

GENERAL OSTEOPATHIC COUNCIL
PROFESSIONAL CONDUCT COMMITTEE

Case No: 839/2855 & 889/2855

Professional Conduct Committee Hearing

DECISION

Case of:	Michelle Davies
Committee:	Sue Ware (Chair) Colin Childs (Lay) David Probert (Osteopath)
Legal Assessor:	Jon Whitfield KC
Representation for Council:	Andrew Faux (April) and Matthew Corrie (June)
Representation for Osteopath:	None (appearing in person)
Clerk to the Committee:	Sajinee Padhiar
Date of Hearing:	3 – 5 April and 3 & 4 June 2024

Summary of Decision:

Case Number 839/2855 (UPC case)

The Committee found Paragraphs 1, 2(a), (b), (c), (d) and 3 proved
The Committee found that the conduct proved did amount to UPC

Case Number 889/2855 (Conviction)

The Committee found Paragraph 1 proved upon the Registrant's admission.
The Committee found that the conviction is relevant to the practice of osteopathy.

Sanction

In respect of both cases the Committee determined that the Registrant should be removed from the Register.

Interim Suspension Order

The Committee determined that an interim suspension order was necessary to protect the public.

Allegation 839/2855 (UPC)

The allegation is that Michelle Davies (the Registrant) has been guilty of unacceptable professional conduct, contrary to section 20(1)(a) of the Osteopaths Act 1993, in that:

1. Between the dates of 4 May 2021 to 3 October 2021, the Registrant submitted to the GOSC numerous documentation and claims that are incoherent and/or unintelligible.

Denied. Found proved

2. The Registrant failed to provide consent to the GOSC for the purposes of obtaining medical records, following requests made on:
 - a. 8 July 2021
 - b. 26 July 2021
 - c. 2 August 2021
 - d. 17 August 2021

Denied. Found proved

3. The Registrant failed to provide consent to the GOSC, following a request made on 17 August 2021, for the purposes of undertaking a medical assessment to determine whether she is fit to practise.

Denied. Found proved

Allegation 889/2855 (Conviction)

The allegation is that the Registrant has been convicted in the United Kingdom of a criminal offence, contrary to section 20(1)(c) of the Osteopaths Act 1993, in that:

1. On 3 October 2022, the Registrant was convicted at Kidderminster Magistrates' Court of either expressly or by implication describing herself as an osteopath when suspended from the register of osteopaths, contrary to section 32 of the Osteopaths Act 1993.

Admitted. Found proved by way of admission

Preliminary Matters:

1. At the outset of proceedings, the Registrant raised four preliminary points concerning material provided by her and on which she wished to rely and to the propriety of the hearing and/or standing of the Committee.

2. Point One – the Registrant asked if the Committee, the Representative for the GOsC and the Legal Assessor had read a series of 16 questions submitted by her. All confirmed that they had read them.
3. Point Two – the Registrant asked if there was any objection to the questions being asked.
4. The document containing the questions has a heading which, amongst other matters includes the terms "*Parliament Session Court. The People v Top Judges. Corruption Remedies*" and "*Equity Lawyer + Citizen v Cabinet + Opposition Leader*". It also refers to this Registrant as well as other named persons and jurisdictions. The first question reads "*Do you know the Parliament Session Court decides the Corruption Remedy Priorities for each Parliament Session?*" There then follow fifteen similar questions.
5. Mr Faux confirmed there was objection since the document and the questions bore the hallmarks of a document created by Mr Ellis, a solicitor struck off and imprisoned for vexatious litigation having made numerous claims in numerous jurisdictions to the detriment of those he purported to act for. Mr Faux said the questions could not be understood and should not be asked. Mr Faux continued that it was not clear whether the Registrant wished Mr Ellis to attend to represent her in which case the GOsC would object or, to attend as a witness to give "jurisdiction evidence" which was a phrase he did not understand and which had no purpose in these proceedings. Mr Faux said nothing in the documents provided by Mr Ellis and before this Committee was relevant, rather it was incomprehensible and screeds of nonsense.
6. The Registrant said that Mr Ellis was part of a Royal Commission to test the integrity of the law courts and the GOsC against whom allegations of corruption were made. Such bodies should be accountable for corrupt practices.
7. The Legal Assessor advised as to the ambit of these proceedings and the position of the Committee. The Registrant was unable to explain why Mr Ellis' evidence was relevant to these proceedings.
8. Point Three – the Registrant asked 'Does the prosecutor wish to reverse the exclusion decision against the jurisdiction evidence of Mr Ellis?'. It was pointed out that there had been no such decision.
9. Point Four – the Registrant said that she wished to call Mr Ellis as a "jurisdiction witness."
10. Point Five – the Registrant submitted that the Committee, the Legal Assessor and Mr Faux were biased since they were paid by the GOsC and "why bite the hand which feeds you?". In addition, she alleged that the Chair and the Lay Member were biased since the Chair was employed by the NHS and the Lay Member was a Chief Executive of an NHS body. The Registrant referred to her documentation which she read aloud and said that the Committee should protect her according to

God's laws against the actions of the GOsC and to do otherwise would be complicit in an unjust or immoral law, and a rebellion against God. The GOsC and its agents would be accountable to God. The documents assert that the Registrant had a duty to obey and stand with God, osteopathy was God's law and the Holy Trinity was her lawyer.

11. The Registrant referred to the doctrine of the Twelve Lesser Magistrates. She said she was a guardian, executor and beneficiary, she was competent and challenged presumptions of law. She submitted her fundamental rights were granted by the Bible, the Charter of 1215, lesser magistrates and the laws and customs of England. She said that the Osteopaths Act contradicted God's laws. She said she would follow her conscience, the rules of law in the Bible and her agency derived from God. She said the GOsC was a tyrant.
12. The Legal assessor advised that nothing she had said was relevant to the Osteopaths Act or the Rules or procedures that the Committee would follow and she should confine her arguments to the Act and Rules.
13. The Registrant said the GOsC and its agents were attacking God who was the lawgiver. She said her case was a test case and that the contract with the GOsC was a fraud. She said the Committee was biased because it was paid and the only way to have a fair trial was by a jury of her peers.
14. Mr Faux submitted that it could be discerned the application was in effect that the Committee should recuse itself. He said it should consider the well-known test (the "fair minded informed observer" test) last set out in *Helow v Secretary of State for the Home Dept & another* [2008] 1WLR 2416. He said that much was understandable and could be addressed, but the rest of what the Registrant had asserted was a philosophical question namely whether the GOsC should act in accordance with a higher set of religious rules. The Committee could not rule on that.
15. The Legal Assessor advised on matters including the role and remit of the Committee, the admission of relevant evidence and witnesses, the permissibility of relevant questions to witnesses, the test for bias and apparent bias. Neither Mr Faux nor the Registrant wished to comment on the Legal advice. The Registrant observed that "if the Committee made a commitment to be fair minded then I am happy to proceed".

Decisions on preliminary matters:

16. Point One – the Committee confirmed it had read the questions referred to.
17. Point Two – the Committee declined to permit the 16 questions to be asked. In coming to that decision the Committee confirmed that it was empowered to receive relevant information, and witnesses were to be asked relevant questions. The Panel determined that none of the questions was relevant. None of the questions assisted the panel in deciding any of the issues in the case. The questions

concerned institutions and processes such as the Parliamentary Sessions Court and the Remedy Denial Fraud Proof that do not exist. The document heading was one used on documents created by Mr Ellis and referred to him as an 'equity lawyer'. Mr Ellis was struck from the roll of solicitors and now refers to himself as an 'equity lawyer' albeit the title has no status or legal meaning. The institutions and processes that are referred to are figments of his imagination. The questions were not relevant or appropriate and would not be permitted.

18. Point Three – the Committee confirmed that there had been no prior decision concerning Mr Ellis and thus there was nothing to reverse.
19. Point Four – the Committee determined that its jurisdiction was not an issue in this case and that anything Mr Ellis might say on this would be irrelevant and inadmissible. The Committee had been appointed by a regulator, the Council, which received its authority to do so from statute. None of the information in the bundles provided by Mr Ellis and/or which touched upon his beliefs was relevant to the jurisdiction of this panel. Mr Ellis had been dealt with in numerous legal proceedings and his claims had been characterised as vexatious, nonsensical and harmful to those he purported to act for. They were irrelevant to this hearing.
20. Point Five – the Committee considered that there were two strands to the Registrant's application for it to recuse itself. First, the argument that the Committee had no authority to hear the case because the only true authority was derived from God/the Bible/religious doctrine. The Committee accepted Mr Faux's submission that this was a philosophical/religious argument rather than a legal one. This Committee derives its authority to act from the Osteopaths Act 1993 and would proceed according to the Act and the various procedural Rules and Standards as published by the relevant statutory regulator namely the GOsC. It must and would adhere to the strictures of the Act and the Rules.
21. The second strand to the argument was that the Committee and others were biased due to being paid by GOsC and, some members of the Committee were biased due to an association with the NHS. How an association with the NHS could give rise to prejudice was not explained and no reason for concern about the NHS was given.
22. The Committee reminded itself that it was to consider the question from the perspective of the fair minded informed observer who had considered all the facts. The Committee determined that such a person would not conclude there was a real possibility of bias nor was there the appearance of bias from the matters raised by the Registrant. The Committee consisted of independent professionals advised by an independent legal assessor all of whom had been authorised to act according to law and the rules and procedures of a statutory regulator. Furthermore the GOsC had employed an independent professional to present its case. All these matters were routine in regulatory hearings and the Committee was satisfied that the fair minded informed observer would see nothing wrong in them.

