



STATEMENT ON THE DR BAWA-GARBA CASE MARCH 2018

West Pennine LMC recently published a statement on the Dr Bawa-Garba case, which they invited other LMCs to share. As a result we have published the following statement, which is based on West Pennine LMC's statement:

The treatment of our colleague Dr Bawa-Garba is a pivotal moment in the history of our medical profession. We extend our heartfelt condolences to the two families at the centre of this tragedy - the Adcock and the Bawa-Garba families.

The penalties handed down to Dr Bawa-Garba - conviction for manslaughter and being struck off by the General Medical Council (GMC) send a powerful message to all doctors and other clinicians in the UK. We learn that a doctor could become a scapegoat for system failure in the NHS. We learn that this is not an isolated case, but since the GMC gained the right to challenge its own Medical Practitioner Tribunal Services in January 2016, it has brought 18 such cases, being successful in 12.

This message comes at a time of crisis in the NHS when medical and other staff are working in overstretched and often unsupported conditions. We stand in support of our colleague Dr Bawa-Garba in inviting LMCs across the UK to make a united statement. We call on the clinical leaders of our medical profession to stand up together and to publicly denounce the handling of this case and to make a clear statement on what we stand for together.

In addition, it is of note that at the UK Conference of LMCs on 9 March 2018 LMCs declared a vote of no confidence in the GMC. The motion passed by the Conference has been sent to all branches of practice in the BMA as this is a pan-professional issue and it is important that the BMA provides consistent advice to all doctors. The BMA has now had a number of meetings with the GMC to address some of these fundamental issues and will be running a number of relevant events, including a summit on system pressures and patient safety, a work programme and event on racial bias, and a major pan-professional survey to provide a comprehensive picture of the impact of system pressures on doctors. A web portal for sharing experiences of doctors working in a system under pressure has also been introduced: <https://r1.dotmailer-surveys.com/00jvxef-a92tly1f>.

The BMA's Medico Legal Committee (MLC) has been leading on a project looking at the growing number of doctors being prosecuted for gross negligence manslaughter. The BMA will be contributing to two external reviews of gross negligence manslaughter relating to healthcare - one led by the GMC and one led by the Department of Health and Social Care.