Directly referring specified offences to the Fitness to Practise Committee

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We may pass the case directly to the Fitness to Practise Committee for their decision if:

- a nurse, midwife or nursing associate has been sentenced to imprisonment (including a suspended prison sentence), and/or
- the conviction was for a specified offence.

Specified offences are offences which are, by definition, particularly serious. The nature of these convictions would raise fundamental questions about a nurse, midwife or nursing associate's ability to uphold the standards and values set out in the Code.

We will always take into account how long ago the offending happened when we decide whether to send it directly to the Committee.

What are specified offences?

In our guidance 'specified offences' means:

- hate crimes
- sexual offences
- serious offences involving children
- other serious offences listed below

Hate crimes

We consider that a hate crime is any criminal offence in which a professional has:

- demonstrated hostility based on race, religion, disability, sexual orientation or transgender identity or
- been motivated by hostility based on race, religion, disability, sexual orientation or transgender identity.[1]

Sexual offences

Sexual offences are offences which involve sexual activity or sexual motivation. They include crimes such as rape or sexual assault, any sexually motivated crimes against children including child sexual abuse or grooming, the taking or sharing of indecent images of children, and crimes that exploit others for a sexual purpose, whether in person or online.

Serious offences involving children

In addition to sexual offences involving children, this includes:

- Cruelty to a child – assault and ill treatment, abandonment, neglect, and failure to protect
- Causing or allowing a child to suffer serious physical harm or causing or allowing a child to die
- Offences under the Female Genital Mutilation Act 2003 including: female genital mutilation; assisting a girl to mutilate her own genitalia and assisting a non-UK person to mutilate overseas a girl's genitalia

Other serious offences

- murder
- manslaughter
- offences that relate to the death or serious injury of any person, or a substantial financial gain or serious financial loss to any person
- offences that relate to:
  - serious harm to the security of the state or to public order
  - serious interference with the administration of justice or with the investigation of offences
- human trafficking
- slavery, servitude and forced or compulsory labour

- extortion
- blackmail
- kidnapping
- causing an explosion likely to endanger life or property
- serious offences under the Firearms Act 1968
- hostage taking
- torture
- serious drug-related offences
- hijacking offences
- causing death by dangerous driving, causing death by driving when disqualified from driving, and causing death by careless driving when under the influence of drink or drugs.

This definition was used by the CPS and the former Association of Chief Police Officers.