23. As to the suggestion that a connection with the NHS was a basis for recusal, the Committee was for the same reason satisfied that it was not. The fair minded informed observer would, in the Committee's view have no concerns regarding the NHS. None of the matters raised provided a proper basis for recusal of the Committee members, the legal assessor or Mr Faux.
24. In coming to the above conclusions the Committee noted that the matters pertaining to the NHS and relied on by the Registrant were in fact wrong. To correct the record as a matter of fact, the Committee announced that the Chair had been an employee of the NHS but had retired. The Lay member was not and had never been a Chief Executive of an NHS organisation, rather he used to be an independent non-executive chair of a social enterprise one of whose customers was the NHS. For the avoidance of doubt, the Committee concluded that whether the fair minded observer considered the factually accurate position as stated above or the erroneous position urged by the Registrant, they would conclude that any such connection with the NHS would not give rise to the prospect of bias or the appearance of bias. It was thus not a basis for recusal.
25. The Committee determined that it could and would assess matters fairly as requested by the Registrant.
26. Following the above decisions, Mr Faux asked for time to assist the Registrant by explaining how the hearing was likely to proceed.
27. The Allegations were read out. The Registrant denied Allegations 1, 2 and 3 in case number 839/2855 (the UPC case). The Registrant admitted Allegation 1 in case number 889/2855 (the conviction case).

Summary

28. Regarding case 839/2855 (UPC) this is in three parts. First, it is alleged that the Registrant sent a large number of incoherent and unintelligible documents to the GOsC. There are a large number of documents within the bundle which cover a range of religious, philosophical and similar topics written in archaic pseudo-legal language. It is alleged that the content and nature of the documents raised concern at the GOsC regarding the Registrant's mental health and thus the safety of patients. It is said that due to such concerns the GOsC sought the Registrant's consent to disclose her medical records to investigate whether there was a mental health issue. Allegation 2 sets out the GOsC's requests for consent and, there being no such consent, Allegation 3 is a request by the GOsC for the Registrant's consent to a medical examination. The GOsC allege they had and have a duty to investigate concerns about practitioners that may impact public safety.
29. It is the Registrant's case that she is not bound by the Osteopaths Act nor the GOsC's rules and procedures nor is she required to give her consent because the GOsC is not entitled to make such a request. Her case is that she is answerable to God not the GOsC and that the GOsC has no authority since it is not authorised by God or by what she calls a "lawful" system as opposed to the UK legal system.

Alternatively the request is unwarranted or borne from spite against her and not a genuine concern arising from the documentation.

30. Case 889/285 (conviction) concerns the Registrant being convicted at the Magistrates Court of an offence contrary to Section 32 of the Osteopaths Act 1993. The term "osteopath" is protected in law and no-one is permitted to use the term to describe themselves if they are not qualified or, if they are qualified but have been suspended from practice. The Registrant was convicted of doing so having been suspended. It is argued by the Registrant that the suspension was unfair and unjust, it was prolonged by the GOsC unnecessarily and, in essence, that the GOsC is an organisation that acts to her detriment and that of osteopathy generally.

Opening

31. Mr Faux referred to his written skeleton argument and reminded the Committee that this was a fact-finding stage in the hearing. The burden of proving a disputed fact remained on the GOsC and the required standard of proving such a fact was the balance of probability, there was no burden on the Registrant.
32. Regarding case 839/2855 (UPC) Mr Faux suggested that it was not in dispute that the Registrant sent numerous documents to the GOsC and that Mr Ellis also sent documents on her behalf. The focus was likely to be on whether the documents were incoherent and unintelligible. He submitted that the Appeal Court and High Court had characterised the documentation in that way and, although it was for this Committee to decide, he submitted it was an accurate characterisation. As to Allegations 2 and 3 he said that the requests were clear from the papers and the Registrant was duty bound to comply with reasonable requests from the GOsC. He said that the Registrant was not obliged to comply with an unlawful request in the same way that a soldier would not be obliged to follow an unlawful order. He said that the Registrant was asked for consent and did not provide it. Her position was that the request by the GOsC was not reasonable so she did not comply. The issue in the case was thus the reasonableness of the request(s) by the GOsC and the reasonableness of the Registrant's refusal.
33. Regarding case 889/2855 (conviction) Mr Faux said that the Magistrates Court proceedings were not recorded but the rehearing at the Crown Court was. He said the transcript of the Crown Court proceeding might assist the Committee on the issues surrounding that case and why the conviction was relevant to the Registrant's practice as an osteopath.

34. Mr Faux then called Mr Bryan as a witness from the GOsC.

Evidence

35. Mr Bryan took the oath and confirmed that the contents of his statement were true. (His statement asserts that the above mentioned documents were received at the GOsC, they raised legitimate concerns regarding the Registrant, the GOsC asked for the Registrant's consent regarding medical records and then an

examination but no consent was forthcoming.) Mr Bryan confirmed that a number of 'notice and demand' letters were received at GOsC. He characterised them as follows in his statement: *"it became apparent to me that the detail within them was extremely difficult to follow and, in my view, made very little sense in that the terminology and sentences displayed in the notices were incoherent and did not present as language that I recognise . . . I recall noting certain elements of these notices that stood out to me as being concerning as, having noted that Ms Davies had signed the notices herself, the content caused me some concern as to her well-being and/or mental health. . ."* Mr Bryan's statement then includes examples such as:

- *"against 'I' woman 'Alive' Self ... Michelle-Lisa of the Davies Family ... "*
- *'Thee are simply responsible for every action thee take ... This was set into tablets of stone following World War II ... at the Nuremberg Trials ... This also forms a part of the Geneva Convention to which the United Kingdom is signatory ... Thus "I was only obeying orders" is not a defence ... "*
- *'Whoever the employer maybe ... arguably the ultimate alleged authority in this matter is Elizabeth ... the constitutional monarch ... Elizabeth is effectively the CEO of the government without whom legislation cannot be passed ... All legislation in the UK requires consent of the monarch ... Do thee have proof and evidence that Elizabeth ... or anyone, anywhere has a higher claim upon 'I'... than 'I'... Will Elizabeth bear witness to the fact she allegedly owns 'I'... If not Elizabeth herself ... will a presentative of the Crown Prosecution Service ... the police or government bear witness that 'I' am owned?*
- *'Witnessed by the Father, the Son and the Holy Ghost.'*

36. Mr Bryan was taken to the document at A8 in the bundle and confirmed that this was a document received at GOsC. He said he was not a lawyer, he did attempt to read it and generally he found it really difficult to follow. It struck him as incoherent and unintelligible. He was asked why the GOsC then sought the Registrant's medical records, he said that there was a genuine concern that she might be corresponding with patients in this way and, the contents called into question her mental health. This was also the case in the subsequent correspondence and her replies.

37. Mr Bryan was next asked if he attended criminal hearings against the Registrant at the Magistrates Court and Crown Court. He confirmed that he had produced a witness statement and he had attended as a witness. He confirmed that the contents of his statement were true. The statement confirms that the GOsC is the statutory body with authority to regulate osteopaths. Given the Registrant's failure to provide consent (as outlined above) she was suspended from practice. Following her suspension her website *"clearly implies that she is an osteopath despite being suspended"*.

38. Mr Bryan was then asked questions by the Registrant. Many of the questions were irrelevant, inappropriate or otherwise inadmissible and the witness was not required to answer them. Examples include:
Can you attest to your reliability as a witness?

Have you undergone psychiatric treatment?
Did you bring forth the allegation of incoherence?
Who authored it if not you? It cannot be relevant, it is hearsay.
Do you have any understanding of religious matters?
The language in the notices is the language of the Bible.
Do you have knowledge of legal maxims?
Are you acquainted with commercial lien?

39. Mr Bryan did not believe that he was named in the notices served by the Registrant. The Registrant said no patient had complained about her in 26 years of practice. Mr Faux assisted and suggested it might be inferred that the Registrant's concern or belief was that the requests for consent came about because of a complaint.
40. Mr Bryan was asked if he provided an alternative dispute resolution or mediation service to the Registrant. He said he did not understand but when it was clarified he said no that was not provided. He confirmed that he followed the GOsC complaints procedure and due process. When asked why the Registrant was not offered mediation or asked to explain her documents, why go straight to asking for medical records he said that there was an immediate concern regarding her mental health. He said that concern was why they wrote as they did. He said there was in his view no plausible alternative and the GOsC took the correct approach. When asked why the GOsC questioned her mental health Mr Bryan said the documents made no sense and were incoherent. They raised a genuine concern that she may be liaising with patients in this way. The Registrant suggested that there had been a lapse of care by GOsC and they should have referred her to victim support. She queried any legally binding contract between her and GOsC. Mr Bryan reiterated that they had concerns and wished to gather information before deciding what to do.
41. The Registrant asked if Mr Bryan understood the term 'punitive or weaponised psychiatry'. He said he did not, he had never heard of this before. The Registrant took Mr Bryan to what she said was a definition and he confirmed he had not engaged in that. The Registrant said that she had contacted her GP and that Mr Ellis had contacted her GP. Mr Bryan said that he had noted the contact but there had been no attempt to answer the requests made by GOsC.
42. The Registrant asked: Was the private prosecution in conjunction with civil proceedings an act of revenge? Mr Faux said he understood that to mean that the Registrant believed the GOsC had started criminal proceedings to gain the upper hand in the regulatory proceedings. Was that true and was the GOsC motivated to 'get her'? Mr Bryan responded "no absolutely not". The Registrant asked why there had been a delay between December 2021 and August 2022. Mr Bryan said they were waiting for information.
43. Mr Bryan was asked if GOsC had warned the Registrant about her website or allowed her time to alter it or followed a pre-action protocol or whether they would do so if the events complained of recurred today. He said they would consider

writing before commencing a prosecution. The Registrant then asked a series of questions concerning the duty of candour which was not applicable and disclosure that was applicable to criminal proceedings. This was not relevant to the hearing, the conviction having been proved in criminal proceedings. The Registrant asserted that the conviction came about because the GOsC did not follow procedure.

