

**Nursing and Midwifery Council
Fitness to Practise Committee**

**Substantive Hearing
Wednesday, 9 – Monday, 21 October 2024**

Virtual Hearing

Name of Registrant: Boema Browne

NMC PIN 17K0171E

Part(s) of the register: Nurses part of the register Sub part 1:
RNA: Adult nurse, level 1 (30 September 2018)

Relevant Location: Kent

Type of case: Misconduct

Panel members: Caroline Rollitt (Chair, lay member)
Laura Wallbank (Registrant member)
Robert Marshall (Lay member)

Legal Assessor: Nigel Ingram

Hearings Coordinator: Franchessca Nyame

Nursing and Midwifery Council: Represented by Nawazish Choudhury, Case
Presenter

Ms Browne: Present and unrepresented at hearing

Facts proved: Charge 1a in respect of 28 January 2019, 4
February 2019, 5 February 2019, 6 February
2019, 7 February 2019, 11 February 2019, 13
February 2019, 19 February 2019, 20 February
2019, 12 March 2019, 15 March 2019, 24 March
2019, 31 May 2019, 1 June 2019 and 2 June
2019

Charge 1b

Charge 2 in its entirety

Charge 3a in respect of 28 January 2019, 8 February 2019, 11 February 2019, 14 February 2019, 19 February 2019, 20 February 2019, 13 March 2019, 16 March 2019, 25 March 2019, 31 May 2019, 2 June 2019 and 3 June 2019

Charge 4 in its entirety

Charge 5

Charge 6 in its entirety

Charge 7 in its entirety

Charge 8

Facts not proved:

Charges 1a in respect of 21 January 2019, 24 Jan and 27 May 2019

Charge 3a in respect of 22 January 2019, 25 January 2019 and 28 May 2019

Fitness to practise:

Impaired

Sanction:

N/A

Interim order:

Interim suspension order (18 months)

Decision and reasons on application to amend the charge

The panel heard an application made by Mr Choudhury, on behalf of the Nursing and Midwifery Council (NMC), to amend the timesheets included in Schedules 1 and 3 of the charges.

Upon reviewing the evidence and determining that there was insufficient evidence before the panel, Mr Choudhury submitted that the NMC decided to exclude certain dates from the Schedules. He also informed the panel that the NMC added other dates in light of new evidence provided by a supplementary witness statement.

The proposed amendments were as follows:

“...AND in light of the above, your fitness to practise is impaired by reason of your misconduct.

Schedule 1

- 21 January 2019
- 24 January 2019
- 28 January 2019
- ~~30 January 2019~~
- 4 February 2019
- 5 February 2019
- 6 February 2019
- 7 February 2019
- 11 February 2019
- 13 February 2019
- 19 February 2019
- 20 February 2019
- ~~27 February 2019~~
- ~~28 February 2019~~

- 12 March 2019
- 15 March 2019
- 24 March 2019
- ~~• 26 March 2019~~
- ~~• 27 March 2019~~
- ~~• 28 March 2019~~
- ~~• 30 March 2019~~
- ~~• 31 March 2019~~
- ~~• 3 April 2019~~
- ~~• 4 April 2019~~
- 27 May 2019
- 31 May 2019
- 1 June 2019
- 2 June 2019
- ~~• 17 June 2019~~

...

Schedule 3

- 22 January 2019
- 25 January 2019
- 28 January 2019
- ~~• 30 January 2019~~
- **8 February 2019**
- **11 February 2019**
- 14 February 2019
- 19 February 2019
- 20 February 2019
- ~~• 29 February 2019~~
- 13 March 2019
- 16 March 2019

- 25 March 2019
- ~~29 March 2019~~
- ~~1 April 2019~~
- ~~5 April 2019~~
- 28 May 2019
- **31 May 2019**
- 2 June 2019
- 3 June 2019

You did not oppose the application.

The panel accepted the advice of the legal assessor and had regard to Rule 28 of 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel determined that such amendments, as applied for, was in the interest of justice. The panel was satisfied that there would be no prejudice to you and no injustice would be caused to either party by the proposed amendments being allowed. The panel considered it appropriate to allow the amendments as they provide clarity and more accurately reflect the evidence.

The panel therefore accepted the application.

Detail of charges

That you, a registered nurse:

- 1) Between January 2019 and June 2019:
 - a) Submitted timesheets to ID Medical that claimed you worked at East Kent Hospitals University NHS Foundation on one or more dates as set out in Schedule 1 when you had not worked.
 - b) Submitted timesheets to AHE Services that claimed you worked at Medway NHS Foundation Trust (“Medway Trust”) on one or more dates as set out in Schedule 2 when you had not worked.
- 2) Your conduct at 1a and/or 1b was dishonest in that you:
 - a) knew you had not worked for ID Medical on the dates as set out in Schedule 1.
 - b) Knew you had not worked for Medway on the dates as set out in Schedule 2.
- 3) Between January 2019 and June 2019:
 - a) Submitted timesheets purporting to be authorised by staff when they had not been on one or more dates as set out in Schedule 3
- 4) Your conduct at 3 was dishonest in that:
 - a) you knew the timesheets had not been authorised.
 - b) sought to mislead ID Medical to make financial gain.
- 5) On or around 19 May 2021 on applying for employment with Altrix Technology ticked no to the question are you under any investigation by the NMC.
- 6) Your conduct at 5 was dishonest in that you:

- a) knew you were under investigation by the NMC.
 - b) sought to mislead Altrix Technology to gain employment.
- 7) Worked for ID Medical whilst in receipt of paid sick leave from Medway:
- a) On 14 June 2019
 - b) On 16 June 2019
- 8) Your conduct at 7a and/or 7b was dishonest in that you knew you were not entitled to work whilst in receipt of sick pay.

AND in light of the above, your fitness to practise is impaired by reason of your misconduct.

