

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

**Interim Order Review Hearing  
Thursday 25 April 2024**

**Name of Registrant:** **Caroline Stockley**

**NMC PIN:** 84C0409E

**Part(s) of the register:** Registered Nurse – Sub Part 1  
Learning Disabilities Nursing – July 1987

**Relevant Location:** Conwy

**Panel members:** Elliott Kenton (Chair, lay member)  
Janine Ellul (Registrant member)  
Ray Salmon (Lay member)

**Legal Assessor:** Gerard Coll

**Hearings Coordinator:** Ruth Bass

**Nursing and Midwifery Council:** Represented by Mohsin Malik, Case  
Presenter

**Miss Stockley:** Not present and unrepresented at the hearing

**Interim order to be reviewed:** Interim conditions of practice order (18  
months)

**Outcome of review:** **Interim conditions of practice replaced  
with interim suspension order**

## **Decision and reasons on service of Notice of Hearing**

The panel was informed at the start of this hearing that Miss Stockley was not in attendance and that the Notice of Hearing had been sent to her registered email address by secure email on 17 April 2024.

Further, the panel noted that the Notice of Hearing was also sent to Miss Stockley's representative at the Royal College of Nursing (RCN) on 17 April 2024.

Mr Malik, on behalf of the Nursing and Midwifery Council (NMC), submitted that it had complied with the requirements of Rules 8 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 interim order being reviewed, the time, date and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Miss Stockley's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In light of all of the information available, the panel was satisfied that Miss Stockley has been served with notice of this hearing in accordance with the requirements of Rules 8 and 34.

## **Decision and reasons on proceeding in the absence of Miss Stockley**

The panel next considered whether it should proceed in the absence of Ms Stockley. It had regard to Rule 8 and heard the submissions of Mr Malik. He referred the panel to a letter from the RCN, on Miss Stockley's behalf, dated 22 April 2024, which states:

*'Our member will not be attending the hearing nor will they be represented. No disrespect is intended by their non-attendance. Our member has received the*

*notice of hearing and is happy for the hearing to proceed in their absence. They are keen to engage with the proceedings.'*

Mr Malik submitted, in light of the RCN confirming it was content to for the hearing to proceed in Miss Stockley absence, that Miss Stockley had voluntarily absented herself from these proceedings and there was no reason for the hearing to not proceed in her absence.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Miss Stockley. In reaching this decision, the panel has considered the submissions of Mr Stockley, the written representations from the RCN made on Miss Stockley's behalf dated 3 April 2024 and 22 April 2024, and the advice of the legal assessor. It has had particular regard to the relevant case law and to the overall interests of justice and fairness to all parties.

Having considered the letter dated 22 April 2024, advising that Miss Stockley will not be attending and providing written submissions to be considered by the panel, the panel determined that it is fair to proceed in the absence of Miss Stockley and that nothing would be gained by adjourning today's hearing.

### **Decision and reasons on interim order**

The panel decided to replace the current interim conditions of practice order with an interim suspension order.

Unless there has been a material change of circumstances, a reviewing panel will review the interim suspension order at an administrative meeting within the next six months. A reviewing panel will be invited by the NMC to confirm the interim suspension order at this meeting and Miss Stockley will be notified of that panel's decision in writing following that meeting.

Alternatively, Miss Stockley is entitled to have the interim suspension order reviewed at a hearing. This means that Miss Stockley will be able to attend and make representations, send a representative on her behalf or submit written representations about whether the interim order continues to be necessary. Miss Stockley must inform her case officer if she would like the interim suspension order to be reviewed at a hearing.

Even if Miss Stockley does not request a hearing, where there has been a material change of circumstances that might mean that the interim suspension order should be revoked or replaced, a reviewing panel will review the interim suspension order at a hearing which Miss Stockley and her representative will be invited to attend.

Miss Stockley should notify the NMC immediately of any material change of circumstances that may affect the interim order.

At any time, Miss Stockley or the NMC may ask for the interim order to be reviewed by a panel if any relevant new information becomes available.

A panel of the Fitness to Practise Committee has still to deal with the allegations made against Miss Stockley. The NMC will keep Miss Stockley informed of developments in relation to that issue.

This will be confirmed to Miss Stockley in writing.

That concludes this determination.