

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

**Substantive Hearing
Monday, 23 September 2024 – Monday, 30 September 2024**

Virtual Hearing

Name of Registrant:	Sandra Anne Drinkald
NMC PIN	9213466E
Part(s) of the register:	Registered Midwife (RM) – 27 February 2003 Registered Nurse – Adult (RNA) – 2 March 1998
Relevant Location:	Carlisle
Type of case:	Misconduct, Health and Conviction
Panel members:	Richard Youds (Chair, lay member) Catherine Cooper (Registrant member) Paul Hepworth (Lay member)
Legal Assessor:	Charles Apthorp
Hearings Coordinator:	Sharmilla Nanan
Nursing and Midwifery Council:	Represented by Adam Squibbs, Case Presenter
Mrs Drinkald:	Not present and not represented at the hearing
Facts proved:	Health and Misconduct charges Charges 1 (only proved in relation to the ‘have had’ part of the charge) and 2 Conviction charge: Charges 1a, 1b, 1c, 1d
Fitness to practise:	Impaired
Sanction:	Striking-off order

Interim order:

Interim suspension order (18 months)

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Mrs Drinkald was not in attendance and that the Notice of Hearing letter had been sent to Mrs Drinkald's registered email address by secure email on 15 July 2024.

Mr Squibbs, on behalf of the Nursing and Midwifery Council (NMC), submitted that it had complied with the requirements of Rules 11 and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Hearing provided details of the allegation, the time, dates and that the hearing was to be held virtually, and, amongst other things, information about Mrs Drinkald's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all of the information available, the panel was satisfied that Mrs Drinkald had been served with the Notice of Hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Mrs Drinkald

The panel next considered whether it should proceed in the absence of Mrs Drinkald. It had regard to Rule 21 and heard the submissions of Mr Squibbs who invited the panel to continue in the absence of Mrs Drinkald. He submitted that Mrs Drinkald had voluntarily absented herself.

Mr Squibbs submitted that there is a public interest in the expeditious disposal of the case. He submitted that Mrs Drinkald has made clear she is not going to attend the hearing and he referred the panel to the email chronology of contact between Mrs Drinkald and the

NMC. In an email dated 18 April 2024, Mrs Drinkald states *“I would really love to try and fight my case. I am truly sorry for what I did and accept that it was damaging to my beloved profession. [PRIVATE]. Please don’t infer this as a lack of respect or care-I’m just not sure I can do it.”*

Mr Squibbs accepted that Mrs Drinkald did not provide confirmation that she is content for the hearing to proceed in her absence. He noted that there is a witness due to attend the hearing and not proceeding would inconvenience her. He submitted that this is not a case where there would be any unfairness in proceeding with the hearing.

The panel accepted the advice of the legal assessor.

The panel noted that its discretionary power to proceed in the absence of a registrant under the provisions of Rule 21 is not absolute and is one that should be exercised *‘with the utmost care and caution’* as referred to in the case of *R v Jones (Anthony William)* (No.2) [2002] UKHL 5.

The panel has decided to proceed in the absence of Mrs Drinkald. In reaching this decision, the panel has considered the submissions of Mr Squibbs, the representations from Mrs Drinkald, and the advice of the legal assessor. It has had particular regard to the factors set out in the decision of *R v Jones* and *General Medical Council v Adeogba* [2016] EWCA Civ 162 and had regard to the overall interests of justice and fairness to all parties.

The panel also took into account a further email from Mrs Drinkald to the NMC dated 20 September 2024 in which she stated:

“Good afternoon, Thank you for your correspondence. I have been in contact with [NMC Case Coordinator] with regard to attendance at the hearing and as I explained to him, [PRIVATE]. I believe the outcome will be a foregone conclusion.”