Schedule 1

- 21 January 2019
- 24 January 2019
- 28 January 2019
- 4 February 2019
- 5 February 2019
- 6 February 2019
- 7 February 2019
- 11 February 2019
- 13 February 2019
- 19 February 2019
- 20 February 2019
- 12 March 2019
- 15 March 2019
- 24 March 2019
- 27 May 2019
- 31 May 2019

- 1 June 2019
- 2 June 2019

Schedule 2

- 9 May 2019
- 11 May 2019
- 13 May 2019
- 18 May 2019

Schedule 3

- 22 January 2019
- 25 January 2019
- 28 January 2019
- 8 February 2019
- 11 February 2019
- 14 February 2019
- 19 February 2019
- 20 February 2019
- 13 March 2019
- 16 March 2019
- 25 March 2019
- 28 May 2019
- 31 May 2019
- 2 June 2019
- 3 June 2019

Background

The NMC received a referral in relation to you from a Counter Fraud Specialist at the NHS Counter Fraud Authority. At the time of the incidents, you were a Band 5 nurse working for the agency ID Medical Nurses (IDMN).

It is alleged that on 26 occasions between January and June 2019 you submitted timesheets for shifts worked via IDMN at East Kent Hospitals University NHS Foundation Trust (East Kent Hospitals) or Maidstone & Tunbridge Wells NHS Trust. Concerns arose that these shifts were not worked, with you either failing to attend or never having been booked to work those shifts. There is also an allegation that signatures on some of the timesheets had been forged, authorised by managers who say otherwise, and some dates falsified.

The NMC were informed that on two occasions in June 2019 Ms Browne was on sick leave from Medway Trust but worked shifts for IDMN at East Kent Hospitals.

In January 2020, AHE Services (AHE) also referred you alleging similar concerns that you submitted timesheets to AHE for shifts you did not complete at Medway Community Healthcare.

During its investigation, the NMC approached Altrix Technology (Altrix) for an employment reference/update on your practice. Altrix informed the NMC that you had denied you were under investigation by the NMC when explicitly asked in their recruitment process.

Decision and reasons on application to admit hearsay evidence provided by Ms A

The panel heard an application made by Mr Choudhury under Rule 31 to allow the written statement of Person A, a member of the Employer Relations team at Medway Trust, into evidence.

Mr Choudhury made reference to the case of *Thorneycroft v Nursing and Midwifery Council* [2014] EWHC 1565 (Admin) and the following 'essential' factors that must be considered in deciding whether to admit the statement under Rule 31(1):

'The decision to admit the witness statements despite their absence required the Panel to perform [a] careful balancing exercise. In my judgment, it was essential in the context of the present case for the Panel to take the following matters into account:

- (i) whether the statements were the sole or decisive evidence in support of the charges;*
- (ii) the nature and extent of the challenge to the contents of the statements;*
- (iii) whether there was any suggestion that the witnesses had reasons to fabricate their allegations;*
- (iv) the seriousness of the charge, taking into account the impact which adverse findings might have on the Appellant's career;*
- (v) whether there was a good reason for the non-attendance of the witnesses;*
- (vi) whether the Respondent had taken reasonable steps to secure their attendance; and*
- (vii) the fact that the Appellant did not have prior notice that the witness statements were to be read.'*

Mr Choudhury submitted that the Person A's statement is not the sole or decisive evidence. He also highlighted that Person A exhibits documentation from a computer system which is highly unlikely to be fabricated.

It was Mr Choudhury's submission that Person A's statement is in relation to Charges 7 and 8 which are both serious charges.

Mr Choudhury explained to the panel that Person A expressed a reluctance to the NMC to take ownership of documentation relating to matters they had no knowledge of. He took the panel to an email dated 7 April 2022 from Person A to the NMC which states:

'The information in the statement is as detailed by the hard copies of the contractual evidence you have. This statement therefore suggests that I am taking ownership of this information, which I am not willing to do as we have just provided what is on our system.'

Mr Choudhury further submitted that there is nothing before the panel to indicate whether the NMC took steps to secure Person A as a witness. However, he added that, given Person A's confirmation in their statement that they are *'not willing to attend a hearing and give evidence before a Committee of the NMC if required to do so'*, it is unclear whether the NMC taking any steps would have made a difference.

Mr Choudhury informed the panel that you had prior notice of Person A's statement. He said that Person A had signed their statement on 31 May 2022 so you would have been given notice at the time.

You did not oppose the application.

The panel heard and accepted the legal assessor's advice on the issues it should take into consideration in respect of this application. This included that Rule 31 provides that, so far as it is 'fair and relevant', a panel may accept evidence in a range of forms and circumstances, whether or not it is admissible in civil proceedings.

The panel considered Person A's statement and exhibits to be relevant in this case.

With assistance of the matters identified in *Thorneycroft* and NMC guidance, the panel determined that the evidence is not sole or decisive, Person A had a good reason for their non-attendance in that they did not want to be a witness regarding matters they knew nothing about but had merely provided stored computer data. Further, the panel determined that you would have had prior notice that this evidence was to be read. The panel was given legal advice that, for the last 20 years, the presumption has been that computer evidence is reliable. As such, the panel did not determine the evidence to be fabricated in any way. The panel also took into account the seriousness of Charges 7 and 8.

In these circumstances, the panel determined that it would be fair and relevant to accept into evidence the written statement and exhibits of Person A, but would give what it deemed appropriate weight once it had heard and evaluated all the evidence before it.

Decision and reasons on application to admit statements provided by Person B and Person C

Mr Choudhury made another application under Rule 31 to allow the administrative witness statement of Person C, an NMC employee, and the RSM counter fraud report exhibited by Person B, an East Kent Hospitals employee, into evidence.

Mr Choudhury informed the panel that neither Person B nor Person C were warned by the NMC to give oral evidence at this hearing given the administrative nature of the statements.

You opposed the application but did not advance any basis as to why.

The panel heard and accepted the advice of legal assessor.

The panel considered both administrative witness statements and noted that they were merely to signify that Person B and Person C provided evidence. Both statements were prepared for these proceedings so the NMC could present evidence as Person B and Person C would not be able to assist the panel beyond their statement.

The panel therefore determined that it would be fair and relevant to accept the application but would give what it deemed appropriate weight once it had heard and evaluated all the evidence before it.

Decision and reasons on facts

In reaching its decisions on the facts, the panel took into account all the oral and documentary evidence in this case together with the submissions from Mr Choudhury and you.