44. Mr Faux again assisted and suggested it was the Registrant's case that it was (i) not reasonable to ask for her medical records, and (ii) that either he personally (Mr Bryan) or the GOsC itself wished to make a claim against her due to her bringing a claim against them. The GOsC was thus motivated by spite and malice. Mr Bryan said that he was motivated by his statutory duty to protect the public, the request was reasonable, it was not spiteful. He could not recall why GOsC had not written to warn the Registrant regarding her website but agreed that that was potentially something that could be or could have been done. The Registrant pointed out that Mr Bryan had made a typographical error (a date) in his statement and asked if there were others. He said he did not believe there were.
45. Mr Bryan was then asked if he attended the criminal hearings and the Registrant made complaints about the hearings. These were not matters for the witness nor were they relevant to this hearing. Mr Bryan could not recall why there had been a delay in bringing the case against the Registrant and said he would need to look at GOsC records. He could not say if there had been correspondence between them other than that contained in the bundles. There is correspondence dated 23/12/2021, 4/4/2022 and 5/9/2022. Mr Bryan could not say why the GOsC had not met its expected date of service of information (erroneously suggested by the Registrant to be a hearing date) or why he had not communicated regularly as he said he would.
46. In re-examination Mr Faux suggested that the Registrant's questions were predicated on the assumption that Mr Bryan had control of the Fitness to Practise process. Mr Bryan said he did not, but explained that a complaint would first go to an independent screener to assess. If appropriate they would refer the matter to an independent Investigation Committee (IC) which, if appropriate, would in turn then refer the matter to the Professional Conduct Committee (PCC). Similarly regarding interim suspension orders (ISO), if there was a concern about a registrant this concern was assessed for risk. It would then be referred to the chair of the IC to screen. If appropriate it would be referred to the IC. Mr Bryan confirmed that neither GOsC nor any member of staff had any power to impose an ISO.
47. The Committee then asked if Mr Bryan could now recall what information was awaited that caused the delay between December 2021 and the Autumn of 2022. He said he could not. He said he could look overnight.
48. The hearing then considered some matters private to the witness and did so in private session. Following this the case was adjourned overnight.

49. The following day (2nd day of the hearing) Mr Bryan confirmed that he could not find any further email correspondence between 23/Dec/2021 and 8/April/2022 and between 8/April/2022 and 5/Sept/2022. Mr Bryan said that having reviewed the case records, the additional information they had been waiting for was that, following legal advice, the GOsC sought the opinion of an expert psychiatrist. This was due to genuine concern about the Registrant's mental health and consideration of dealing with the case through the health committee and not the PCC. He said that no expert was willing to advise because the Registrant had declined to give her consent.
50. The Registrant took the oath and gave evidence. She asked where Ms McCormack was since she was an employee of the GOsC and the claimant in the case against her. She said Ms McCormack was defying the Registrant's affidavit. Regarding Allegation 1 the Registrant said her document was prepared as a written sworn statement and that the GOsC had failed to investigate her complaint. She referred to living persons including herself and Ms McCormack she said her document was signed, certified by a solicitor and the Holy Trinity bore witness in heaven by the Father, Son and Holy Ghost. It was formatted, numbered, contained a chronological list of events, was paginated according to the Criminal Procedure Rules and she was the postmaster of the document. It contained legal maxims being the foundation of the laws of man and of God's law. The maxims were the bedrock of reason measuring the propriety of reasoning and the foundation of all. Maxims covered all the topics of man. Maxims affected everything universally.
51. The Registrant said that disobedience to the law was justified if one was obeying God's laws when doing so. She said she was not willing to disobey God's laws but that human laws disobeyed God's laws. She said that she had responded to the requests made by the GOsC by referring to the 'correction remedy process'.
52. Turning to Allegation 2 a,b,c,d, the Registrant said she had asked her GP to support her. She resorted to self-defence against psychiatry. She worshipped God and mentioned the three organs of a spiritual woman. She said the requests were dishonourable to God and a misuse of psychiatry. She cited the same matters in respect of Allegation 3. The Registrant said that the GOsC had not investigated her claims but had engaged in blackmail and extortion. They were the murderer investigating the murder.
53. The Registrant was advised of the remit of the Committee and the issues in the case and advised/invited to address these.
54. The Registrant said that she had been entrapped by the GOsC which had an ulterior motive. It did not comply with the rules and was a fraud. The Registrant was again advised to deal with the case and that any beliefs pertaining to Mr Ellis were not relevant. The Registrant said that these were her beliefs and the documents were her documents. The Committee then took a short break for the Registrant to consider the advice she had been given.

55. On return the Registrant said she was grateful for the advice and the time and understood what she needed to say. She had been sidetracked by the voluminous documents. She said that she had felt she had done her best to inform members of the public that, having been suspended, she was not calling herself an osteopath. She said she had changed her website and honestly felt she had done her best to inform people. She had not intended to misinform the public. The website address itself was an oversight. She had provided documents that demonstrated her efforts and supported her candour and integrity and statements from patients who felt safe and were not deceived. She detailed telling patients she was not using the title of osteopath and had provided statements from professional colleagues alongside whom she worked in a multi-disciplinary practice. She said the website and email domain names were changed between the Magistrates Court and Crown Court hearings. She had changed the name of her book and references to osteopath were changed to 'osteo'. She pointed out that the chiropractic regulator notified registrants of issues, unlike the GOsC. She said that the conviction was now spent and her DBS status was clear. She had no current nor any previous criminal or police matters, no points on her drivers licence, she did not drink alcohol, smoke or take drugs, she was not on medication and was in perfect health. She had received no complaints about her practice from the public in 26 years. The Registrant provided documents within the papers to illustrate or demonstrate the points she made and the Committee confirmed it had read them.

56. Mr Faux then asked questions in cross-examination.

57. Mr Faux summarised what he understood to be the Registrant's case regarding the conviction to be as follows:

- (i) The Registrant tried to comply with the ISO and posted a disclaimer
- (ii) The website domain name continued as 'Worcester-osteopathy' and that was an oversight
- (iii) After the conviction at the magistrates court the Registrant altered it to 'Worcester-osteo'
- (iv) That shows the Registrant took note of court directions
- (v) The fine was imposed and the conviction is now spent
- (vi) The Registrant was otherwise of good character

58. The Registrant confirmed that that was an accurate understanding and said she had sent documents to all new patients or enquiries making it clear that although she was using osteopathic techniques, she was not practising under the title of osteopath. Mr Faux said that the Crown Court had concluded the changes were a 'smoke-screen'. The Registrant said that was not fair since the court would not have known the history of the case or why she was taken to court in the first place or her claims against GOsC. She said she was not given the opportunity to change her website address. She said that the proceedings were an eye-opener to the corruption alleged by Mr Ellis. She then described him being assaulted at court and taken away for no good reason. (The Committee was aware that Mr Ellis was arrested and removed from the crown court hearing.)

59. Mr Faux suggested her position was that the GOsC did not have the authority to act as it did, or, if it had such authority that was overridden by God's law. She confirmed that was the case. When asked why it was that she complied with the ISO she said she loved her patients and the public and she would not deceive them. She said she did not love the GOsC and if it provided no opportunity for her to explain herself she did not respect it.
60. Mr Faux put to the Registrant that the changes made by her were 'thumbing her nose' at the GOsC. She denied this and said she told everyone she could use osteopathic techniques but could not call herself an osteopath despite the fact she was practising as one. She said she was not registered. She said she had been honest. She said she had told patients the GOsC thought she was mentally unwell.
61. The Registrant accepted that her oversight regarding her website and the cause of the conviction was at least reckless. She denied it was deliberate.
62. Mr Faux then turned to the allegation of UPC. He said the GOsC case was that the documents were incoherent, incomprehensible and raised concerns about mental health and thus patient safety. He said he understood her case was that the GOsC were weaponising psychiatry by calling someone mad. She confirmed this. Regarding the documentation the Registrant denied that it had a striking similarity with those documents produced by Mr Ellis. She said the first four notices sent to the GOsC by her were her own work. She did not know Mr Ellis or anything about him at that time. The Registrant said that the solicitors whose stamp appears on her documents did not charge her but simply certified the documents were accurate copies. She said the stamp and thumb-print were in accordance with the Stamp Act 1891 confirming her legal identity.
63. When asked what was the relevance of the stamp, the Registrant described the document as a 'commercial lien', it was hers and it was true under penalty of perjury. It showed it was important and should be taken seriously. She agreed the language was archaic, Shakespearean and from the King James Bible which she read every day. She was asked when she thought it would be helpful to her to write in this way and said it was shortly before she started but they took a long time to create, several months. She said she was an actions taker, perhaps too quick at doing so. She denied it had anything to do with Mr Ellis but agreed it was akin to the 'sovereign citizen' movement and that mind body and soul should not contradict each other.
64. The Registrant confirmed it was not language she would or did use in her early practice, rather she had used such language since 2021. She did not communicate with patients in this way. She said she used simple straightforward language for patients to ensure they understand. Mr Faux suggested that some of the documentation reflected Mr Ellis' world view. The Registrant said she accepted her case was being used as a test case by Mr Ellis along with many others. She said she had no contact with him. She denied he was holding himself out as her representative when he wrote to the GOsC and described him as legal counsel and a jurisdiction witness. She said the words were hers and reflected her feelings and

