

PUBLIC RECORD

Dates: 05/05/2023

Medical Practitioner's name: Dr Karen CLARK

GMC reference number: 6134537

Primary medical qualification: MB ChB 2006 University of Dundee

Type of case	Outcome on impairment
XXX Review - Conviction	XXX Impaired

Summary of outcome

Suspension, 6 months.
Review hearing directed

Tribunal:

Legally Qualified Chair	Mrs Helen Potts
Lay Tribunal Member:	Miss Susan Hurds
Medical Tribunal Member:	Dr Louis Savage
Tribunal Clerk:	Mrs Olivia Gamble

Attendance and Representation:

Medical Practitioner:	Not present and represented
Medical Practitioner's Representative:	Mr Williams Childs, Weightmans
GMC Representative:	Ms Megan Tollitt, Counsel

Attendance of Press / Public

In accordance with Rule 41 of the General Medical Council (Fitness to Practise) Rules 2004 the hearing was held in private.

Overarching Objective

Throughout the decision making process the tribunal has borne in mind the statutory overarching objective as set out in s1 Medical Act 1983 (the 1983 Act) to protect, promote and maintain the health, safety and well-being of the public, to promote and maintain public confidence in the medical profession, and to promote and maintain proper professional standards and conduct for members of that profession.

Determination on Impairment - 05/05/2023

1. This determination will be read in private, as it contains confidential information that relates to XXX. However, as this case also concerns Dr Clark's convictions, a redacted version will be published at the close of the hearing XXX.
2. At this review hearing the Tribunal has to decide in accordance with Rule 22(1)(f) of the General Medical Council (GMC) (Fitness to Practise) Rules 2004, as amended ('the Rules') whether Dr Clark's fitness to practise remains impaired by reason of her convictions XXX.

The Outcome of Applications Made During the Impairment Stage

3. At the outset of the hearing, Mr Childs, on behalf of Dr Clark, made an application under Rule 41XXX of the General Medical Council (GMC) (Fitness to Practise) Rules 2004 ('the Rules'), for the entire hearing to be held in private. The application was supported by the GMC.
4. The Tribunal acceded to the application made by Mr Childs. XXX

Background

5. Dr Clark was employed as a LAT ST4 in emergency medicine in Glasgow Royal Infirmary. On 27 April 2012, Dr Clark drank to excess, drove her car to a car park near her home, fell asleep in her car and was awoken by the police. Dr Clark was asked to provide a specimen but failed to do so. As a result, in May 2012, Dr Clark was convicted of failing to provide a specimen when required to do so. She was fined £400 and disqualified from holding and obtaining a driving licence for 18 months.
6. XXX

7. XXX

8. In April 2015, Dr Clark was sentenced to nine months imprisonment for two counts under the Criminal Justice and Licensing (Scotland) Act 2010 s38(1), four counts under the Police and Fire Reform (Scotland) Act 2012 s90(1)(a), four counts under the Emergency Workers (Scotland) Act 2005 s5(1) and one count under the Criminal Procedure (Scotland) Act 1995 s27(1)(b).

9. Dr Clark's case was referred to a Medical Practitioners Tribunal, which was held in March 2016 ('the 2016 Tribunal').

The 2016 Tribunal

10. In relation to Dr Clark's convictions, the 2016 Tribunal determined that the actions which led to Dr Clark's convictions demonstrated a lack of respect for both the law and for professional colleagues and had brought the profession into disrepute. The 2016 Tribunal determined that Dr Clark's fitness to practise was impaired by reason of her convictions.

11. XXX

12. XXX. The Tribunal determined that Dr Clark's fitness to practise was impaired by reason XXX her convictions, and it determined to suspend Dr Clark's registration for a period of 12 months. The 2016 Tribunal directed a review hearing, which convened in March 2017 ('the March 2017 Tribunal').

The March 2017 Tribunal

13. The March 2017 Tribunal received an email, dated 15 March 2017, from Dr Clark expressing concern that her legal representative was no longer acting on her behalf. The March 2017 Tribunal determined it would adjourn the hearing and extended the suspension on Dr Clark's registration for a period of three months. The Tribunal was conscious that the loss of her legal representation appeared to have happened recently. The hearing was relisted and took place in July 2017 ('the July 2017 Tribunal').