The panel was aware that the burden of proof rests on the NMC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not that the incident occurred as alleged.

The panel heard oral evidence from the following witnesses called on behalf of the NMC:

- Witness 1: Governance Manager at IDMN at the time of the incidents
- Witness 2: Director/Owner of AHE at the time of the incidents
- Witness 3: Staff Nurse with East Kent Hospitals at the time of the incidents
- Witness 4: Sister with East Kent Hospitals at the time of the incidents
- Witness 5: Registered Nurse with East Kent Hospitals at the time of the incidents
- Witness 6: Senior Sister with East Kent Hospitals at the time of the incidents

- Witness 7: Clinical Director at Altrix at the time of the incidents

The panel also heard oral evidence from you under oath.

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor. The legal assessor particularly directed the panel to the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67 as well as the NMC's guidance in respect of making decisions on dishonesty charges and the test to be applied. The legal assessor further advised the panel that it should first look at contemporaneous documentary evidence in its consideration of the evidence overall.

The panel then considered each of the charges and made the following findings.

Charge 1

“That you, a registered nurse, between January 2019 and June 2019:

- a) Submitted timesheets to ID Medical that claimed you worked at East Kent Hospitals University NHS Foundation on one or more dates as set out in Schedule 1 when you had not worked.”

This charge is found proved solely in respect of 28 January 2019, 4 February 2019, 5 February 2019, 6 February 2019, 7 February 2019, 11 February 2019, 13 February 2019, 19 February 2019, 20 February 2019, 12 March 2019, 15 March 2019, 24 March 2019, 31 May 2019, 1 June 2019 and 2 June 2019.

The remaining dates in Schedule 1 were found not proved.

21 January 2019

In reaching this decision, the panel took into account the IDMN timesheet for 21 January 2019, the RSM report dated September 2020, and Witness 4's Counter Fraud Authority (CFA) statement dated 14 August 2019.

You stated on the IDMN timesheet that you worked a shift at William Harvey Hospital from 07:30 – 20:30.

The timesheet appears to be signed by Witness 4 on 22 January 2019, and, in their CFA statement, Witness 4 supports this by saying *'At the bottom of the page there is my name, signature and a date of 22nd January 2019. I can state that the signature and handwriting is mine.'*

Witness 4 also wrote in their CFA statement, *'I worked these dates at Queen Elizabeth Queen Mother (QEQM) Hospital, MARGATE. I have never worked at the William Harvey Hospital in ASHFORD.'*

The panel noted the discrepancy in the evidence. However, it accepted the evidence of Witness 4 that it was their signature and handwriting as it had no evidence before it to indicate that you did not work the day shift on 21 January 2019.

The panel determined that the evidence provided by the NMC for this date falls short of satisfying the panel on the balance of probabilities.

24 January 2019

In reaching this decision, the panel considered the IDMN timesheet for 24 January 2019, and the CFA statement and oral evidence of Witness 6.

You stated on the IDMN timesheet that you worked a shift at William Harvey Hospital from 19:30 – 08:00.

The timesheet appears to be signed by Witness 6 on 25 January 2019. In their CFA statement, Witness 6 supports this by saying:

'At the bottom of the page there is my name, signature and a date of 25th January 2019. I can state that the signature and handwriting is mine. I do not recall [sic] signing this specific document however I have signed agency timesheets before and this looks genuine to me. I have also checked my calendar and can confirm I worked the night shifts of 24th January 2019.'

Witness 6 reiterated the above in their oral evidence.

For these reasons, the panel determined that the evidence provided by the NMC for this date falls short of satisfying the panel on the balance of probabilities.

28 January 2019

In reaching this decision, the panel had regard to the IDMN timesheet for 28 January 2019, the CFA statement of Witness 6, and Witness 6's personal roster from 29 January 2019 – 2 June 2019.

You stated on the IDMN timesheet that you worked a shift at William Harvey Hospital from 19:30 – 08:00, and it appears to be signed by Witness 6 on 28 January 2019.

Witness 6 wrote in their CFA statement:

'I can state that the signature and most of the handwriting is mine. I did not write the number EIGHT on the date as it is not my hand writing[sic] as I do not put a straight line across the middle of the number. The number looks like it may have been a FIVE in my handwriting with the line added to make it an EIGHT by someone other than me. I do not recall signing this specific document. I have also checked my calendar, I worked the day shift of the 28th January 2019 and on a day off on the

29th January 2019. I would not have signed the timesheet as I did not work the night shift.'

The panel drew its attention to Witness 6's roster which shows that Witness 6 was not on duty on 29 January 2019.

The panel also heard oral evidence from all the witnesses who worked clinically as nurses that they would not sign a timesheet until the end of a shift which was supported by Witness 6 in their NMC witness statement, '*...normally [the timesheets] were signed at the end of our shifts by whoever was in charge.'*

The panel noted that Witness 6's evidence remained consistent from the local investigation to NMC proceedings, and your evidence had significant inconsistencies.

In light of all the above, the panel found Charge 1a in relation to 28 January 2019 proved.

4, 5, 6 and 7 February 2019

In reaching this decision, the panel took into consideration the IDMN timesheets and Overtime and Agency Allocation (Allocation) sheets for 4 – 7 February 2019, the CFA statement of Witness 4, and Witness 4's personal roster from 1 January 2019 – 30 June 2019.

You stated on the IDMN timesheet that you worked four shifts at QEQM Hospital each from 19:30 – 08:00, and it appears to be signed by Witness 4 on 8 February 2019.

The panel had regard to the allocation sheets and noted that your name was not allocated to any of the night shifts on 4 – 7 February 2019.

Witness 4 wrote in their CFA statement:

'I can state that the signature and most of the handwriting is mine. I did not write the date as it is not my handwriting...I was on a day off on 7th and 8th February 2019. I am not sure why I would have signed this timesheet as I would not have signed a timesheet for shifts I did not work.'

Witness 4's roster shows that they worked the day shifts on 6 and 7 February 2019 and was on a day off on 8 February 2019. Witness 4 confirmed this in their oral evidence and acknowledged the mistake in their CFA statement.