The panel noted that:

- No application for an adjournment has been made by Mrs Drinkald;
- Mrs Drinkald has informed the NMC that she has received the Notice of Hearing and has stated that she will not be attending the hearing;
- There is no reason to suppose that adjourning would secure her attendance at some future date;
- One witness has attended today to give live evidence;
- Not proceeding may inconvenience the witness, their employer(s) and, for those involved in clinical practice, the clients who need their professional services;
- The charges relate to events that occurred in 2023;
- Further delay may have an adverse effect on the ability of witnesses accurately to recall events; and
- There is a strong public interest in the expeditious disposal of the case.

There is some disadvantage to Mrs Drinkald in proceeding in her absence. Although the evidence upon which the NMC relies has been sent to her at her registered email address, she will not be able to challenge the evidence relied upon by the NMC and will not be able to give evidence on her own behalf. However, in the panel's judgement, this can be mitigated. The panel can make allowance for the fact that the NMC's evidence will not be tested by cross-examination and, of its own volition, can explore any inconsistencies in the evidence which it identifies. Furthermore, the limited disadvantage is the consequence of Mrs Drinkald's decisions to absent herself from the hearing, waive her rights to attend, and/or be represented, and to not provide evidence or make submissions on her own behalf.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Mrs Drinkald. The panel will draw no adverse inference from Mrs Drinkald's absence in its findings of fact.

Decision and reasons on application for hearing to be held in private

At the outset of the hearing, the panel invited submissions as to whether the hearing should be heard wholly or partly in private. Mr Squibbs acknowledged that proper exploration of Mrs Drinkald's case [PRIVATE], and submitted that this should be a decision for the panel, pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The legal assessor reminded the panel that while Rule 19(1) provides, as a starting point, that hearings shall be conducted in public, Rule 19(3) states that the panel may hold hearings partly or wholly in private if it is satisfied that this is justified by the interests of any party or by the public interest.

The panel considered that this case is [PRIVATE], and it determined to hold the entirety of the hearing in private [PRIVATE].

[PRIVATE].

Conviction charges

At the conclusion of the facts stage on Mrs Drinkald's health and misconduct charges, Mr Squibbs submitted that he had further information for the panel to consider before it makes its decision on impairment. He submitted that this information relates to convictions received by Mrs Drinkald.

This information was subsequently handed up to the panel to consider.

Decision and reasons on service of Notice of Hearing in relation to the conviction charge

The panel bore in mind that it was informed at the start of this hearing that Mrs Drinkald was not in attendance. Mr Squibbs submitted that the Notice of Hearing letter in relation to the conviction charge had been sent to Mrs Drinkald's registered email address by secure email on 15 July 2024.

Mr Squibb submitted that the NMC had complied with the requirements of Rules 11 and 34 of the Rules.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Hearing provided details of the allegation, the time, dates and that the hearing was to be held virtually and, amongst other things, information about Mrs Drinkald's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all of the information available, the panel was satisfied that Mrs Drinkald has been served with the Notice of Hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Mrs Drinkald in relation to the conviction charge

Mr Squibbs referred the panel to his earlier submissions in relation to proceeding in the absence of Mrs Drinkald. He submitted that it was appropriate to continue with the hearing in Mrs Drinkald's absence as she has stated in email correspondence that she will not be attending the hearing.

The legal assessor reminded the panel of his earlier advice in relation to proceeding in the absence of Mrs Drinkald.

The panel had regard to its earlier findings for proceeding in the absence of Mrs Drinkald. It bore in mind that Mrs Drinkald has not made an application to adjourn this hearing and has stated that she has received the Notice of Hearing and stated that she will not be attending the hearing. The panel took into consideration that there is no reason to suppose that adjourning the hearing will secure her attendance at a future date. The panel took into account that the conviction charges are serious and that it is in the public interest to continue with the hearing. The panel considered that no witnesses are due to give evidence in relation to the additional charges. The panel determined that there would be no unfairness caused to Mrs Drinkald by proceeding in her absence.