how she had been treated. She did not think Mr Ellis would write or agree with them. When asked what the term "legal fiction status" meant the Registrant said that the recipient (Ms McCormack) was a barrister and would understand it. When asked again the Registrant said there is the 'legal state' and the 'lawful system'. Writing in capitals was to distinguish a corporation from an individual. When asked if she was taking legal action against GOsC she said she was not, rather she was 'taking matters into her own hands and creating a lien'. She was taking 'lawful' action not legal action. She then said she decided not to pursue the matter in the County court following Mr Ellis' advice.

65. Regarding the term 'common law' she said that was now too limiting and she now considered 'natural law' which is about being a child of God and answering to the Creator. The Registrant said she had created the documents because deceiving patients was dishonourable. She had changed the title of her book which included the sub title 'Miracle Worker' and that changing her advertising was contrary to her religious beliefs. When asked if the problem was calling herself a miracle worker she said no that is what patients called her. She said she abided by the requirements of the Advertising Standards Agency.
66. The Registrant said the only reply she had received to her document(s) was from Ms McCormack asserting that they were unintelligible, incoherent, revealed no cause of action and were without merit. She said that she was asked to provide her medical notes and undergo psychiatric assessment. She said she had brought her claim. Mr Ellis' claim(s) were different and were part of a test case to the Royal Commission.
67. Mr Faux suggested that it was a matter of fact for the Committee to decide if the documents were as described - incoherent etc. The Registrant said she followed that. Mr Faux said the second part was the response to the request for consent and the issue was whether that request was reasonable. He suggested her position was that the request was offensive and she did not give consent. The Registrant agreed with this and agreed she did not provide consent. When it was suggested that she as an osteopath had a duty to comply with the request she said her documents answered that question. It was pointed out how the High Court and Appeal Court had already characterised such style of documents. The Registrant agreed that it was her case that since the GOsC and she were not equals in any contract there was fraud on the part of the GOsC.
68. When asked if the Registrant still wished to be a registered osteopath she said she would rather not answer. She said osteopathy was her heart and her life but the regulatory process was fundamentally wrong. She agreed that in an ideal world the GOsC would not exist, they had behaved wrongly and had destroyed osteopathy by reducing it from A.T.Still's original vision to a manual therapy. She continued that her case was based on over-reach by the GOsC who behaved improperly acting on minimal or no evidence. It was put that the GOsC had a concern and it was her case that the concern was not genuine. The Registrant said that all persons were equal under the law. The GOsC could have asked for clarification of her claim documentation or asked for case histories. There were

alternatives to asking for her medical records. Doing so was wrong and an invasion of her privacy since they had no legitimate cause to ask for them. The Registrant referred to international articles against discrimination and said the GOsC had betrayed the founding principles of osteopathy.

69. Despite her view of the GOsC the Registrant said she had complied with regulation and requirements such as CPD for 24 years. She had even contributed to training sessions. She said it was her perception that the GOsC had no legitimate reason to ask for her consent because there had been no complaints by patients and the reasons given were not true or legitimate.
70. Mr Faux then took the Registrant to various documents in an attempt to summarise the issues in her case. She had set out the 'lawful' against 'legal' argument and that it was her case the GOsC had not followed procedure. He asked how their dismissal of her complaint justified her refusal to give consent. The Registrant said it was not 'tit-for-tat'. She had a genuine concern for the way they had behaved. They had not followed their procedure. Why should she follow them? The Registrant agreed with Mr Faux's proposition that the case revolved around whether the documents were troubling and whether the GOsC's request was reasonable. Mr Faux asked if the Registrant believed that it was sensible for a regulator to ask for records or assessments if it had genuine concerns. She said that she would have complied if a patient had complained. She conceded that if a good regulator had a genuine concern the requests were appropriate but she regarded the GOsC as a bad regulator.
71. Mr Faux suggested they had covered the issue of weaponising psychiatry. When asked about the documents she had submitted the Registrant said they did not amount to anything unacceptable. She had created a lien and that was not unacceptable professional conduct (UPC). The Registrant was asked if the request was discriminatory and she said that her argument was about osteopathy, the founder (A.T.Still), Shawnee Indians, God and the ability to heal any illness or disease. She said the GOsC had discriminated against A.T.Still and osteopathy. She regarded GOsC's actions as personal against her and against her religion having signed a document witnessed by the Holy Spirit. She said that A.T.Still had said God was the founder of osteopathy.
72. The Registrant said the GOsC did not follow its own procedure. She understood that the ISO was imposed by an independent IC for the purposes of public protection. She said the GOsC should have investigated fully but instead they asked for her medical records. She did not deem it a waste of time for a regulator to investigate a document that the regulator regarded as nonsense. She said she should have been given an opportunity to explain and it was premature to ask for her records.
73. Mr Faux suggested that, in essence, the case was whether the GOsC was a bad actor looking for revenge or a genuinely concerned regulator. The Registrant agreed, and agreed this was for the Committee to determine. Mr Faux suggested anyone reading the claims would be concerned for her mental health. The

Registrant said she did not understand how the GOsC jumped from a 'lawful' document to concern about how she communicated with patients.

74. In answer to questions from the Committee the Registrant said she had been happy to comply with regulation for years. She confirmed it was her view that the Osteopaths Act itself was a trespass on her rights. She agreed with good regulation and not a regulator that harmed the public or misrepresented osteopathy. She said the GOsC lied to the public, withheld treatment and that she fundamentally disagreed with the Osteopaths Act and the GOsC. Regarding the terms 'legal fiction status' and 'commercial lien' she said these were from her research and she received no help regarding them. They had taken months to prepare. She said she did not pursue or even know about a complaints procedure and that the documents she sent in were her complaint. She did not phone or email to say she had an issue. The 'claim' was her first expression and communication of displeasure.
75. When asked why she communicated in this way to her regulator and not in the simple language she used with patients, the Registrant said she did not need to take action against her patients. They came to be healed. The audience for the language was different. She said she did not believe that someone who did not hold the same beliefs as her would be concerned by the language. Anyone could see and read the subject matter. She said if it was difficult to understand she would expect questions to be asked of her or a request for an explanation, particularly by lawyers. The Registrant confirmed her claim was a 'lawful' document not a legal one and it was an action against the GOsC brought by someone coming from the stance of natural or fundamental laws. She said the GOsC was a corporation in the corporate world. She was talking about a different system. She distinguished between the 'lawful system' and the 'legal system' and she expected GOsC to read and understand the documents or ask for an explanation.
76. The Registrant added that she distrusted GOsC and there were many cases where osteopaths needed to come forward and act against the GOsC. She said they did not since it was easier to resign.

Submissions of the Parties

77. Mr Faux submitted that it was a matter for the Committee to decide if the documentation was incomprehensible and incoherent as alleged. He said it was a red-herring to say that lawyers could decipher their meaning. He described the documentation as difficult to penetrate and using language in a strange manner. They were not documents that were comprehensible but that what little could be derived from them was that the Registrant was affronted and sought to sue the GOsC. Mr Faux submitted the earlier documents satisfied the test and then the later documents were 'infested with the belief systems of Mr Ellis' and were nonsensical screeds as described by both the High Court and the Appeal Court. He observed that it was important to note and examine carefully the Registrant's assertion that the first documents were hers.

78. Mr Faux submitted that the Registrant had accepted that she did not provide the requested consent. The only issue was whether the request was reasonable. Mr Faux observed that any professional person is obliged to think about what they are doing and any responsible regulator receiving the documentation would have concerns. The Registrant's actions were very odd and the GOsC's response was reasonable and borne from concern for her, not malice. He said that the document was not discernable in any way as a complaint against the GOsC. It was a notice and warning, some form of threat and was 'legal nonsense'. It raised a legitimate concern regarding public protection due to concern about the Registrant's health.
79. Regarding the conviction case Mr Faux said that had been proved by way of admission and there was no issue to be decided at this stage. The decision regarding whether the Registrant's actions were reckless or deliberate was relevant to later stages in the case.
80. The Registrant stated that she had engaged in the exploration of legal matters due to a deep commitment to uphold truth against regulatory overreach. She said she had provided a robust framework, evidently drawn from a wealth of knowledge. She had emphasised legal process and various maxims that contained an insistence on justice and accountability. She said her cause was righteous and she was holding her accusers to account through a clear methodical approach within a detailed context. She questioned the jurisdiction of the GOsC, challenged its legitimacy and the legitimacy of its actions and process. She insisted on holding the GOsC to account for its unjust actions.