The panel therefore found Charge 1a in relation to 4, 5, 6 and 7 February 2019 proved.

11 and 13 February 2019

In reaching this decision, the panel took into account the IDMN timesheet and Allocation sheets for 11 and 13 February 2019, and the CFA statement of Witness 5.

You stated on the IDMN timesheet that you worked two shifts at QEQM Hospital, both from 19:30 – 08:00. The timesheet appears to be signed by Witness 5 on 14 February 2019.

In their CFA statement, Witness 5 said:

'The signature is not mine, and neither is the handwriting of my name...I can confirm I worked the night shift on 13th February 2019. I definitely did not work on 11th February as I was on a training course on 11th and 12th which ran 09:30 until 16:00.'

The panel drew its attention the allocation sheet for 11 February 2019 and noted that your name was listed for the night shift in the 'obs bay'. However, when the panel examined the allocation sheet for 13 February 2019, the panel noted that your name was not listed in any of the night shift slots.

Given the above, the panel found Charge 1a in relation to 13 February 2019 proved.

19 and 20 February 2019

In reaching this decision, the panel had regard to the IDMN timesheet and Allocation sheets for 19 and 20 February 2019, the CFA statement of Witness 3, and Witness 3's personal roster from 16 January 2019 – 25 March 2019.

You stated on the IDMN timesheet that you worked two shifts at QEQM Hospital, both from 19:30 – 08:00. The timesheet appears to be signed by Witness 3 on 21 February 2019.

On the allocation sheets for 19 and 20 February 2019, the panel noted the letters 'DNA' by your name. The panel asked the clinical nurse witnesses what this meant, and it was confirmed that DNA was known to mean '*did not attend*'.

Witness 3 wrote in their CFA statement:

'The signature is not mine, and neither is the handwriting of my name...I can confirm I definitely did not work on 19th February as I was on a day off and 20th February I was on the day shift which is 07:30 until 20:00. I would have not signed the timesheet as I did not work the night shift.'

The panel took into account that the above was corroborated by Witness 3's roster.

The panel considered Witness 3's written and oral evidence to be consistent whereas your explanations with regard to this were not.

The panel therefore found Charge 1a in relation to 19 and 20 February 2019 proved.

12 March 2019

In reaching this decision, the panel had regard to the IDMN timesheet and Allocation sheet for 12 March 2019, the CFA statement of Witness 6, and Witness 6's personal roster.

You stated on the IDMN timesheet that you worked a shift at William Harvey Hospital from 19:30 – 08:00. The timesheet appears to be signed by Witness 6 on 13 March 2019.

On the allocation sheet, the panel noted that you were listed as 'DNA'.

Witness 6 wrote in their CFA statement:

'The signature is not mine, and neither is the handwriting or the numbers. I...can confirm I definitely did not work the night shift on 12th March 2019.'

Although Witness 6's roster shows that they were working the night shift on 12 March, the panel accepted Witness 6's oral evidence that they had swapped the shift because their child was on a school trip and considered the evidence in their near contemporaneous CFA statement was likely to be the most accurate.

The panel considered Witness 6's evidence to be consistent whereas your evidence has not been throughout these proceedings.

As such, the panel found Charge 1a in relation to 12 March 2019 proved

15 March 2019

In reaching this decision, the panel considered the IDMN timesheet and allocation sheet for 15 March 2019, the NMC and CFA statements of Witness 4, and Witness 4's personal roster.

You stated on the IDMN timesheet that you worked a shift at QEQM Hospital from 19:30 – 08:00. The timesheet appears to be signed by Witness 4 on 16 March 2019.

On the allocation sheet, the panel noted that an ‘N’ was recorded by your name in the ‘showed’ box. In their oral evidence, Witness 4 confirmed that an ‘N’ in the showed box by an allocated nurse’s name, like ‘DNA’, also meant that they did not attend the shift. The panel noted that the other allocated nurses had a ‘Y’ by their names which was confirmed by the witnesses to mean that the allocated nurses did attend their shifts.

Witness 4 wrote in their CFA statement:

‘The signature is not mine, and neither is the handwriting or the numbers. I...can confirm I definitely did not work the night shift on 15th March 2019 as I was on a day off on the 15th and 16th March 2019.’

Witness 4 also highlighted in their NMC statement that their name on the timesheet is ‘spelt wrong.’

The panel was of the view that Witness 4’s evidence was significantly more consistent than your evidence during these proceedings.

For the reasons stated above, the panel found Charge 1a in relation to 15 March 2019 proved.

24 March 2019

In reaching this decision, the panel considered the IDMN timesheet for 24 March 2019, the CFA statement of Witness 3, and Witness 3’s personal roster.

You stated on the IDMN timesheet that you worked a shift at QEQM Hospital from 19:30 – 08:00. The timesheet appears to be signed by Witness 3 on 25 March 2019.

Witness 3 wrote in their CFA statement:

'The signature is not mine, and neither is the handwriting of my name. I...can confirm I definitely did not work on 24th March 2019 as I was on annual leave and on 25th March 2019 I was on a training course all day.'

The above is corroborated by Witness 3's personal roster.

The panel was not provided with an allocation sheet for this shift. However, the panel accepted Witness 3's evidence given the reliability of their evidence.

The panel therefore found Charge 1a in relation to 24 March 2019 proved.

27 May 2019

In reaching this decision, the panel considered the IDMN timesheet for 27 May 2019, the CFA statement of Witness 6 and their personal roster.

You stated on the IDMN timesheet that you worked a shift at William Harvey Hospital from 19:30 – 08:00. The timesheet appears to be signed by Witness 6 on 28 May 2019.

Witness 6 wrote in their CFA statement:

'The can state that the signature and handwriting is mine. I do not recall signing this specific document. I...can confirm I worked the night shift on 27th May 2019.'

It is shown on Witness 6's roster that they were working the night shift on 27 May.

The panel had no evidence before it to support the allegation that you did not work the night shift of 27 May 2019.

The panel determined that the evidence provided by the NMC for this date falls short of satisfying the panel on the balance of probabilities.

31 May and 2 June 2019

In reaching this decision, the panel considered the IDMN timesheet and the Allocation sheets for 31 May and 2 June 2019, the CFA statement of Witness 6 and their personal roster.