Decision and reasons on part of the hearing to be held in private

Mr Squibbs submitted that Mrs Drinkald's convictions are [PRIVATE] and that the NMC does not have a view as to whether this hearing should proceed in private or in public.

The legal assessor reminded the panel of his earlier advice in relation to Rule 19.

The panel bore in mind that Mrs Drinkald's convictions are in the public domain. It took into account that the convictions relate to theft of medication from an NHS Trust and that there is a public interest in understanding how these convictions will be addressed by her regulator. The panel determined that the facts stage of the conviction would be heard in public, the impairment stage would be heard in private [PRIVATE], and the sanction stage would be heard in public. The panel bore in mind that it may revise its decision, if necessary, as the hearing progresses.

Decision and reasons on application to admit hearsay evidence in relation to the conviction charge

Mr Squibbs made an application under Rule 31 to allow the unredacted interview transcript with Mrs Drinkald conducted by the Trust and Mrs Drinkald's unredacted regulatory concerns response form signed 4 September 2023. He referred the panel to his

earlier hearsay application submissions in relation to these documents. He submitted that these unredacted documents provide reasons for Mrs Drinkald's wrongdoing which will be relevant for deciding whether her fitness to practise is impaired.

Mr Squibbs made a further hearsay application for three interviews conducted by the Trust with Ms 3, Ms 4, and Ms 5 respectively. He submitted that it is fair and relevant to admit these interviews. He submitted the interviews provide background information to the conviction. He submitted that these interviews appear to be accepted by Mrs Drinkald.

In addition, he made an application for the panel to admit Witness 1's unredacted statement into evidence. He noted that she adopted her redacted statement as her evidence in chief when she gave live evidence. He submitted that her statement could be admitted into evidence unless the panel had any matters it wished to clarify.

Mr Squibbs submitted that the unredacted version of the Trust Investigation Report should be disregarded as this report was rejected by the panel in its earlier findings in relation to admitting hearsay evidence.

Mr Squibbs submitted that the MG5 Police Report and Case Summary on which the conviction is based is admissible as per Rule 31 (2) b.

The panel was reminded of the legal assessor's advice on hearsay evidence.

The panel considered the application to admit the following evidence which includes an unredacted interview transcript with Mrs Drinkald conducted by the Trust, Mrs Drinkald's unredacted regulatory concerns response form signed 4 September 2023, Witness 1's unredacted statement and the MG5 Police Report and Case Summary. It considered each document in turn.

The certificate of conviction and MG5 Police Report

The panel had regard to Rule 31 (2) a and (2) b of the Rules. The panel bore in mind that these are not hearsay documents. It determined that these documents are appropriate to be allowed into evidence as they are legitimate court documents which relate to Mrs Drinkald's conviction.

The Trust's Interview records for Ms 3, Ms 4 and Ms 5

The panel bore in mind that these interviews have been sent to Mrs Drinkald and there has been no challenge from her in relation to them. The panel took into account that the Trust compiled these interviews as part of its investigation and there has been no suggestion of fabrication. It also noted that each interview record is signed and dated as being a true and accurate reflection of the interview which took place. The panel considered that Ms 3, Ms 4 and Ms 5 have not provided an NMC statement to exhibit these interviews and have not attended the hearing. The panel took into consideration that these interview records provided background information to Mrs Drinkald's convictions and how simple it had been to take the medication from the Trust. The panel was content to admit these interview records as hearsay evidence. The panel was however aware that a second person had also been stealing medication from the Trust and therefore the volume of medication that was recorded in the interview records as being stolen was not all attributable to Mrs Drinkald. The panel noted that Mrs Drinkald indicated in her response the approximate volumes of medication she took.

Further, it would attach what weight, if any, it deemed appropriate when considering this evidence.

The unredacted interview transcript with Mrs Drinkald conducted by the Trust

The panel had regard to its earlier findings in relation to the redacted version of this document. The panel therefore concluded that the unredacted version of this document, which dealt with the conviction, could be admitted as hearsay evidence and that it would attach what weight, if any, it deemed appropriate when considering it.

