

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

**Substantive Order Review Hearing
20 October 2020**

Virtual hearing

Name of registrant:	Frances Gallagher
NMC PIN:	09H3071E
Part(s) of the register:	Registered Mental Health Nurse (RMHN) (13 April 2010)
Area of Registered Address:	Omagh
Type of Case:	Health
Panel members:	Janet Kelly (Chair, registrant member) Susan Greenwood (Registrant member) Sadia Zouq (Lay member)
Legal Assessor:	Douglas Hogg
Panel Secretary:	Rob James
Nursing and Midwifery Council:	Represented by Jessica Bass, Case Presenter
Miss Gallagher:	Not in attendance nor represented
Order being reviewed:	Suspension order (12 months)
Fitness to practise:	Impaired
Outcome:	Striking off order to come into effect at the end of 28 November 2020 in accordance with Article 30 (1)

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

At the outset of the hearing, Ms Bass made a request that the entirety of the hearing be held in private on the basis that proper exploration of Miss Gallagher's case relates to her health. She submitted that the conduct matters in the case are inexplicably linked to Miss Gallagher'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 case relates to Miss Gallagher's health condition, the panel determined to hold the entirety of the hearing in private.