You stated on the IDMN timesheet that you worked two shifts at William Harvey Hospital, both from 19:30 – 08:00. The timesheet appears to be signed by Witness on 3 June 2019.

On the allocation sheet for 31 May 2019, your name is listed and beside it is the note '*cancelled*' under the column named 'Allocation'. For 2 June 2019, the whole allocation sheet is blank because all the third parties' names were redacted which means that your name was not listed as an allocated nurse.

Witness 6 wrote in their CFA statement:

'The signature is not mine, and neither is the handwriting or numbers. I...can confirm I definitely did not work the night shift on 31st May 2019, but did work the night shift on 2nd June 2019.'

The above is corroborated by Witness 6's roster.

In their oral evidence, Witness 6 said they would have checked that you worked the shift on 31 May before signing the timesheet for both shifts.

In light of the above, the panel found Charge 1a in relation to 31 May and 2 June 2019 proved.

1 June 2019

In reaching this decision, the panel considered the IDMN timesheet and the allocation sheet for 1 June 2019, the CFA statement of Witness 4 and their personal roster.

You stated on the IDMN timesheet that you worked a shift at QEQM Hospital from 19:30 – 08:00. The timesheet appears to be signed by Witness 4 on 2 June 2019.

Witness 4 explained in their oral evidence that the allocation sheets used on ward indicate attendance as 'Y' and nonattendance as 'N'. On the sheet for 1 June 2019, your name is listed and beside it is the note 'N' meaning you did not attend the shift.

Witness 4 wrote in their CFA statement:

'The signature is not mine, and neither is the handwriting or numbers. I...can confirm I definitely did not work the night shift on 1st June 2019 as I was on day off on 1st and 2nd June 2019...'

The above is corroborated by Witness 4's roster.

Accordingly, the panel found Charge 1a in relation to 1 June 2019 proved.

Charge 1b

“That you, a registered nurse, between January 2019 and June 2019:

- b) Submitted timesheets to AHE Services that claimed you worked at Medway NHS Foundation Trust (“Medway Trust”) on one or more dates as set out in Schedule 2 when you had not worked.”

This charge is found proved.

In reaching this decision, the panel took into account the AHE timesheets for 9, 11, 13 and 18 May 2019, the NMC statement of Witness 2, Witness 2's oral evidence, and your letter to Witness 2 dated 23 August 2019.

The panel examined the timesheets for the shifts on 9, 11, 13 and 18 May 2019. It noted that your night shifts of 7 and 8 May 2019 were signed off by the authorising nurse on the morning of 9 May 2019. The night shifts of 9 – 10 May and 11 – 12 May 2019 were input below with a different authorising signature.

In their NMC statement, Witness 2 said:

'The concerns arose due to Boema being directly book by Medway Community Healthcare Britannia Suite in Amherst Court...When we raised the invoice with Medway Community Healthcare Britannia Suite in Amherst Court they notified us that Boema had not worked the shifts she had put on her timesheet...We completed an investigation and attended Britannia Ward in Amherst Court and checked the signed in sheet for the days in question and Boema's name was not on there...I then wrote to Boema...Boema responded to this letter...'

The panel noted Witness 2's letter dated 30 July 2019 referenced above. Witness 2 also reaffirmed this in their oral evidence.

The panel noted your response letter dated 23 August 2019 in which you wrote:

'I would like to mention that the four shifts in May that was presented to you for Britannia Suite was actually done on another ward in Tunbridge Wells. The shifts were genuine but it was presented to the wrong agency and wrong timesheet. I am deeply sorry for any inconvenience caused during the investigation. I submitted the timesheet to the right agency and I will be paid this coming week.'

However, in your oral evidence, you told the panel that you wrote this letter in Witness 2's office "*under duress*", choosing during the course of the hearing to materially alter your account.

The panel bore in mind that your account has been inconsistent throughout proceedings unlike Witness 2's written and oral evidence.

As such, the panel found Charge 1b proved.

Charge 2

"Your conduct at 1a and/or 1b was dishonest in that you:

- a) knew you had not worked for ID Medical on the dates as set out in Schedule 1.
- b) Knew you had not worked for Medway on the dates as set out in Schedule 2."

This charge is found proved.

Whilst the panel determined each limb of this charge separately, it considered them together as the sub-charges arise from the same set of facts.

In reaching this decision, the panel had regard to the IDMN and AHE timesheets, the oral evidence of all the witnesses, and your oral evidence.

With regard to your shifts with IDMN, the panel determined that there appears to be a pattern of one timesheet, usually the first timesheet, being signed by the actual authorising nurse and then the subsequent timesheets seemingly being falsified.

In respect of your shifts at Medway Trust with AHE, the panel found that there appears to be four shifts which were actually worked and signed by the proper authorising nurse. On the first timesheet, the panel noted that your night shifts of 7 and 8 May 2019 were signed off by the authorising nurse on the morning of 9 May 2019. The night shifts of 9 – 10 May and 11 – 12 May 2019 were input after 9 May with a different authorising signature. On the second timesheet, two shifts, namely 15 and 19 May 2019 appear to be signed in the same signature as the authorising nurse who signed the timesheet on 20 May 2019. However, the signatures for 13 and 18 May 2019 would appear to be different to the signature of the authorising nurse on this timesheet, but similar to the signatures on the previous timesheet for 9 – 10 May and 11 – 12 May 2019.

For both sub-charges, your evidence has been inconsistent and confused as your defence would appear to significantly change when confronted with a cogent piece of evidence in either cross examination or by the panel during its questions.

You have chosen not to provide any evidence of payment or of shifts worked with another agency/at a different hospital to support your account before the panel.

The panel therefore found this charge proved.

Charge 3

“That you, a registered nurse, between January 2019 and June 2019:

- a) Submitted timesheets purporting to be authorised by staff when they had not been on one or more dates as set out in Schedule 3.”

This charge is found proved solely in respect of 28 January 2019, 8 February 2019, 11 February 2019, 14 February 2019, 19 February 2019, 20 February 2019, 13 March 2019, 16 March 2019, 25 March 2019, 31 May 2019, 2 June 2019 and 3 June 2019.

