

Dear Employer,

I am the chair of the UK Health Alliance on Climate Change, and I'm writing on behalf of the Alliance to ask that you do not take action against any of your employees who might have been arrested, charged, and convicted for protesting against the severe harm being done to nature, the climate, and health and the inadequacy of the political response until a regulatory body has found that the health professional's fitness to practice should be restricted.

The Alliance brings together 46 organisations of health professionals, including most of the royal colleges (physicians, nurses, GPs, surgeons, pharmacists, etc), the BMA, the *Lancet*, and the *BMJ*. Altogether our members' members number over a million, most of the NHS workforce. We emphasise that the climate and nature crisis is a health crisis. UKHACC works to mitigate the crisis, encouraging adaptation as harm to health is already here, and promoting the benefits that will flow to health if we make the changes we need to make to respond to the climate and nature crisis.

We do not support criminal activities, but we understand why some health professionals may judge it right to take direct action.

You will know that the Secretary General of the United Nations, the Pope, and the King have all expressed forcefully their anxiety that the world is heading to catastrophe because of damage to nature and the climate and that the responses by world leaders are inadequate. UKHACC agrees. António Guterres, the UN Secretary General, has said that: "Climate activists are sometimes depicted as dangerous radicals. But the truly dangerous radicals are the countries that are increasing the production of fossil fuels." Despite more than 30 years of warning of the escalating danger, there has not been the transformational response that is needed.

It is in these extreme circumstances that health professionals committed to planetary and public health have resorted to actions that may be judged criminal. *Good Medical Practice* states that "doctors in particular have a duty to act when they believe patients' safety is at risk, or that patients' care or dignity are being compromised." (1)

If your employees are convicted, the relevant regulatory bodies will be notified, and they will have to appear before the body. The trustees of the Alliance believe that the regulatory bodies are the best bodies to judge whether the health professionals are fit to practise. The trustees of the Alliance believe that it is not necessary for individual employers to

take action against doctors and health professionals until they are judged by their regulatory body not fit to practise. This means that health professionals will receive equal justice, and any premature action by an employer can only be stressful for all concerned.

We have written to the chair and chief executive of the GMC asking that any doctors appearing before it are given a full opportunity to explain why they have resorted to criminal actions. (2) They have assured us that that will be the case. (3) We are writing to the other regulatory bodies.

In a recent case nine defendants were acquitted of criminal damage after they had had the chance to explain why they took such extreme actions. The defendants accepted that they had damaged the property and their only defence was that they were justified in doing so. (4) But there have been other cases where the judges have not allowed defendants to explain their motivation. (5) Some of these cases have resulted in prison sentences that the United Nations has called excessive. (6) Health professionals should have ample opportunity to explain themselves first through the courts, then if required through the regulatory body before any disciplinary action is taken.

Employers might still argue that the reputation of their organisation has been damaged by one of their employees being arrested, but I think it highly likely that within a few years—as with other activists like suffragettes—history will support the minority who took direct action to raise awareness of the consequences of our unsustainable reliance on fossil fuels and be critical of the majority who either passively accepted the status quo or condemned the activists.

In conclusion, we hope that you will wait for a judgement from regulatory bodies before taking any action.

Yours faithfully

Dr Richard Smith CBE, FMedSci, FRCPE, FRCGP, FFPHM, FRCSE, FRCPSG

Chair, UKHACC

1. GMC. *Good Medical Practice* [online] 2013. Available from: <https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/good-medical-practice>

2. A letter to the GMC on doctors convicted of offences related to protests on climate change and nature loss 2023.
<https://ukhealthalliance.org/news-item/a-letter-to-the-gmc-on-doctors-convicted-of-offences-related-to-protests-on-climate-change-and-nature-loss/>
3. GMC response to our letter on doctors convicted for offences linked to action on climate and nature 2024.
<https://ukhealthalliance.org/news-item/gmc-response-to-our-letter-on-doctors-convicted-for-offences-linked-to-action-on-climate-and-nature/>
4. Laville S. Jury clears climate protesters of causing damage to HSBC London HQ. Guardian 2023; November 16.
<https://www.theguardian.com/environment/2023/nov/16/climate-protesters-cleared-of-causing-criminal-damage-to-hsbc-london-hq>
5. Laville S. Court restrictions on climate protesters 'deeply concerning', say leading lawyers. Guardian 2023; March 8.
<https://www.theguardian.com/environment/2023/mar/08/court-restrictions-on-climate-protesters-deeply-concerning-say-leading-lawyers>
6. Rowlatt J. UN criticises 'severe' Just Stop Oil sentences. BBC News 2023; November 21.
<https://www.bbc.co.uk/news/articles/cn0p6ll3jjg>