The July 2017 Tribunal

14. Whilst Dr Clark’s representative at Radcliffes Le Brasseur remained instructed on her behalf, Dr Clark was not present or represented at the hearing. The July 2017 Tribunal did not have any of the information before it, which had been requested by the March 2016 Tribunal, and nor was there any other new information. The July 2017 Tribunal therefore determined that Dr Clark’s fitness to practise remained impaired by reason of XXX her convictions XXX. It determined to suspend Dr Clark’s registration for a further period of 12 months to allow her sufficient time to address the concerns raised, XXX and engage with her regulator and legal representatives. It directed a review which took place on 11 July 2018 (‘the 2018 Tribunal’).

The 2018 Tribunal

15. The 2018 Tribunal admitted an Extract Conviction Report from Kilmarnock Sheriff Court into evidence. This document confirmed that Dr Clark had been convicted of theft by housebreaking and of being found within premises with intent to commit theft on two dates in February 2016. She was convicted on 12 December 2016 and sentenced on 26 May 2017.

16. In the absence of any evidence of remorse or insight, alongside the evidence before the 2018 Tribunal that Dr Clark had reoffended in 2016, the 2018 Tribunal determined that Dr Clark’s fitness to practise continued to be impaired by reason of her XXX convictions. The 2018 Tribunal determined to suspend Dr Clark’s registration for a period of 12 months. The Tribunal directed a review hearing, which took place in July and September 2019 (‘the 2019 Tribunal’).

The 2019 Tribunal

17. The 2019 Tribunal found Dr Clark’s fitness to practise remained impaired by reason of her convictions XXX. It concluded that her convictions were serious XXX. The 2019 Tribunal determined to suspend Dr Clark’s registration for a period of six months. In so doing, it noted that Dr Clark had begun to engage with the proceedings prior to the hearing in September 2019. The 2019 Tribunal considered that this period of suspension would be sufficient to enable Dr Clark to re-engage with the regulatory process and to provide evidence of insight, remediation XXX. The 2019 Tribunal directed a review take place, which was considered on the papers by a Legally Qualified Chair (‘LQC’) on 6 April 2020, with the agreement of both parties (‘the 2020 Review on Papers’).

The 2020 Review on Papers

18. The LQC noted that both parties agreed that Dr Clark's fitness to practise remained impaired by reason of her convictions XXX. The LQC also noted that in February 2020 Dr Clark had pleaded guilty to charges of behaving in a threatening or abusive manner and of assaulting a police constable. These events occurred in August 2019 and XXX. Sentence had been deferred to 10 August 2020.

19. The LQC determined to suspend Dr Clark's registration for a period of nine months. He determined that this period would enable Dr Clark to demonstrate continued constructive engagement with the regulatory process XXX. That period of suspension expired on 28 January 2021.

The January 2021 New and Review Tribunal

20. There was a new Allegation before the January 2021 Tribunal ('the January 2021 Tribunal') relating to convictions and sentence for a number of offences between 2015 and 2020. The new Allegation before the Tribunal related to convictions related to threatening behaviour, assaults (including of police constables), theft by housebreaking, vandalism and possession of XXX, a controlled Class A drug, all of which were admitted by Dr Clark. Therefore, it was found proved by the January 2021 Tribunal.

Impairment by reason of Conviction (New Allegation)

21. The January 2021 Tribunal noted the numerous convictions for often very serious offences that took place from 2012 to 2020. Although it had not been provided with full details regarding such convictions, it noted that they included convictions for a number of different types of offending including threatening behaviour; two separate assaults of police officers; theft/burglary; vandalism; and possession of XXX, which is a controlled class A drug; some of which convictions resulted in the imposition of a term of imprisonment.

22. The January 2021 Tribunal took account of the serious nature of the numerous convictions listed in the Allegation. It had regard to Dr Clark's witness statement and her acceptance, via Mr Richard Smith, Counsel, on her behalf, that her fitness to practise was impaired by reason of her convictions. The January 2021 Tribunal noted that Dr Clark expressed remorse for the convictions. It noted however, that Dr Clark continued regularly to reoffend since her first conviction in 2012, it was of the view that the risk of repetition remained and that, XXX. The January 2021 Tribunal considered that it could not therefore be

said that Dr Clark had fully remediated her wrongdoing. It determined that Dr Clark’s fitness to practise was impaired by reason of her convictions.