The remaining dates in Schedule 3 were found not proved.

22 January 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 21 January 2019.

For the reasons previously stated at Charge 1a in respect of 21 January 2019, the panel determined that the evidence provided by the NMC for this date falls short of satisfying the panel on the balance of probabilities.

25 January 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 24 January 2019.

For the reasons previously stated at Charge 1a in respect of 24 January 2019, the panel determined that the evidence provided by the NMC for this date falls short of satisfying the panel on the balance of probabilities.

28 January 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 28 January 2019.

For the reasons previously stated at Charge 1a in respect of 28 January 2019, the panel found this proved.

8 February 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 4, 5, 6 and 7 February 2019.

For the reasons previously stated at Charge 1a in respect of 4, 5, 6 and 7 February 2019, the panel found this proved.

11 and 14 February 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 11 and 13 February 2019.

For the reasons previously stated at Charge 1a in respect of 11 and 13 February, the panel found this proved.

19 and 20 February 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 19 and 20 February 2019.

For the reasons previously stated at Charge 1a in respect of 19 and 20 February 2019, the panel found this proved.

13 March 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 12 March 2019.

For the reasons previously stated at Charge 1a in respect of 12 March 2019, the panel found this proved.

16 March 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 15 March 2019.

For the reasons previously stated at Charge 1a in respect of 15 March 2019, the panel found this proved.

25 March 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 24 March 2019.

For the reasons previously stated at Charge 1a in respect of 24 March 2019, the panel found this proved.

28 May 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 27 May 2019.

For the reasons previously stated at Charge 1a in respect of 27 May 2019, the panel determined that the evidence provided by the NMC for this date falls short of satisfying the panel on the balance of probabilities.

31 May and 3 June 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 31 May and 2 June 2019.

For the reasons previously stated at Charge 1a in respect of 31 May and 2 June 2019, the panel found this proved.

2 June 2019

In reaching this decision, the panel considered the same evidence listed under Charge 1a in relation to 1 June 2019.

For the reasons previously stated at Charge 1a in respect of 1 June 2019, the panel found this proved.

Charge 4

“Your conduct at 3 was dishonest in that:

- a) you knew the timesheets had not been authorised.
- b) sought to mislead ID Medical to make financial gain.”

This charge is found proved.

Whilst the panel determined each limb of this charge separately, it considered them together as the sub-charges arise from the same set of facts.

For the reasons previously stated for Charge 2 with regard to IDMN, the panel determined that you knew the timesheets had not been authorised.

The panel heard your oral evidence in which you mentioned your challenging personal debts of over £40,000 as well as your basic salary as a Band 5 nurse which was barely enough to pay your mortgage. However, additionally, you spoke in cross examination about having no need to obtain additional payments from your employers to address this. The panel concluded that you did have a motive to defraud IDMN.

The panel therefore determined that a well-informed member of the public being made aware of your actions would consider them to be dishonest.

Accordingly, the panel found this charge proved in its entirety.

Charge 5

“That you, a registered nurse, on or around 19 May 2021 on applying for employment with Altrix Technology ticked no to the question are you under any investigation by the NMC.”

This charge is found proved.

In reaching this decision, the panel had regard to Witness 7’s NMC statement and their oral evidence.

In their written statement, Witness 7 explained the process for applying to Altrix:

‘As part of the application process candidates are sent out a form titled ‘Initial Interview – Nurse’. The Registrant completed this and emailed this to her consultant at Altrix...On the first section there is a question as ‘Are you under any investigations by the NMC’, the Registrant ticked ‘No’. This was received and uploaded to the Altrix System on 19 May 2021 at 14:49.’

The panel referred itself to the application form described above and noted that the ‘No’ box next to ‘Are you under any investigations by the NMC’ was ticked.

The panel considered Witness 7’s written and oral evidence to be clear, concise and consistent. Further, the panel considered the computer records of your application to Altrix to be accurate.

The panel therefore found this charge proved.

Charge 6

“Your conduct at 5 was dishonest in that:

- a) knew you were under investigation by the NMC.
- b) sought to mislead Altrix Technology to gain employment.”

This charge is found proved.

Whilst the panel determined each limb of this charge separately, it considered them together as the sub-charges arise from the same set of facts.

In reaching this decision, the panel took into account NMC letter dated 10 September 2019 notifying you of regulatory concerns, the telephone call logs dated 24 October 2019 and 28 November 2019, your Regulatory Concerns Response form dated 28 November 2019, your Altrix application email dated 19 May 2021, and your oral evidence.

The NMC notice of the regulatory concerns was sent to you via recorded delivery on 10 September 2019.

On 24 October 2019, you called the NMC and explained that you were unaware of the NMC investigation and an NMC Case Coordinator ‘*explained the process*’ to you. You called the NMC again on 28 November 2019 in response to the Regulatory Concerns Response form you received. You completed the form on 28 November 2019 and denied all 3 of the regulatory concerns.

Given the chronology of events, the panel concluded that you knew you were under investigation by the NMC when you applied for Altrix.

In your oral evidence, you stated '*I wouldn't tick the 'yes' box because then I wouldn't get a job. I would leave it blank.*' The panel understood this statement to mean that you deliberately sought to mislead Altrix in order to gain employment.

The panel therefore determined that a well-informed member of the public being made aware of your actions would consider them to be dishonest.

The panel found this charge proved in its entirety.

Charge 7

"That you, a registered nurse, worked for ID Medical whilst in receipt of paid sick leave from Medway:

- a) On 14 June 2019.
- b) On 16 June 2019."

This charge is found proved.

Whilst the panel determined each limb of this charge separately, it considered them together as the sub-charges arise from the same set of facts.

In reaching this decision, the panel took into consideration the IDMN timesheets for 14 and 16 January, Witness 1's supplementary NMC statement, a screenshot of your HR Profile for 14 and 16 June 2019,

The panel drew its attention to your HR Profile and noted it recorded you as sick from 14 June 2019 until 16 June 2019 due to '*S25 Gastrointes*'.