Mrs Drinkald's unredacted regulatory concerns response form signed 4 September 2023

The panel had regard to its earlier findings in relation to the redacted version of this document. The panel therefore concluded that this unredacted document was not hearsay evidence and that it was appropriate to be admitted into evidence.

Witness 1's unredacted statement and whether it was necessary to recall her to provide further live evidence

The panel decided to admit Witness 1's unredacted statement which referred to Mrs Drinkald's criminal conviction. It concluded that it was not necessary to recall Witness 1 as the panel did not have any questions regarding the now unredacted parts of her statement.

The panel concluded that in these circumstances, it would be fair and relevant to accept into evidence the certificate of conviction, MG5 Police Report, the Trust's Interview records for Ms 3, Ms 4 and Ms 5, the unredacted interview transcript with Mrs Drinkald conducted by the Trust, Mrs Drinkald's regulatory concerns response form signed 4 September 2023 and Witness 1's unredacted statement.

Details of charge (CONVICTION)

That you, a registered midwife;

- 1) On 14 July 2023, at Carlise Magistrates Court, were convicted of the following offences;
 - a. Theft by employee between 01/11/23 and 13/04/23 stole medication from Cumberland Infirmary, Carlise contrary to section 1(1) and 7 of the Theft Act 1968;
 - b. Possession of a Class A drug, namely oral morphine, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs Act 1971;

- c. Possession of a Class B drug, namely codeine, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs Act 1971
- d. Possession of a Class B drug, namely cannabis, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs At 1971

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

Decision and reasons on application to amend the conviction charge

The panel invited the NMC to amend typographical errors in the charges. Mr Squibbs made an application, on behalf of the NMC, to amend the stem of the conviction charge and the wording of charges 1a and 1d.

The proposed amendment was to correct typographical errors. It was submitted by Mr Squibbs that the proposed amendment would provide clarity and more accurately reflect the evidence.

Original wording of conviction charge

“That you, a registered midwife;

- 1) On 14 July 2023, at Carlise Magistrates Court, were convicted of the following offences;
 - a. Theft by employee between 01/11/23 and 13/04/23 stole medication from Cumberland Infirmary, Carlise contrary to section 1(1) and 7 of the Theft Act 1968;
 - b. ...
 - c. ...

- d. Possession of a Class B drug, namely cannabis, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs At 1971”

Proposed wording of conviction charge

“That you, a registered midwife;

- 1) On 14 July 2023, at Carlisle Magistrates Court, were convicted of the following offences;
 - a. Theft by employee between 01/11/~~2223~~ and 13/04/23 stole medication from Cumberland Infirmary, Carlisle contrary to section 1(1) and 7 of the Theft Act 1968;
 - b. ...
 - c. ...
 - d. Possession of a Class B drug, namely cannabis, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs Act 1971”

The panel accepted the advice of the legal assessor and had regard to Rule 28 of the Rules.

The panel was of the view that such an amendment, as applied for, was in the interest of justice. The panel was satisfied that there would be no prejudice to Mrs Drinkald and no injustice would be caused to either party by the proposed amendment being allowed. The panel took into consideration that the charge should reflect the wording of the conviction. It was therefore appropriate to allow the amendment, as applied for, to ensure clarity and accuracy.