Review of impairment by reason of Conviction

23. The January 2021 Tribunal then considered whether Dr Clark’s fitness to practise remained impaired by reason of her convictions (the review aspect). It had regard to the previous determinations in which it stated that the matters for which Dr Clark was convicted were serious.

24. The January 2021 Tribunal considered that the 2019 Tribunal had found there to be absence of any evidence of insight or remediation and that there remained a risk of repetition and clear risk of harm to patients. It noted the progress noted in the 2020 Review on Papers regarding engagement but that Dr Clark had pleaded guilty to charges of behaving in a threatening or abusive manner and of assaulting a police constable, in relation to events in August 2019. The January 2021 Tribunal noted that those matters were now encompassed in the ‘new’ Allegation.

25. The January 2021 Tribunal took account of the serious nature of the convictions in the ‘new’ Allegation that was before it. It was of the view that the risk of repetition remained XXX. It considered that it could not therefore be said that Dr Clark had fully remediated her wrongdoing and it determined that Dr Clark’s fitness to practise remained impaired by reason of her convictions.

XXX

26. XXX

27. XXX

The October 2021 Tribunal

28. Dr Clark’s case was reviewed by a Medical Practitioners Tribunal in October 2021 (‘the October 2021 Tribunal’). The October 2021 Tribunal noted that Dr Clark’s convictions, both the original ones and more recent ones, XXX. It noted that Dr Clark’s recent engagement was a positive step. However, it also considered that the more recent convictions were of a

serious nature and of concern. XXX. Therefore, it determined that Dr Clark’s current fitness to practise is impaired by reason of XXX her convictions XXX

29. Turning to sanction, the October 2021 Tribunal determined to suspend Dr Clark’s registration for a period of seven months. It considered that its findings were so serious that action needed to be taken, though not so serious as being fundamentally incompatible with continued registration.

30. The October 2021 Tribunal suggested that a future Tribunal reviewing Dr Clark’s case may be assisted by the following:

- XXX
- XXX
- XXX
- XXX
- XXX
- Evidence of Continuing Professional Development, courses undertaken or how she has kept her knowledge and skills up to date in her proposed speciality, having not worked since 2014;
- Reflections setting out what remediation Dr Clark has undertaken, how she has developed her insight and what steps she is undertaking or plans to undertake to return to work;
- Any other evidence Dr Clark wishes to produce that will assist a reviewing Tribunal.

The May 2022 Tribunal

31. Dr Clark’s case was reviewed by a Medical Practitioners Tribunal in May 2022 (‘the May 2022 Tribunal’).

32. XXX

33. The May 2022 Tribunal noted that, since the October 2021 Tribunal, there had been very minimal progress made by Dr Clark and that she had not provided it with any evidence to support her progression. XXX

34. The May 2022 Tribunal found that there was a significant risk of repetition and, therefore, determined that Dr Clark’s current fitness to practise remained impaired by reason of XXX her convictions XXX.

35. Turning to sanction, the May 2022 Tribunal determined to suspend Dr Clark’s registration for a period of twelve months. It considered that its findings were so serious that action needed to be taken, however, it determined that her conduct was not fundamentally incompatible with continued registration and it noted that there were instances where Dr Clark would engage XXX.

36. The May 2022 Tribunal suggested that a future Tribunal reviewing Dr Clark’s case may be assisted by the following:

- XXX
- XXX
- XXX
- XXX
- XXX
- Evidence of Continuing Professional Development, courses undertaken or how she has kept her knowledge and skills up to date in her proposed speciality, having not worked since 2014;
- Reflections setting out what remediation Dr Clark has undertaken, how she has developed her insight and what steps she is undertaking or plans to undertake to return to work; and
- Any other evidence Dr Clark wishes to produce that will assist a reviewing Tribunal.

Today’s Review Tribunal

37. The Tribunal now has to decide in accordance with Rule 22(1)(f) of the General Medical Council (GMC) (Fitness to Practise) Rules 2004, as amended (‘the Rules’) whether Dr Clark’s fitness to practise remains impaired by reason of conviction XXX.

The Evidence

38. The Tribunal has taken into account all the evidence received, including, but not limited to:

- Determinations of the previous Tribunals;
- Various correspondence between the MPTS and Dr Clark;
- Various correspondence between the GMC and Dr Clark;
- Telephone call information between Dr Clark’s legal representative and the GMC;
- An email from Dr Clark, dated 5 May 2023 (the morning of the hearing), in which she sets out her account of what has happened since the May 2022 hearing.