However, you stated on IDMN timesheets that you worked one shift at William Harvey Hospital from 19:30 – 08:00 on 14 June 2019 and another shift at QEQM Hospital from 19:30 – 08:00 on 16 June 2019.

In an email to the NMC dated 30 November 2021, the authorising nurse for your shift at William Harvey Hospital on 14 June 2019 wrote, *'I've checked and yes I did work a Night on the 14/6/19 and yes that is my signature so she must have worked with us back then.'* In a similar email to the NMC dated 12 October 2021, the authorising nurse for your shift on 16 June 2019 at QEQM Hospital stated, *'I can confirm that I worked the night of 16/06/2019, and that is my signature.'*

In their NMC supplementary statement, Witness 1 said *'I can confirm that the Registrant was paid for undertaking shifts at the Trust'* on 14 and 16 June 2019.

The panel heard from you that you dispute these claims. You told the panel that you asked a manager for time off that week to undergo a procedure, but 14 and 16 June 2019 were your days off so you *"were free"* to do agency work if you wished. When asked in cross examination to provide the name of the manager or any further details to confirm your account, you said you were unable to place anything before the panel, notwithstanding the considerable amount of time you have had to produce such documentation to support this account.

For the above reasons, the panel found this charge proved in its entirety.

Charge 8

"Your conduct at 7a and/or 7b was dishonest in that you knew you were not entitled to work whilst in receipt of sick pay."

This charge is found proved.

In reaching this decision, the panel had particular regard to Medway Trust's Attendance Management Policy.

The Trust's policy states:

'21.2 An employee who is absent from work due to sickness or injury is not permitted to undertake any employment, paid (including bank) or unpaid (including voluntary work).

21.4 Any employee who works whilst on sickness absence without authorisation from their manager, or who is suspected of falsely claiming to be sick, may be referred to the NHS Counter Fraud Service for investigation. The referral can be made by the manager or HR. The employee may also be subject to an investigation under the Trust's Disciplinary Policy and Procedure as a matter of gross misconduct.'

The panel considered that this established a clear duty on you to not work whilst on sick leave which you would have been aware of as it is Trust policy.

The panel therefore determined that a well-informed member of the public being made aware of your actions would consider them to be dishonest.

As such, the panel found this charge proved.

Fitness to practise

Having reached its determination on the facts of this case, the panel then moved on to consider, whether the facts found proved amount to misconduct and, if so, whether your fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC defined fitness to practise as a registrant's ability to practise kindly, safely and professionally.

The panel, in reaching its decision, recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage, and it therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, your fitness to practise is currently impaired as a result of that misconduct.

Submissions on misconduct

Mr Choudhury identified where, in the NMC's view, your actions amounted to a breach of 'The Code: Professional standards of practice and behaviour for nurses and midwives (2015)' (the Code):

- '20 *Uphold the reputation of your profession at all times***
To achieve this, you must:
- 20.2 *act with honesty and integrity at all times...'*

Mr Choudhury submitted that your conduct amounted to a serious breach and abuse of the trust agencies placed in you to submit accurate timesheets.

Mr Choudhury stated that your dishonesty, specifically falsifying timesheets, claiming sick pay whilst undertaking agency work and misleading a potential employer by saying you were not under investigation by the NMC when you were, falls on the higher end of the scale for serious misconduct.

Mr Choudhury therefore invited the panel to take the view that your actions fell significantly below the standards expected of a nurse and amount to serious misconduct.

Submissions on impairment

Mr Choudhury moved on to the issue of impairment and addressed the panel on the need to have regard to protecting the public and the wider public interest. This included the need to declare and maintain proper standards and maintain public confidence in the profession and in the NMC as a regulatory body.

Mr Choudhury made reference to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin). He submitted that you have in the past breached, and are liable in the future to breach, fundamental tenets of the nursing profession, and that you have in the past acted, and are liable in the future to act, dishonestly.

Mr Choudhury further submitted that your breaches of the fundamental tenets have brought, and are liable in the future to bring, the regulator into disrepute. He added that the reputational damage is not only to the nursing profession but also to agency nurses.

It was also Mr Choudhury's submission that you have not demonstrated any insight, remorse or strengthen of practice, or provided any positive testimonials. He highlighted that the events took place in 2019 and you have made no attempt in five years to pay back the money or demonstrate any development in your attitude or behaviour.

Mr Choudhury submitted that, given your dishonest behaviour, there is a risk to the public. He therefore invited the panel to find your fitness to practice currently impaired on the ground of public protection.

Mr Choudhury also submitted that public confidence in the nursing profession would be undermined if the panel did not find your fitness to practice currently impaired on the ground of public interest.

You submitted that, for the last five years, there have been no restrictions on your practice, or any additional concerns raised.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments.

Decision and reasons on misconduct

In coming to its decision, the panel had regard to the case of *Roylance v General Medical Council (No. 2)* [2000] 1 AC 311 which defines misconduct as a *'word of general effect, involving some act or omission which falls short of what would be proper in the circumstances.'*

When determining whether the facts found proved amount to misconduct, the panel had regard to the terms of the Code. The panel determined that your actions amounted to a breach of the Code, specifically:

'10 Keep clear and accurate records relevant to your practice

To achieve this, you must:

10.3 complete records accurately and without any falsification, taking immediate and appropriate action if you become aware that someone has not kept to these requirements.'

'20 Uphold the reputation of your profession at all times

To achieve this, you must:

- 20.1 keep to and uphold the standards and values set out in the Code.*
- 20.2 act with honesty and integrity at all times...*
- 20.3 be aware at all times of how your behaviour can affect and influence the behaviour of other people.'*
- 20.4 keep to the laws of the country in which you are practising.'*

'21 Uphold your position as a registered nurse, midwife or nursing associate

To achieve this, you must:

- 21.3 act with honesty and integrity in any financial dealings you have with everyone you have a professional relationship with, including people in your care.'*

However, the panel appreciated that breaches of the Code do not automatically result in a finding of misconduct.

The panel considered your actions to be at the higher end of the spectrum of dishonesty in that you defrauded two agencies and an NHS trust by falsifying multiple timesheets over a six-month period, working for an agency whilst receiving sick pay from your substantive employer, and stating that you were not under investigation by the NMC on an application for agency work, when you knew you were.