Additional material from the Registrant

81. Whilst considering the case and preparing this determination the Registrant served an additional document upon the GOsC. The Committee reconvened in order to update the parties on the timetable of the case. Mr Faux suggested the document was some form of application by the Registrant and she wished it to be taken into account. The Registrant confirmed that it was a final warning for the Committee to consider whether it was in contempt of the Parliamentary Court Process.
82. The Committee was advised that it was not relevant to the legal processes of the hearing since the body referred to did not exist and there was no such process known in law. The Committee could admit the document if it considered it to be factually relevant.
83. The Committee determined that it would consider the document to see whether it was relevant and whether it should be admitted in evidence.
84. The Committee concluded that the document was not relevant to the facts stage but may be relevant to the later stages of the case.

The Committee's Determination on the Facts

Allegation 1 - Proved

85. The Committee determined that it should consider the documentation objectively. It first considered the initial claim and regarded it as difficult to read and understand. Whilst parts of it could be picked out and understood to be some sort of claim it was unusual and parts of it made no sense. Subsequent documents also made no sense and were both incoherent and unintelligible. The Committee considered that the ordinary reasonable person would struggle to understand what it meant. Whilst some parts might be understood others made no sense at all.

86. Examples of meaningless or nonsensical passages include:

Show 'i' ... living woman ... the man or woman who has a claim to administer the word osteopath and the testimonials as thee property ...

Thee ... Sheleen McCormack ... have made a claim upon " to do as thee say ... Thee alleged 'i' had broken the advertising law ... contravened legislation ... on the website of 'i ... do thee have irrefutable evidence that the legislation applies to 'i'? ... Who created the legislation against 'i'? ... Who pays thee to take action against 'i' ... to enforce the legislation? ... Whoever the employer maybe ... arguably the ultimate alleged authority in this matter is Elizabeth ... the constitutional monarch ... Elizabeth is effectively the CEO of the government without whom legislation cannot be passed ... All legislation in the UK requires consent of the monarch ... Do thee have proof and evidence that Elizabeth ... or anyone, anywhere has a higher claim upon 'i'... than 'i'? ... Will Elizabeth bear witness to the fact she allegedly owns 'i'? ... If not Elizabeth herself ... will a representative of the Crown Prosecution Service ... the police or government bear witness that 'i' am owned? ...

The result of the allegation has been writing and publishing a book MIRACLE WORKER in order to defend "i ... speak the truth ... the truth of the patients ... and be true to thyself and the Divine Creator of "i ... and share the scope of osteopathy ... 'Truth, by whomever pronounced, is from God ... Where the Divinity is insulted the case is unpardonable'. [Maxims of Law] ... "

"i" woman ... Michelle-Lisa: of Davies family ... affiant ... hereby serve ... and issue by delivery ... this notice of fault against ... a woman known as ... Sophie: Hagon ... [acting as Lawyer and Regulation Officer ... for the fiction corporation ... charity ... GENERAL OSTEOPATHIC COUNCIL]

The Interim Suspension Threat Email at 10.40 on 26th July 2021 is Blackmail Fraud Intent Proof for the Parliament Session Jurisdictions against the General Osteopathic Council. In 2000 Corruption Complaints in more than 200 Parliamentary Constituencies got a Corruption Debate and Investigation Commitment and a Pending Investigation Adjournment. Prime Minister Mr Blair and the Pharmaceutical Industry traded a Parliament Protection Fraud in exchange for Campaign Finance for the 2001 General Election. It got Unfinished Business Status for the Corruption Remedies against the General Osteopathic Council. Between late 2013 and 2016 the Profession Fitness Case of Citizen Ms

Lewis got Corruption Proof Sets needed for Corruption Remedies against the General Osteopathic Council. The European Referenda got a Leave Majority and an Honourable Resignations from Prime Minister Mr Cameron because he had led the Remain Campaign. It got a 5 Year Delay for the Remedy Process. The attached 2021 07 19 Royal Commission + Fraud Appeal + Integrity Test and Action Intent Notice + Signature of citizen Ms Davies v General Medical Council + General Osteopathic Council.

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87. The Committee considered that some of the phraseology was bizarre and troubling and, for it to arrive out of the blue, written in this form in archaic language with thumb-prints and biblical texts was wholly abnormal. It was not the sort of communication a regulator would expect to receive from a professional. It was reasonable to consider that it raised concerns regarding the mental health of the author and as such the GOsC had a statutory duty to investigate.
88. The Committee did not consider that it was reasonable for the Registrant to require a clarification of her own document. The document and its contents were so unusual and odd that the GOsC was right to be concerned. The GOsC then had a right to consider public protection. How it went about investigating the matter was then an issue for the GOsC.
89. The Committee was satisfied that overall the documents were not fit for the intended audience they were sent to, they were incoherent and unintelligible.

Allegation 2 a, b, c, d - Proved

90. As outlined above the Committee was satisfied that the documentation would raise a real cause for concern. Having read the statement and heard from Mr Bryan and considered all the evidence the Committee concluded that not only was there a genuine basis for concern but that there was indeed a genuine concern. Whilst Mr Bryan accepted that communication by the GOsC could have been better, and

apologised for lengthy periods between emails, that did not support a conclusion that the GOsC had behaved improperly.

91. The Committee next considered whether the requests by the GOsC were reasonable. It considered the first request by Mr Bryan dated 8 July 2021. The request set out the legal duty upon the GOsC and their concern that the Registrant may have a health issue. The email set out the professional duty imposed upon the Registrant under the Osteopathic Standards (Standard D12) to cooperate with the request. The Committee went on to consider each request thereafter on the 26 July, 2 August and 17 August. Each was in similarly measured terms with the added information that other action could be taken if the GOsC was unable to make an assessment of risk (if any) through a lack of engagement on the part of the Registrant.
92. The Committee determined that the requests were in themselves reasonable and each had a reasonable basis. The GOsC had information (documents) that on any reasonable analysis raised concerns and the GOsC was duty bound to investigate and make inquiry of the Registrant. The Registrant was duty bound to cooperate and respond appropriately. She did not do so but responded with documentation that was only likely to increase the concerns being the type of documents created by Mr Ellis.
93. The Registrant was given four opportunities to respond and, for her own reasons as explained in the hearing, she chose not to. The Committee did not consider the Registrant's explanation to be either legally rational or reasonable. They were rooted in her own belief system regarding religion and what she called the 'lawful system'. Such matters are outwith her duties as an osteopath and provided no reasonable or lawful basis for her refusals. The Registrant acknowledged the role of regulation and accepted that reasonable requests would necessitate a reasonable response from her.
94. The Committee concluded that the Registrant's responses were not reasonable and could properly be characterised as a failure.

Allegation 3 - Proved

95. The Committee considered that since the Registrant had refused to comply with four reasonable requests for information the GOsC was entitled to ask the Registrant to consent to the medical examination. The Committee observed that this was as yet at the early stages of any investigation. The Registrant's expressed concern about weaponising psychiatry and bad faith had no rational foundation. It was reasonable for the GOsC to explore their concern. Such exploration could have found no medical basis for this concern and the case could have then been closed. The Registrant precluded that legitimate process from taking place.
96. The Registrant claims that she follows God's law and yet she has in the past adhered to regulatory requirements and, according to her she abides by other man-made laws. The Committee notes that the regulatory framework imposed on

osteopaths is accepted by the individual choosing to practise as an osteopath. It is there to protect the public. The Registrant chose to abide by the regulatory process when she became an osteopath, adhered to it for some years, but in respect of the request for information, and this request for an examination, she had chosen not to abide by the same processes.

97. The Committee considered that any complaint the Registrant may feel she has against the GOsC do not give her leave to ignore her own professional and legal obligations. The Committee is satisfied that the Registrant chose not to cooperate and therefore failed in her obligation as set out in this allegation.

Resumed Hearing – UPC, Relevance of Conviction & Sanction

Preliminary matters

98. The Chair opened the proceedings and reminded the parties and observers as to the conduct of the hearing. She confirmed that the Committee had received and read documents provided by the Registrant.
99. The Registrant stated that the entire hearing had been a fraud and a pretence and that Mr Corrie as instructed Counsel in place of Mr Faux had a common law duty to check that nothing improper had occurred prior to his involvement. He had a duty to investigate this or take responsibility for it.
100. Mr Corrie submitted that there was no such duty. The Committee was considering whether the facts found proved in Allegations 1, 2 and 3 amounted to UPC and whether the conviction was material to the practice of osteopathy. For events to be UPC they must be sufficiently serious in terms of gravity and risk to patients or the reputation of the profession. Insight into such matters would be relevant if the Committee reached a later stage in the proceedings.
101. The Committee accepted the advice of the Legal Assessor that there was no such duty upon Mr Corrie.
102. The Committee admitted the documents in evidence.
103. The Registrant elected to give evidence on oath.

Evidence

104. The Registrant repeated her concern that there had been a breach of pre-action protocols in the regulatory proceedings and a lack of disclosure in the criminal proceedings. She said she had been prejudiced in mounting her defence. She said that the GOsC was hypocritical and had double standards and that the conviction did not pertain to her ability to practise. She said she had adhered to reasonable requests and her record was exemplary. She said the fact that she had not changed

the domain-name of her website, upon which the conviction was based, was an oversight and she had been fined £3,200.