39. The email from Dr Clark explained that XXX. Further, she sets out a series of personal challenges she has encountered, including: a period of unwelcome attention and behaviour from a neighbour, in which the police subsequently became involved; a break in at her home, during which she was assaulted; a series of acute but unrelated physical health conditions; and the serious illness of a close friend.

Submissions of Ms Tollitt, on behalf of the GMC

40. On behalf of the GMC, Ms Tollitt submitted that Dr Clark remains impaired by reason of XXX her convictions XXX.

41. Ms Tollitt submitted that XXX.

42. Accordingly, Ms Tollitt submitted that Dr Clark remains impaired by reason of conviction XXX.

Submissions of Mr Childs, on behalf of Dr Clark

43. On behalf of Dr Clark, Mr Childs submitted that he did not wish to make any submissions and did not oppose the submission of the GMC as to Dr Clark’s current impairment.

The Relevant Legal Principles

44. The Tribunal reminded itself that the decision of impairment is a matter for the Tribunal’s judgement alone.

45. This Tribunal must determine whether Dr Clark’s fitness to practise is impaired today, taking into account her conduct XXX at the time of the events and any relevant factors since

then such as whether the matters are remediable, have been remedied and the likelihood of repetition.

46. The Tribunal had regard to the statutory overarching objective:
- a. To protect, promote and maintain the health, safety and wellbeing of the public;
 - b. To promote and maintain public confidence in the medical profession;
and
 - c. To promote and maintain proper professional standards and conduct for members of that profession.

The Tribunal's Determination on Impairment

XXX

47. XXX

48. XXX

49. XXX

50. XXX

51. XXX

52. XXX

53. XXX

54. XXX

55. XXX

56. XXX

57. XXX

58. XXX

Convictions

59. The Tribunal then considered whether Dr Clark's fitness to practise is currently impaired by reason of her convictions. XXX

60. The Tribunal was of the view that XXX, it cannot be satisfied that the risk of her repeating the conduct which led to her convictions is low. Dr Clark has been convicted of multiple criminal offences, which include offences of violence, threatening behaviour, acquisitive offending, and possession of a Class A drug (XXX), for which she has served a custodial sentence. The Tribunal considered that there was an established pattern of offending, XXX.

61. The Tribunal determined that, in relation to Dr Clark's convictions, a finding of impairment was required in relation to each of the three limbs of the overarching objective.

62. The Tribunal therefore determined that Dr Clark's fitness to practise is currently impaired by reason of her convictions.

Determination on Sanction - 05/05/2023

63. Having determined that Dr Clark's fitness to practise is impaired by reason of her convictions XXX, the Tribunal now has to decide in accordance with Rule 22(1)(h) of the Rules what action, if any, it should take with regard to Dr Clark's registration.

The Evidence

64. The Tribunal has taken into account the background to the case and the evidence received during the earlier stage of the hearing where relevant to reaching a decision on what action, if any, it should take with regard to Dr Clark's registration.

Submissions of Ms Tollitt, on Behalf of the GMC

65. On behalf of the GMC, Ms Tollitt submitted that in the absence of any significant progress in the case of Dr Clark, the appropriate sanction at this stage, is one of erasure.
66. Ms Tollitt submitted that Dr Clark’s registration has now been suspended for more than 7 years and noted that this is the 9th scheduled review of her case. Ms Tollitt submitted that there has been a significant period of time for the concerns to be addressed and remedied, however, they have not been and the progress made has been very limited despite the passage of time.
67. Ms Tollitt submitted that matters seem to have stalled since promising signs in 2020 and 2021. She stated that there have been additional convictions during the regulatory process and XXX
68. Ms Tollitt submitted that there are continuing concerns about the risk of repetition in this case. Ms Tollitt submitted that the May 2022 Tribunal gave, in their words, serious consideration as to whether erasure was appropriate. Since the May 2022 review, there has been very limited engagement from Dr Clark XXX
69. Ms Tollitt submitted that the May 2022 Tribunal gave serious consideration as to whether erasure was appropriate. Since this, Ms Tollitt submitted that there has been very limited engagement with the MPTS apart from an email statement, sent shortly before 6:00am this morning. Ms Tollitt further stated that the email provided does not contain any evidence of the measures suggested by the previous Tribunal. Further, Ms Tollitt submitted that Dr Clark could have raised the issues outlined in this email at an earlier stage.
70. Ms Tollitt drew the Tribunal’s attention to the SG and outlined the paragraphs that deal with where erasure may be appropriate and the paragraphs which indicate that suspension may no longer be appropriate.
71. Ms Tollitt asked the question of how beneficial this regulatory process has been to Dr Clark’s recovery. She drew the Tribunal’s attention to the email from Dr Clark, where the doctor states: *‘I can honestly say that it's what mostly triggers me in the past couple of years. The feeling of being a disappointment, of never actually getting there, back to medicine, out of the mess of the recent past, and of the mess I have made.’*