The panel was of the view that honesty and integrity are the bedrock of the nursing profession, and that fellow professionals and members of the public would think your misconduct deplorable, especially due to high number and wide-ranging nature of your dishonest acts.

The panel found that your actions fell seriously short of the conduct and standards expected of a nurse and amounted to serious misconduct.

Decision and reasons on impairment

The panel next went on to decide if as a result of the misconduct, your fitness to practise is currently impaired.

In coming to its decision, the panel had regard to the Fitness to Practise Library, updated on 27 March 2023, which states:

‘The question that will help decide whether a professional’s fitness to practise is impaired is:

“Can the nurse, midwife or nursing associate practise kindly, safely and professionally?”

If the answer to this question is yes, then the likelihood is that the professional’s fitness to practise is not impaired.’

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. They must make sure that their conduct at all times justifies both their patients’ and the public’s trust in the profession.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of *Grant* in reaching its decision. In paragraph 74, she said:

‘In determining whether a practitioner’s fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper

professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her/ fitness to practise is impaired in the sense that S/He:

- a) has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b) has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d) has in the past acted dishonestly and/or is liable to act dishonestly in the future.'*

The panel considered the first limb of the *Grant* test to not be relevant in this case. It determined the last three limbs of the test to be engaged for both past and future actions.

The panel determined that your misconduct had breached fundamental tenets of the nursing profession and brought its reputation, as well as the reputation of agency nurses, into disrepute. It was satisfied that public confidence in the nursing profession would be undermined if its regulator did not find charges relating to dishonesty extremely serious.

Regarding insight, the panel bore in mind that you have not demonstrated an understanding of why what you did was wrong and how it impacted negatively on the reputation of the nursing profession. The panel also noted that you have not demonstrated any reflection on your actions.

The panel took into consideration that you have chosen not to provide any evidence demonstrating that you have undertaken any steps to strengthen your practice or remedy your misconduct.

The panel considered your readiness to falsify timesheets and, consequently, mislead agencies to be indicative of a deep-seated attitudinal issue which, in turn, could pose a risk to the public.

For all the reasons stated above, the panel determined there to be a high risk of you repeating your dishonest behaviour.

The panel therefore decided that a finding of impairment is necessary on the grounds of public protection.

The panel bore in mind that the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

The panel therefore determined that a finding of impairment on public interest grounds is required as the scale of your dishonesty is capable of undermining public trust and confidence in the nursing profession and the NMC as a regulator, raising fundamental questions about your ability to uphold the values and standards set out in the Code.

Having regard to all of the above, the panel was satisfied that your fitness to practise is currently impaired.

Decision and reasons on adjournment

On 21 October 2024, prior to the panel proceeding to the sanction stage, you raised numerous objections to the panel's decision on misconduct and impairment which had just been handed down. You told the panel that you had spoken to the Royal College of Nursing (RCN) on 18 October 2024, for the first time since 2019, and asked the panel if you could contact the RCN again before the panel proceeded. The panel gave you an opportunity to contact the RCN.

The hearing resumed at 14:00 on 21 October 2024. You told the panel that you had just spoken to an RCN lawyer who sent you an e-mail. You told the panel that the email stated:

"...Thanks for sending us all the information at this stage. I would like to say I have gone through some of the determination and I will go through all the rest tonight. I would like to tell you at this stage that you have got a case and we will contact your case coordinator in due course. We are also going to start our investigation this week. At this point we have no advice for the NMC. It is up to their discretion and we await the outcome of the case and their verdict."

When asked to forward this email to the NMC Hearings Coordinator, you said, "[The RCN] will be in contact with you guys because I really don't know if I trust any NMC now. I just want the lawyers to take over. Sorry. They'll be in contact. I've given them the details. I've given them all the details."

Mr Choudhury stated it was not entirely clear if you were requesting an adjournment. Nonetheless, he submitted that the NMC objects to any request for an adjournment in the strongest possible terms. He stated that this matter has been ongoing since 2019, and you could have obtained representation through the RCN at any time before this hearing, but you made the decision not to.

Mr Choudhury confirmed that, if an adjournment were granted by the panel, the NMC would invite the panel to impose an interim suspension order to protect the public in the intervening period.

The panel heard and accepted the advice of the legal assessor.

The panel considered whether it would be appropriate to adjourn proceedings in order to enable a representative to attend for the sanction stage, particularly in light of the fact that you have already been in contact with the RCN on a number of occasions and have sought their advice. The panel was of the view that to deny you legal representation would be unfair, particularly in light of the NMC's sanction bid, namely a striking-off order.

The panel therefore adjourned the hearing.

Interim order

The panel considered whether an interim order is required in the specific circumstances of this case. It may only make an interim order if it is satisfied that it is necessary for the protection of the public, is otherwise in the public interest or in your own interests.

Submissions on interim order

Mr Choudhury submitted that an interim order is necessary to protect the public and is otherwise in the public interest. He stated that an interim conditions of practice order would not be appropriate given the panel's findings of fact and your dishonesty in that you submitted 18 fraudulent timesheets in a six-month period. In light of this, he invited the panel to impose an 18-month interim suspension order.

You opposed the application.

You stated that the panel may have found some facts proved but they are not true. You said that you have opposed everything that has been said during these proceedings.

You submitted that it would not be fair to impose an interim order as you have been practising unrestricted for the last five years and have not been a danger to the public. You added that you have even saved lives not just in hospitals but in the public on the streets.

The panel heard and accepted the advice of the legal assessor.

Decision and reasons on interim order

The panel was satisfied that an interim order is necessary for the protection of the public and is otherwise in the public interest. The panel had regard to the seriousness of the facts found proved, particularly the dishonesty charges in this case as well as deep-seated

attitudinal issues. The panel was not satisfied that you have demonstrated insight and it was of the view that there is a significant risk of you repeating the behaviour. For these reasons, the panel concluded that an interim conditions of practice order would not address the concerns identified and found proved. The panel considered that not to impose an interim suspension order would be inconsistent with its earlier findings.

The panel therefore imposed an interim suspension order for a period of 18 months.

That concludes this determination.