Details of charge (CONVICTION) (AS AMENDED)

That you, a registered midwife;

1) On 14 July 2023, at Carlisle Magistrates Court, were convicted of the following offences;

- a. Theft by employee between 01/11/22 and 13/04/23 stole medication from Cumberland Infirmary, Carlisle contrary to section 1(1) and 7 of the Theft Act 1968;
- b. Possession of a Class A drug, namely oral morphine, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs Act 1971;
- c. Possession of a Class B drug, namely codeine, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs Act 1971
- d. Possession of a Class B drug, namely cannabis, contrary to section 5(1) of the Misuse of Drugs Act 1971 and contrary to section 5(2) and Schedule 4 of the Misuse of Drugs Act 1971

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

Decision and reasons on facts (CONVICTION)

Charges 1a, 1b, 1c and 1d concern Mrs Drinkald's conviction and, having been provided with a copy of the memorandum of conviction, the panel finds that the facts are found proved in accordance with Rule 31 (2) and (3).

The panel also had regard to the 'MG5' Police Report, the interview transcript conducted by the police with Mrs Drinkald, the unredacted interview transcript with Mrs Drinkald conducted by the Trust and Mrs Drinkald's unredacted regulatory concerns response form signed 4 September 2023.

[PRIVATE].

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Mrs Drinkald off the register. The effect of this order is that the NMC register will show that Mrs Drinkald has been struck-off the register.

In reaching this decision, the panel has had regard to all the evidence that has been adduced in this case and had careful regard to the Sanctions Guidance (SG) published by the NMC. The panel accepted the advice of the legal assessor.

Submissions on sanction

Mr Squibbs submitted that the NMC seeks the imposition of a striking off order in light of the panel's findings that Mrs Drinkald's fitness to practise is currently impaired. He took the panel through all the sanctions available to the panel and submitted that a striking off order was the only appropriate sanction in the circumstances. He provided the panel his submissions on aggravating and mitigating features of the case. He referred the panel to the SG in his submissions.

Decision and reasons on sanction

Having found Mrs Drinkald's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. The panel has borne in mind that any sanction imposed must be appropriate and proportionate and, although not intended to be punitive in its effect, may have such consequences. The panel had careful regard to the SG. The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating features:

- Abuse of a position of trust in that Mrs Drinkald was a senior midwife. She stole medication from the Trust [PRIVATE].
- The potential risk of harm to patients as Mrs Drinkald was taking significant amounts of controlled drugs [PRIVATE] from the Trust, [PRIVATE] by stealing the drugs it depleted the stock available to patients [PRIVATE].
- A pattern of misconduct over a number of months. The panel bore in mind that Mrs Drinkald admitted to regularly taking large amounts of controlled drugs from the stock cupboard.
- Though Mrs Drinkald has demonstrated remorse for her actions, this is mainly limited to the impact it has had on her and her family. The panel bore in mind its earlier finding that Mrs Drinkald has minimal insight and that she has not considered, in any detail, the impact her actions had on her patients, colleagues and the wider midwifery profession.

The panel also took into account the following mitigating features:

- Mrs Drinkald referred herself to the NMC.
- Mrs Drinkald's early admissions to the NMC charges.
- [PRIVATE]
- Personal mitigation – evidence from Witness 1 and Mrs Drinkald regarding the stressful work environment Mrs Drinkald was subject to whilst employed with the Trust.
- Five positive testimonials which record Mrs Drinkald's long standing midwifery career.

The panel considered the seriousness of the misconduct and convictions and associated dishonesty of Mrs Drinkald. It bore in mind that Mrs Drinkald's conduct underlying the criminal convictions took place over a number of months in that she admitted stockpiling medications and stealing them from the Trust. The panel determined that Mrs Drinkald's

actions were premeditated and involved a longstanding deception [PRIVATE]. The panel bore in mind that Mrs Drinkald was not open and honest about her wrongdoing until she was caught and arrested. The panel determined that Mrs Drinkald's wrongdoing and associated dishonesty is serious.

When considering the convictions for theft from her employer and possession of 'Class A' and 'Class B' drugs, the panel was of the view that they highlighted deep seated attitudinal issues. The panel took into account the NMC guidance FTP-3B that mentions serious concerns which could result in harm if not put right. The guidance confirms that deep seated attitudinal issues are harder to address, and as the panel was of the view that Mrs Drinkald demonstrated minimal insight, it did not have evidence before it that the attitudinal issues had been addressed.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action.