72. Ms Tollitt submitted that if Dr Clark were to be erased, she can take a lengthy period of time XXX, without the stress of the fitness to practise proceedings and then apply to be restored to the register after 5 years, XXX

73. Given the above, Ms Tollitt concluded that erasure is now the appropriate and proportionate sanction in this case.

Submissions of Mr Childs, on Behalf of Dr Clark

74. On behalf of Dr Clark, Mr Childs submitted that the appropriate sanction in the case of Dr Clark is one of further suspension.

75. Mr Childs submitted that XXX. However, he went on to state that the email provided by Dr Clark does offer some mitigation and outlines personal stressors she has faced in the past year.

76. Mr Childs submitted that whilst Dr Clark has had some very difficult times in the past 10 years, XXX, Dr Clark does hope she can return to practice eventually.

77. Mr Childs said that he notes the GMC submission in relation to the stress of these proceedings upon Dr Clark. XXX

78. Mr Childs submitted that by taking the ultimate sanction of erasure and removing Dr Clark from the register altogether, this would in reality end her career, given the significant obstacles she would have to face in being restored at a later date.

79. Mr Childs submitted that during 2020 and 2021, there was engagement in these proceedings by Dr Clark, which included her XXX attending both hearings. Mr Childs submitted that the 'upward curve' had sadly tailed off now due to the distressing events Dr Clark has had to deal with this year.

80. Mr Childs submitted that this is not a case where Dr Clark's actions are fundamentally incompatible with continued registration, XXX. He stated that if were that the case, Dr Clark would have been erased some time ago. Mr Childs concluded that erasing Dr Clark from the medical register would be giving up on her ability to be able to return to practice one day and ultimately, would be a 'sad step'.

The Tribunal's Determination on Sanction

81. The decision as to the appropriate sanction to impose, if any, in this case is a matter for this Tribunal exercising its own judgement.

82. In reaching its decision, the Tribunal has taken account of the Sanctions Guidance (November 2020 edition) ('the SG'). It has borne in mind that the purpose of sanctions is not to be punitive, but to protect patients and the wider public interest, although they may have a punitive effect.

Aggravating Factors

83. The Tribunal consider the following to be aggravating features of Dr Clark's case:

- Dr Clark's pattern of criminal offending. Her offending was not just at the beginning of the fitness to practise proceedings, it has been repeated throughout;
- XXX;
- XXX;
- Failure to provide any of the evidence the May 2022 Tribunal suggested would assist this Tribunal;
- The lateness of the engagement for these proceedings (the email sent at 6:00am the morning of the hearing).

84. The Tribunal balanced those aggravating features against what it considered to be the mitigating features in this case:

Mitigating Factors

85. The Tribunal identified the following mitigating factors:

- The email Dr Clark sent relates to an exceptionally difficult set of circumstances that have occurred this year, including being the victim of a serious assault in her own home.

No action

86. In coming to its decision as to the appropriate sanction, the Tribunal first considered whether to conclude this case by taking no action. The Tribunal reminded itself that there should be exceptional circumstances to justify taking no action where a finding of impairment has been made.

87. The Tribunal considered that there were no exceptional circumstances to justify taking no action in this case. It determined that given the serious nature of the Tribunal's findings on impairment, it would be neither sufficient, proportionate nor in the public interest, to conclude this case by taking no action.

Conditions

88. The Tribunal next considered whether it would be sufficient to impose conditions on Dr Clark's registration. It has borne in mind that any conditions imposed would need to be appropriate, proportionate, workable and measurable.

