

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

**Substantive Order Review Hearing
1 December 2020**

Virtual Hearing

Name of registrant:	Dawn Patricia Harley
NMC PIN:	74F0628E
Part(s) of the register:	Registered Nurse – Sub Part Adult Nursing – September 1976
Area of registered address:	England
Type of case:	Misconduct
Panel members:	David Crompton (Chair, Lay Member) Kathryn Smith (Registrant Member) June Robertson (Lay Member)
Legal Assessor:	Nigel Mitchell
Panel Secretary:	Simran Saini
Nursing and Midwifery Council:	Represented by Richard Webb, Case Presenter
Mrs Harley:	Not present and not represented in absence
Order being reviewed:	Suspension order (12 months)
Fitness to practise:	Impaired
Outcome:	Striking off order to come into effect at the end of 13 December 2020 in accordance with Article 30 (1)

Decision on application under Rule 19

Mr Webb made an application for parts of this hearing to be held in private. He told the panel that, although health concerns were raised at the substantive hearing in October 2019 and a Rule 19 application was made to hold the entirety of the hearing in private, the facts found proved at the substantive hearing relate solely to Mrs Harley's misconduct. He therefore invited the panel to proceed with this hearing in public but said that the panel should go into private session as and when references are made to Mrs Harley's health. The application was made pursuant to Rule 19 of '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.

Having heard that the charges found proved at the substantive hearing related solely to Mrs Harley's misconduct, the panel was satisfied to proceed with this hearing in public but determined that it would go into private session as and when matters relating to Mrs Harley's health arose.