It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Drinkald's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Mrs Drinkald's wrongdoing was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether placing conditions of practice on Mrs Drinkald's registration would be a sufficient and appropriate response. The panel is of the view that there are no practical or workable conditions that could be formulated, given the nature of the charges in this case. The wrongdoing and dishonesty identified in this case was not something that can be addressed through retraining. Furthermore, the panel concluded

that the placing of conditions on Mrs Drinkald's registration would not adequately address the seriousness of this case and would not protect the public.

The panel then went on to consider whether a suspension order would be an appropriate sanction. The panel had regard to the SG and considered the factors it outlines where a suspension order may be appropriate. It took into consideration that this was not a single instance of misconduct. The panel bore in mind its earlier finding that Mrs Drinkald has demonstrated evidence of deep-seated attitudinal concerns as her wrongdoing involves dishonesty, something which is difficult to address and put right. It noted there is no evidence of repetition of the behaviour since the incident as Mrs Drinkald has not been working as a midwife since her wrongdoing. The panel was not satisfied that Mrs Drinkald has demonstrated sufficient insight into her wrongdoing and it concluded that Mrs Drinkald poses a risk of repeating the behaviour.

The conduct, as highlighted by the facts found proved, was a significant departure from the standards expected of a registered midwife. The panel was not satisfied that a suspension order would address the public interest concerns of this case. The panel noted that the serious breach of the fundamental tenets of the profession evidenced by Mrs Drinkald's actions are fundamentally incompatible with Mrs Drinkald remaining on the register.

In this particular case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction.

Finally, in looking at a striking-off order, the panel took note of the following paragraphs of the SG:

- *Do the regulatory concerns about the nurse or midwife raise fundamental questions about their professionalism?*
- *Can public confidence in nurses and midwives be maintained if the nurse or midwife is not removed from the register?*

- *Is striking-off the only sanction which will be sufficient to protect patients, members of the public, or maintain professional standards?*

Mrs Drinkald's actions were significant departures from the standards expected of a registered midwife and are fundamentally incompatible with her remaining on the register. The panel bore in mind Mrs Drinkald's conduct underlying her criminal convictions in that she repeatedly stole medication from her employer and this raises fundamental questions about her professionalism. The panel was of the view that the findings in this particular case, demonstrate that Mrs Drinkald's actions were serious and to allow her to continue practising would undermine public confidence in the profession and in the NMC as a regulatory body.

Having regard to the effect of Mrs Drinkald's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered midwife should conduct herself, the panel has concluded that nothing short of a striking off order would be sufficient in this case. Balancing all of these factors and after taking into account all the evidence before it during this case, the panel determined that the appropriate and proportionate sanction is that of a striking-off order.

The panel considered that this order was necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standard of behaviour required of a registered midwife.

This will be confirmed to Mrs Drinkald in writing.

Interim order

As the striking-off order cannot take effect until the end of the 28-day appeal period, the panel has 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 Mrs Drinkald's own

interests until the striking-off sanction takes effect. The panel heard and accepted the advice of the legal assessor.

Submissions on interim order

The panel took account of the submissions made by Mr Squibbs. He submitted that an interim suspension order for a period of 18 months was necessary on the grounds of public interest and public protection to cover any potential period of appeal.

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 and the reasons set out in its decision for the substantive order in reaching the decision to impose an interim order.

The panel concluded that an interim conditions of practice order would not be appropriate or proportionate in this case, due to the reasons already identified in the panel's determination for imposing the substantive order. The panel therefore imposed an interim suspension order for a period of 18 months to cover any potential period of appeal and the time it will take to hear any appeal.

If no appeal is made, then the interim suspension order will be replaced by the striking off order 28 days after Mrs Drinkald is sent the decision of this hearing in writing.

That concludes this determination.