89. The Tribunal determined that it would not be possible to formulate conditions that would be appropriate, proportionate, workable and measurable in the case of Dr Clark. Furthermore, the Tribunal considered that conditional registration would be insufficient to protect patients and the public.

Suspension

90. The Tribunal considered that the May 2022 Tribunal had listed a number of suggestions for how Dr Clark could demonstrate her progress to this Tribunal. The Tribunal noted that there was no evidence before it to indicate that these points had been addressed. It further noted that her engagement was again, very limited and considered that there was limited evidence of current insight and remediation.

91. The Tribunal did note the email it received from Dr Clark at the commencement of the hearing today in which she outlined some extreme personal circumstances she has had to face, including being the victim of a serious assault in her own home. In the view of the Tribunal, this may have set back any progress Dr Clark might otherwise have been able to make since the May 2022 Tribunal.

92. The Tribunal gave serious consideration to whether erasure would be the appropriate and proportionate sanction in this case, given the length of time that Dr Clark had been

suspended and the lack of engagement on her part. The Tribunal considered the following paragraphs of the SG, which state:

‘108 Erasure may be appropriate even where the doctor does not present a risk to patient safety, but where this action is necessary to maintain public confidence in the profession. For example, if a doctor has shown a blatant disregard for the safeguards designed to protect members of the public and maintain high standards within the profession that is incompatible with continued registration as a doctor.

109 Any of the following factors being present may indicate erasure is appropriate (this list is not exhaustive).

a A particularly serious departure from the principles set out in Good medical practice where the behaviour is fundamentally incompatible with being a doctor.

...

g Offences involving violence

...

j Persistent lack of insight into the seriousness of their actions or the consequences’

93. The Tribunal considered that its findings on impairment were so serious that action needed to be taken. XXX. However, the Tribunal noted that there was some mitigation on Dr Clark’s part when considering the difficult personal circumstances Dr Clark has faced this year. The Tribunal also identified some positive steps Dr Clark was making XXX

94. Dr Clark’s recent lack of engagement XXX, along with her failure to provide the Tribunal with evidence of remediation, led the Tribunal to conclude that her behaviour had come perilously close to crossing the threshold of erasure. However, in light of the recent mitigation, concerning the events of the past year and the link between XXX and the convictions, the Tribunal did not consider Dr Clark’s behaviour to be fundamentally incompatible with continued registration at this point. In reaching this decision, the Tribunal took into account Dr Clark’s own recognition that this may well be her final opportunity to demonstrate remediation. In her email she states: *‘I sincerely hope that I will be granted*

another, even final, chance to demonstrate how much medicine is to me and that I will put my all into recovering and staying in recovery.'

95. Therefore, the Tribunal considered that a period of suspension would meet the overarching objectives as it would protect patients and the public. In determining the length of suspension, the Tribunal had regard to paragraph 101 of the SG, which states:

'101 The tribunal's primary consideration should be public protection and the seriousness of the findings. Following any remediation, the time all parties may need to prepare for a review hearing if one is needed will also be a factor.'

96. The Tribunal determined that a period of 6 months' suspension is the necessary and proportionate sanction to impose on Dr Clark's registration. The Tribunal does not anticipate that Dr Clark will be in a position to demonstrate that she is fit to practise without restriction by the end of this period. However, a 6 month period of suspension will enable Dr Clark to demonstrate her full engagement with the regulatory process and to take objective steps to evidence her stated motivation XXX

Review

97. The Tribunal determined to direct a review of Dr Clark's case. A review hearing will convene shortly before the end of the period of suspension, unless an early review is sought. The Tribunal wishes to clarify that, at the review hearing, the onus will be on Dr Clark to demonstrate how she has remediated XXX. It therefore may assist the reviewing Tribunal if Dr Clark provides:

- XXX
- XXX
- Reflections setting out what remediation Dr Clark has undertaken, how she has developed her insight and what steps she is undertaking or plans to undertake to return to work;
- XXX
- XXX
- XXX
- XXX
- XXX
- Any other evidence Dr Clark wishes to produce that will assist a reviewing Tribunal.

98. The Tribunal has directed that Dr Clark's registration be suspended for 6 months. The MPTS will send Dr Clark a letter informing her of her right of appeal and when the direction and the new sanction will come into effect. The current suspension will remain in place during the appeal period.

99. That concludes the case.