105. The Registrant said her case was similar to the Post Office scandal in which the Post Office had relied on improper material and was similar to the 'Partygate' scandal and the political fallout therefrom. She said she, like the post office employees, had suffered loss because she had been suspended from the Register since 2021. She said the GOsC's reason for delay, that there had been a work-overload, was insulting. The Registrant said that the GOsC eroded trust in the profession and not her actions or her conviction. She said she wanted to overturn the conviction. She then said the criminal proceedings were a fraud.
106. The Registrant said that the current proceedings had been a farce spread over three years and had nothing to do with standards or safety; rather they were the GOsC's response to her claim against it. She said the GOsC saw itself as her master and she answered only to God. She said that she would not restrict her practice and if the GOsC wanted to impose restrictions then she would not renew her registration. She said she had conducted 54,000 clinical appointments without complaint and that she had many five-star reviews and plaudits from patients and professionals. She had put 75 testimonials into a book she had published.
107. Regarding UPC, the Registrant said she held her head up and the GOsC had been humiliated. She said the finding that the documentation sent by her to the GOsC was incoherent illustrated the fact that the path to righteousness may not be conventional. She said she challenged the "undue restrictions" placed on her by the GOsC and submitted that she should be allowed to state her beliefs without restriction and practise in accordance with her spiritual beliefs. She said her practice was in accordance with her duty of care and referred to texts by Isaac Newton from 1687 as still being relevant. The Registrant said she was clearly spoken, calm, collected and intelligible and that the process was a persecution of her. She said she had conducted herself professionally and she had not been asked for any assessment of her work but rather a request for her medical records. She said the latter was disproportionate and unnecessary. She said she had been suspended for actions she had not committed and did not intend to commit. She repeated that the case should have been concluded in 2021 and the fact it wasn't led to the conviction as a punitive measure. She said that suspending her was disproportionate and unnecessary. The Registrant then referred to Chat GBT and said she had entered her document into that system and it had understood.
108. When asked questions by Mr Corrie, the Registrant agreed that a suspended osteopath could not hold themselves out to be an osteopath. She said the conviction was wrongful and that she had paid the fine and it was now spent. She said the word 'osteopath' on the URL of her website was an oversight. She said she had changed all other references to "osteo" and told everyone she was not practising as an osteopath so no-one was deceived. She said the front page of her website stated this and she also told patients.

109. The Registrant said her book contained the 75 testimonials she had been asked to remove from her website in 2016. The title of the book is "Miracle worker, enlightened rebel osteopath brings gifts to create a happier life" and agreed there was a link from her website to this book. She denied that her website still held her out to be an osteopath and said that people all round the world knew she did not. The Registrant agreed that she was critical of the GOsC. She rejected the Crown Court Judge's characterisation of her website disclaimer as a "smokescreen". She asserted she did not practise as an osteopath, rather she practised osteopathy which was what she qualified in. She rejected any difficulty with her current website.
110. When asked about the coherence of the documentation the Registrant said she had already spoken about this. She agreed the origin of her communication with GOsC between May and October 2021 was a 2016 letter from the GOsC regarding misleading advertising. She was upset to receive such a letter which meant she had to remove 75 testimonials from her website. She said the testimonials were public property and her response was due to the damage and loss of reputation since 2016. She had thus brought a claim against the GOsC for an apology, acknowledgement and damages. She said she spent fourteen months putting the testimonials into a book. She said they were true and that safety, care and honesty were of paramount importance. She said that osteopathy was a gift from God and its scope had been restricted by the GOsC and that prevented people from getting care. She said her claims were based in natural law, royal law and God's law. She said she had the spirit or power to make these claims and that Mr Ellis was on the side of truth, the GOsC was not.
111. When asked if she would carry on her correspondence with the GOsC she said she would not but that the Metropolitan Police would investigate. She referred to this being an integrity test case and spoke of the coronation. She said that if there was a conflict between God's law and the Osteopathic Act or standards then she would answer to God's laws and to God, not the GOsC. She said the highest law was 'do no harm'. When asked about patient safety the Registrant said the GOsC did not uphold this rather it withheld treatment and did not maintain public confidence in the profession. She said she served patients and God and did not agree her actions adversely impacted osteopathy. She said she promoted osteopathy and the public's access to it.
112. The Registrant agreed that if there were genuine concerns about a registrant's health, it was proper for a regulator to investigate whether this affected their ability to practise. She also agreed that if a regulator made a reasonable request and a registrant refused to consent then that would frustrate the regulator in its duty. However, she said that the GOsC's request of her was not reasonable rather it was based on the GOsC's desire to punish her. She said there had been no complaints about her mental health and that the time and expense of these proceedings was absurd. She rejected the suggestion that she felt it was up to her to decide what was a reasonable request and said the proceedings were retaliation for her claim against the GOsC. She said in future she would disclose her records provided there was a complaint from a patient or colleague. She said she had previously served

the GOsC but in 2021 had woken up to the fact that she was deceiving herself, patients and God by doing so.

113. Regarding the recently submitted documents, the Registrant said these were produced by Mr Ellis. She said if she felt a regulatory request was unreasonable, she would seek guidance from God and the Holy Spirit as to whether to comply with it. She reiterated the case was a retaliation against her claims none of which had been considered or investigated rather they had been swept under the carpet and she had been treated as if she was "mad".
114. The Committee had no questions.

Submissions on UPC & Relevance of Conviction

Case Number 839/2855 (UPC case)

115. Mr Corrie referred to the cases of *Spencer v GOsC [2012] EWHC 3147*, *Shaw v GOsC [2015] EWHC 2721* and *Khan v BSB [2018] EWHC 2184* and said that they required the conduct complained of to be serious rather than trivial or accidental and to attract moral blameworthiness or opprobrium. There were passages within the GOsC guidance which also supported these principles. He said that there were two issues, public safety and the wider public interest of maintaining standards and upholding the reputation of the profession.
116. Mr Corrie reminded the Committee of two short preliminary matters. First, that the GOsC was obliged to act in accordance with the Osteopathy Act 1993 and it had a duty to investigate complaints or concerns. Second, the delay complained of by the Registrant was misplaced because the December 2021 hearing was never intended to be a final hearing rather it was a date for service of documentation. He rejected the suggestion of delay on the part of the GOsC.
117. Regarding Allegation 1, Mr Corrie said the background was the Registrant's belief system and that she did not accept the GOsC's remit to regulate her, rather she answered to God. She said the documents in Allegation 1 were hers but, they bore all the hallmarks of Mr Ellis' work and his influence was obvious. Mr Corrie said that it was not the Registrant's beliefs that were in issue at this stage, it was the fact that she had communicated in such an unintelligible way. Her belief system may be relevant if a later stage was reached. He said that the Registrant's motivation for the communication was relevant to the gravity of the case. That, he said, was her perception of a slight against her at being required to remove testimonials owing to issues with advertising standards. The purpose of her claim was for an apology, acknowledgement and compensation. He said the communications were hostile to the GOsC, questioned its jurisdiction and showed the Registrant did not accept regulation by GOsC. He said the documents were plainly not an appropriate response to a perceived insult. They were unintelligible, inappropriate and, unsurprisingly, raised a genuine concern as to her health. That

being the case the GOsC was duty bound to investigate which is what they tried to do. It was not for her to decide not to respond.

118. Mr Corrie submitted that the Registrant had a duty to respond and no basis to refuse. He referred to Paragraphs D7, D11 and D12 of the Osteopathic Standards which provide as follows (emphasis added):

D7 You must uphold the reputation of the profession at all times through your conduct, in and out of the workplace.

D11 You must ensure that any problems with your own health do not affect your patients. You must not rely on your own assessment of the risk to patients.

D12 You must inform the GOsC as soon as is practicable of any significant information regarding your conduct and competence, cooperate with any requests for information or investigation, and comply with all regulatory requirements.

119. Mr Corrie said that the Registrant had a duty to respond and that she had frustrated the GOsC's attempt to investigate any issue of risk to patients or risk to the reputation of the profession. She had undermined the process, and her actions would be regarded as deplorable by the public and by colleagues.

Case Number 889/2855 (Conviction)

120. Mr Corrie submitted that the conviction was of material relevance to the Registrant's professional practice. He reminded the Committee that the title 'osteopath' is protected in law and it is a criminal offence for an osteopath to describe themselves as such when they are suspended from the Registrar and whether directly or by implication. The Registrant was suspended from practice in October 2021. He said that the Registrant's approach was to deny any deliberate wrongdoing, rather this had been an inadvertent mistake. Mr Corrie rejected this and said it was a brazen act contrary to the interim suspension order. Indeed he submitted that the Registrant still held herself out to be an osteopath.

121. The Registrant referred to the hearing bundle and said that the GOsC did not abide by its own rules as to the service of documentation nor did it behave fairly. Instead it was blinded by hypocrisy and the case was an abuse of process. She said the request for an evaluation of her mental health was an invasion of her privacy and was unnecessary since 113 members of the public could attest to her health and fitness. She submitted the process was all lies, the Committee and Counsel were all biased and that the failings of the GOsC should be taken into account. She said there had been delays without explanation or apology and that a witness lied to the Committee.

