emergency

Whatever you decide, I beseech everyone in this room to ask yourself honestly- do I know enough about climate change and how urgent it is? Given that this previously well-performing and conformist doctor is so driven by it that she's gone to prison, that she's standing here in front of a tribunal today, do I know enough? And if not, to find out more. If that leads you to similar conclusions to mine then

- talk about it with whoever will listen
- do AS MUCH AS YOU CAN in your own life to reduce your Carbon impact, lead by example
- use your voice and influence to stand up for the vulnerable, the children in the global South dying in floods and from famine due to drought, the children yet to be born.

Please consider how important it is to get this right. If it doesn't feel quite right to suspend or erase me from the register, then don't do either. Don't kick the can down the

road for someone else to deal with at appeal. Take no action against me and let the GMC decide whether or not to appeal your decision if they think it too lenient.

Please aim to reach a determination that will withstand scrutiny, and also sits right with you, not just now, but as time passes and the young, who've not made this mess, grow up and live out their lives in the world we are leaving them.