

4 September 2024

Dr Richard Smith CBE, FMedSci
Chair
UKHACC

Sent by email: chair@ukhealthalliance.org

Dear Dr Smith

Thank you for your email, and for your kind words on our statement on our guidance on “Doctors taking part in protests or other forms of activism.” We welcome the UK Health Alliance on Climate Change’s comments.

Please find answers to your specific questions below.

How we measure the public’s confidence

When we receive a concern, we are legally required to assess if the doctor may pose any current and ongoing risk to one or more of the three parts of public protection as set out in the Medical Act 1983, which includes public confidence in the profession.

Our information document [Decision making principles in fitness to practise](#) explains each of these parts – including what is meant by promoting and maintaining public confidence - in more detail.

The threshold for investigating a concern will be met where we are of the view that a doctor’s behaviour undermines, or is capable of undermining, the trust and confidence that a fully informed and reasonable member of the public places in the profession. A doctor’s behaviour can undermine the public’s trust in the profession, and impact public confidence in the following circumstances:

- where the specific nature of behaviour in a doctor’s private life indicates a high level of seriousness
- where the behaviour is such that the public would view it as a fundamental breach of trust, and / or
- where it would make a member of the public or colleague question how the doctor would act in their professional capacity

Examples of matters that may pose a risk to confidence in the profession include dishonesty, violence or criminal conduct.

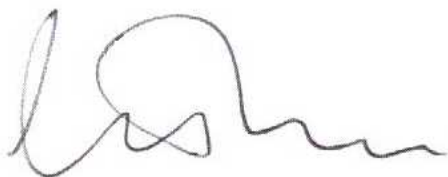
You raise whether climate action could increase rather than undermine confidence in the profession and you mention that doctors may find themselves in conflicts where they believe that activism will protect the public. There is nothing in our standards or guidance to prevent doctors from exercising their right to lobby government or campaign on issues. However, in doing so doctors, like all citizens are expected to comply with the law and many activists exercise their rights without illegal conduct.

The professional standards in [Good medical practice](#) are clear that doctors must follow the law, and have a duty to tell us about any criminal charges, convictions or cautions. This is because patients and the public have a high degree of trust in doctors, and that trust can be put at risk if doctors fail to comply with the law.

We take account of the context in which a serious breach of our standards occurs, but we cannot sanction illegal conduct. Taking a view on the merits of the range of causes that individual doctors may campaign about is not part of our function as a regulator. We recognise doctors' rights to engage in lawful protest, lobbying or campaigning and that from the point of view of individual doctors, their specific cause will have compelling merits. Our focus in such cases is instead on whether a doctor has committed a breach of law, regardless of the causes they may be campaigning for.

I hope the above information is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carrie MacEwen', with a stylized, cursive script.

Carrie MacEwen