122. Following this the Registrant wished to make further submissions. She said that she had explored the case fully and reflected deeply on it. She said the requests by the GOsC was regulatory overreach. The Registrant said that she relied on Biblical scriptures and the righteousness of her cause. She had challenged the process. She referred to comments by A.T. Still and the Book of Deuteronomy. She

said osteopathy was not just a profession but it was a divine battle. She said the GOsC had failed in its actions and ruined lives whereas she acted with truth and integrity. The Registrant then referred to the Gospel of Saint John and said that she answered only to God and God's law which trumped all others. She said the Committee had no standing and no authority, she sought nothing from it, rather she would continue to confront her challenges and awaited God's verdict.

Legal Advice

123. The Committee accepted the advice of the Legal Assessor which included the test to be applied in each case, the requisite level of seriousness that was required in each case, the impact of alleged breaches of professional standards and the overarching objective.

The Committee's Determination on Case Number 839/2855 (UPC)

124. The Committee has already determined that the documentation sent by the Registrant to GOsC in May – October 2021 was incoherent and unintelligible.
125. The Committee considered that the documentation referred to in Allegation 1 bears all the hallmarks of various conspiracy theories and in particular those promulgated by Mr Ellis. It is not the sort of documentation that a reasonable professional would send to their regulator. Any reasonable osteopath, member of the public or employee of the GOsC reading such documentation would be likely to have concerns about the Registrant and whether there was an issue of public safety and/or of the reputation of the profession.
126. The Registrant has today said that she sent the documents in order to complain to the GOsC to seek an apology and compensation for being required to remove testimonials from her website, the removal of which she regarded as a slight against her. It was in fact a reasonable requirement due to changes in advertising standards.
127. The Committee was of the view that sending such documentation, their tone, content and the reason for them, fell far below the standards expected of a registered osteopath and breached Osteopathic Standard D7 as set out above. For these reasons the Committee was of the view that Allegation 1 did amount to UPC.
128. Regarding Allegations 2 and 3, the Committee was of the view that the GOsC had reasonable grounds and a legal duty to make inquiry of the Registrant as indeed it did. This duty is not necessarily contingent on receiving a complaint about a registrant but may be based upon genuine concerns prompting a proactive and possibly pre-emptive investigation of those concerns.
129. The Registrant, being a registered osteopath at the time had a professional obligation to cooperate with the GOsC's inquiry (Standard D12) and not to rely on

her own assessment of her health (Standard D11) – sections of which are set out above. Had she done so, these proceedings may have concluded long ago. Instead, the Registrant has repeatedly refused to engage with the investigatory process thereby preventing the GOsC from investigating its concerns and determining whether there was a risk to patients and/or the profession.

130. The Registrant suggested that the GOsC had already determined these issues against her and/or that it acted with malice toward her. However, the Committee concluded that what had actually happened was the GOsC has been prevented from carrying out its statutory duty because of the Registrant's failure to cooperate. The Committee was of the view that fellow professionals and members of the public would find such intransigence on the part of the Registrant to be unreasonable and deplorable. In the judgement of this Committee it is sufficiently serious to amount to UPC.

The Committee's Determination on Case Number 889/2855 (Relevance of Conviction)

131. The Committee first reminded itself of the criminal conviction and how it came about. The Registrant was suspended from the Register and was thus not permitted to hold herself out to be an osteopath.
132. The Committee next considered the findings of the court and noted that as part of the criminal proceedings the Crown Court made a finding that the Registrant's use of the term "osteopath" on her website URL was to be viewed in the context of all the facts. The court found that it was clear from the Registrant's website that she still held herself out to be practising as an osteopath. Whilst she removed the word "osteopath" itself from her website, the URL contained that word, there was a link to her book which refers to her as an osteopath, there were testimonials which referred to her as an osteopath, the Registrant asserted that she would provide exactly the same treatment as before implying she would continue to practise as an osteopath and she used the term "osteo" where she had previously used the term "osteopath". Her disclaimer was little more than a "smokescreen".
133. Whilst the Committee noted that the Registrant had removed the word "osteopath" from use on her website, the link to her book remained and this contains the testimonials that she was obliged to take down. She has thus removed the testimonials from her website but not the links to them which continue even to this day.
134. The Committee concluded that the Registrant was not seeking to meet her professional obligations in the spirit of the Osteopathic Code, rather she was doing what she believed was the minimum required. Her letter of explanation to prospective patients comes across as disingenuous, belligerent and critical of the GOsC. Examples include the following:

"I am not marketing myself as a Registered Osteopath with the General Osteopathic Council (GOsC) and not using the job title of Osteopath. My work will continue exactly the same..."

"I was forced to remove 20 pages of testimonials from my website in order to avoid suspension from the Osteopath register. This was a new rule set by a Regulator of advertising (Advertising Standards Authority) to restrict the scope of practice of Osteopaths, begrudgingly I was obedient and reduced my scope of practice."

"I was determined to confront the General Osteopathic Council because I felt injustice and brought a claim against them."

"The Regulator retaliated in way of a "fitness to practice" investigation."

Her statement that she practises her degree (osteopathy) as opposed to practising as an osteopath is clearly intended to be a distinction without a difference and intended to be accepted as such by the public. Whilst it may be that the Registrant is entitled to say that she uses osteopathic techniques but is not an osteopath, she has also made it plain she is not prepared to abide by the code which she is required to adhere to in order to be registered.

135. The Registrant again complained that at an early stage in these proceedings the GOsC did not abide by its own rules regarding disclosure and what she described as 'pre-action conduct/protocol'. Regardless of any such matters, they did not entitle the Registrant to refuse to cooperate with the GOsC and frustrate its lawful process.
136. The Committee also determined that the conviction is to be seen in light of all the facts and it is relevant to the practice of osteopathy in two ways. First, the conviction itself and the particulars as found by the courts and referred to above demonstrate conduct not expected of a registered osteopath and as such adversely impact the profession. Second, whilst the Committee accepts there is no evidence that the Registrant has caused injury to her patients, her public insistence that she, as an unregulated practitioner, is entitled to use and does use osteopathic techniques has the capacity to encourage others to do the same. It therefore presents an indirect risk of harm to the public.
137. The Chair announced the decision and read extracts from its reasons. Thereafter the parties were invited to consider how long they might need before addressing the issue of sanction. Mr Corrie sought 15 minutes. The Registrant said that she did not need any time. She was pleased with her case and everything had been said. The Registrant said that the Committee was a fraud and that she would institute fraud-action proceedings against it and that the Committee would regret everything.

Submissions on Sanction

138. Mr Corrie first confirmed that the Registrant had no prior regulatory proceedings against her. He said that any sanction was a matter for the Committee

alone and, whilst he would address the guidance, the process to be followed and the range of sanctions it was not for him to assert which sanction was appropriate. He stated that the imposition of a sanction was not intended to be punitive albeit that it may have that effect. Rather, sanctions were intended to meet the overarching objective of protecting the public and maintaining confidence in the profession.

139. Mr Corrie reminded the Committee that it should keep the proportionality of sanction in mind and should start at the least restrictive sanction and work up to the sanction that met the overarching objective. He reminded the Committee that the public interest outweighed the private interests of an individual and, the comment from *Bolton V Law Society [1993] EWCA 32* that "Membership of a profession brings many benefits but that is a part of the price."
140. Mr Corrie next addressed the risk of repetition and whether the Registrant had any insight into her failings. He submitted that the risk of repetition went to both risk to the public and to the profession. He observed that the admission of wrongdoing was not a necessary prerequisite for insight and a robust denial did not necessarily indicate that insight was absent. Rather he submitted that the Committee should consider both the rejection of the Registrant's defence and her conduct over the hearings. These did demonstrate a lack of insight. Mr Corrie referred to the cases of *Sawati v GMC [2022] EWHC 283* and *Kimmence v GMC [2016] EWHC 1808* and the meaning of insight namely the ability to look at oneself with a critical eye and demonstrate there is reason to believe that one has learned from experience.
141. Mr Corrie submitted that the Registrant had demonstrated across both criminal and regulatory proceedings that she holds entrenched views including a rejection of the GOsC's jurisdiction to regulate her. He submitted she demonstrated no insight whatsoever and maintained that she was entitled to communicate as she had, she was entitled to refuse to provide her consent to the GOsC to access medical records and she maintained that the conviction was wrong. He acknowledged that she had said she would not communicate in a similar way with the GOsC in the future but, commented that she said her case was a test case and, he submitted there was a real risk she would act in this way in the future. Indeed, she submitted more documents last Friday which illustrated her continued lack of insight and the likelihood of future repetition. He reminded the Committee that the Registrant's stance regarding cooperating with the GOsC should it make requests of her in future was ambivalent. She might consent and she would ask God for guidance. He submitted there was a serious risk she would not consent in the future and the reality of the situation was that the Registrant had demonstrated that she is unwilling to be bound by the Osteopaths Act or the Rules.
142. Mr Corrie stated that there were grounds for concluding that there was a risk to patients and the profession. He reiterated the Committee's finding that the Registrant had done the bare minimum regarding her website and that she still challenged the validity of her conviction. He said she had no insight and there was a continuing risk that she would breach any future order.

143. In considering the mitigating features of the case, Mr Corrie conceded that the Registrant had no previous fitness to practise history, there was no evidence that she had caused harm to her patients and that the testimonials in the bundle spoke of her as a good clinician. As to aggravating features he submitted that the Registrant's refusal to accept and apologise for any wrongdoing and her attitude in the hearing demonstrated a deep-seated/entrenched personality trait and that she denied the jurisdiction of the GOsC. She said explicitly that she would not be bound by the rules. Such a lack of insight was, he said, an aggravating feature.
144. Mr Corrie next took the Committee to the Sanctions Guidance published by the GOsC. He invited the Committee to consider each sanction in turn, admonishment, conditions of practice, suspension and removal from the register, and the specific guidance for each. Regarding admonishment, Mr Corrie submitted that this was appropriate in cases involving an isolated incident at the lower end of the spectrum with little risk of repetition and where a registrant had demonstrated insight, remorse and the capacity to remediate. He asked the Committee to consider if such an order would protect the public.
145. Regarding a conditions of practice order, Mr Corrie said that this was more appropriate in clinical cases. Furthermore, any conditions would need to be workable and the Registrant had not indicated she would abide by any condition. The conviction indicated a breach of a previous order and the Registrant had stated her position regarding regulation.
146. As to suspension from the Register Mr Corrie submitted that this was appropriate when there had been a serious breach of standards but the conduct was not fundamentally incompatible with registration. He submitted that the Registrant's lack of insight and lack of the potential for remediation may be a stumbling-block to the imposition of such a sanction. Mr Corrie said that if suspension were appropriate then the fact of the ISO could be taken into account in some cases, particularly if the reason for a suspension is to mark the gravity of a case and send a message to the osteopath or to declare and uphold standards. He referred to the case of *Adil v GMC [2023] EWCA 1262*. When asked by the Committee as to the length of any such order, Mr Corrie said this was for the Committee to determine taking account of all the principles he had referred to.
147. Finally in respect of removal from the Register, Mr Corrie said this was reserved for cases where no lesser sanction would protect the public or maintain confidence in the profession. It was appropriate in cases where a registrant's conduct was fundamentally incompatible with registration. He said that the Registrant had a persistent lack of insight and had stated that she will not abide by the Rules or answer to the GOsC, she only answered to God.
148. In her submissions, the Registrant said that she had protected the public and this should be the aim of the GOsC but it was not. She said she had insight into the corruption of GOsC and it was an agent for "big pharma", restricting publication and promoting the use of pharmaceuticals. She said that she took the idea of

'conspiracy theories' to be a derogatory comment but she regarded it as a compliment. She spoke of the Gospel according to Saint Luke and the need for someone to remove the log from their own eye before attempting to remove a speck from someone else's eye. She said the Committee members were hypocrites and the hearing process fraudulent.

149. The Registrant said that she had not misled anyone, not failed to maintain records, not failed to obtain consent from patients, not breached professional boundaries nor compromised patient care. Rather, she said that for 27 years she had protected the interests of patients who she kept safe, loved and served and that she would continue to do so. She said she would do no harm, the Lord was her refuge, the Most High was her dwelling and she professed her love for God.

The Committee's Determination on Sanction

150. The Committee determined that the Registrant's name should be removed from the Register. In coming to this conclusion, the Committee kept the overarching objective of public protection at the forefront of its mind. It took account of its findings of fact, the submissions by Mr Corrie and the Registrant and the published guidance.
151. The Committee first considered the questions of insight and remediation. It found that the Registrant had no insight into her failings. She had made it clear that she believed she had done nothing wrong at all and, part of her entrenched views included a rejection of the GOsC and its jurisdiction to regulate her. Her lack of insight applied to both the UPC case and the conviction case. She continued to assert the propriety of the documentation, her claim against the GOsC and the wrongfulness of the conviction. The Committee found there was no evidence of any reflection by her upon the proceedings in the magistrates court, the crown court or these regulatory proceedings. As to remediation, the Committee again saw no evidence of this to date and no evidence that the Registrant had the willingness to remediate. Instead she rejected the GOsC and its regulatory process and said she was only answerable to a higher authority.
152. The Committee next considered any mitigating circumstances. It acknowledged that the Registrant had a long career with no previous regulatory proceedings against her and there was no evidence that she had caused harm to her patients. The Committee considered the testimonials which at face value spoke highly of the Registrant as a good clinician. However, it was unclear to the Committee how much each author knew of the circumstances or reasons for the proceedings. As to aggravating factors, the Committee noted that the Registrant had refused to accept any responsibility for her conduct, refused to apologise and demonstrated an entrenched attitude toward the GOsC and regulation.
153. The Committee considered that the principal reason for the imposition of a sanction was the public interest in declaring and upholding standards and the wider

standing of the profession. The Registrant had made it plain that she had no regard for and would not be regulated by the GOsC.

154. The Committee first considered admonishing the Registrant but determined that this did not meet the overarching objective nor the seriousness of the case. The Registrant's conduct was not a single event but occurred over time and it continued as did her attitude and lack of insight. She had demonstrated no remorse and taken no rehabilitative steps. Indeed she refused to do so and refuses to be regulated by the GOsC in the future.
155. The Committee came to the same conclusion in respect of a conditions of practice order. Such an order was in any event more appropriate in clinical cases. This was not such a case but involved long-term and continuing conduct by a Registrant who had demonstrated no ability to self-assess or remediate. The Committee concluded there was evidence of a harmful, deep-seated attitudinal problem in the Registrant's viewpoint toward regulation and her duties as a registered osteopath. She had stated that she would not accept regulation by the GOsC. As such, the Committee concluded that conditions would not be sufficient to meet the risk identified nor would they be workable.
156. The Committee next considered suspension. It determined that there had been a serious breach of the Osteopathic Practice Standards in particular Standard D as set out above. The Registrant had made it clear that she did not recognise the authority of the GOsC and that in her view they were at fault and not her. Whilst suspension may provide a message to the Registrant and/or indicate more widely that her conduct was inappropriate, the Committee noted that during the three years that she had already been suspended, the message to reflect, consider and remediate had not been received by her. Indeed she had stated that she would simply continue as before. There was no evidence upon which the Committee could conclude that the Registrant would remediate and no evidence that such an order would meet the overarching objective of public protection.
157. Finally the Committee turned to an order of removal from the register. The Committee acknowledged that in the past the Registrant has accepted regulation, abided by published standards and has no previous matters to her name. However, it would appear that her views as to the GOsC and to regulation have become more entrenched over time. She has refused to remediate and asserts the correctness of her position. She has no insight into the seriousness of her actions nor the consequences to the profession that she says she wishes to promote. She has made it plain she will not accept regulation in the future. Such an attitude is fundamentally incompatible with being on the Register. As stated in the case of *Bolton v Law Society* (above), being a member of a profession brings many benefits but it also brings responsibility. That responsibility includes abiding by a code of conduct and being subject to regulation. The Registrant has made it plain she will not meet that responsibility and as such the Committee has no option but to remove her from the Register.

Application for an Interim Suspension Order

158. Mr Corrie applied for an interim suspension order to cover the period during which the Registrant may appeal and/or until such appeal, if made, was determined. He submitted that the test of necessity to protect the public as set out in the Osteopaths Act was met. He said that the overarching objective of proceedings included the protection and promotion of public health, safety and well-being, to promote and maintain public confidence in the profession of osteopathy and to promote and maintain proper professional standards.

159. Mr Corrie said there were three interlinked reasons for the imposition of an order. First, there was no evidence of insight or remediation by the Registrant and thus there was a risk that she would continue to act as she had. This was particularly important in relation to her continued refusal to cooperate with the investigation of any health concerns which meant that any potential risk could not be investigated. Second, the Registrant had made it plain she would not abide by the rules and thus there was nothing from which the Committee could be confident she would comply with her professional duties. Her explicit statement that she would not abide by such rules gave rise to the risk of harm. Thirdly, he reminded the Committee of its finding that there was an indirect risk to the public by way of this Registrant's actions encouraging others to practise without regulation.

160. In her response the Registrant said that osteopathic techniques were operated around the World by others and that the GOsC did not regulate them. She observed that there were moral and spiritual consequences to be considered.

161. When asked if she had any comment regarding the imposition of an interim suspension order she said she did not.

The Committee's Determination on an Interim Suspension Order

162. The Committee determined that an interim suspension order was necessary to protect the public and that it should last until the end of the appeal period or until any appeal is disposed of.

163. The Committee determined that the Registrant's lack of insight and remediation meant that there was a risk of repetition of her unprofessional conduct. She had stated that she would not comply with her regulatory requirements. As such the Committee concluded there was a risk to the public that could only be met by the imposition of an interim suspension order.

Under section 31 of the Osteopaths Act 1993 there is a right of appeal against the Committee's decision.

The Registrant will be notified of the Committee's decision in writing in due course.

All final decisions of the Professional Conduct Committee are considered by the Professional Standards Authority for Health and Social Care (PSA). Section 29 of the NHS Reform and Healthcare Professions Act 2002 (as amended) provides that the PSA may refer a decision of the Professional Conduct Committee to the High Court if it considers that the decision is not sufficient for the protection of the public.

Section 22(13) of the Osteopaths Act 1993 requires this Committee to publish a report that sets out the names of those osteopaths who have had Allegations found against them, the nature of the Allegations and the steps taken by the Committee in respect of the osteopaths so named.