

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

**Substantive Meeting
Wednesday, 14 December 2022**

Virtual Hearing

Name of Registrant:	Mr Scott David Butler
NMC PIN	07K0509E
Part(s) of the register:	Registered Nurse Adult Nursing – August 2008 Registered Midwife Midwifery – August 2010
Relevant Location:	Wandsworth
Type of case:	Conviction
Panel members:	Ini Udom (Chair, lay member) Zoe Wernikowski (Registrant member) Beth Maryon (Registrant member)
Legal Assessor:	Ben Stephenson
Hearings Coordinator:	Catherine Acevedo
Consensual Panel Determination:	Accepted
Facts proved:	All
Facts not proved:	None
Fitness to practise:	Impaired
Sanction:	Striking-off order
Interim order:	Interim suspension order

Decision and reasons on service of Notice of Meeting

The panel was informed at the start of this meeting that that the Notice of Meeting had been sent to Mr Butler's registered email address by secure email/registered address by recorded delivery and by first class post on 31 October 2022.

Further, the panel noted that the Notice of Meeting was also sent to Mr Butler's representative at the Royal College of Nursing (RCN) on 31 October 2022.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting provided details of the allegation, the time, dates and the fact that this meeting was to be heard virtually.

In the light of all of the information available, the panel was satisfied that Mr Butler has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

Details of charge

That you being a registered midwife on the 23rd July 2021 were convicted at South London Magistrates Court of the following offences:

1. Possessing extreme pornographic images of acts of intercourse and/or oral sex with a dead or alive animal, contrary to sections 63(1), 7(d) and 67(3) of the Criminal Justice and Immigration Act 2008
2. Possessing extreme pornographic images of an act which threatens a person's life, contrary to sections 63(1), 7(a) and 67(2) of the Criminal Justice and Immigration Act 2008

3. Making an indecent photograph or pseudo photograph of a child, namely 19 still images and 205 moving images of Category A, contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.

4. Making an indecent photograph or pseudo photograph of a child, namely 23 still images and 60 moving images of Category B, contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.

5. Making an indecent photograph or pseudo photograph of a child, namely 35 still images and 95 moving images of Category C, contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.

And in the light of these convictions, your fitness to practise is impaired.

Consensual Panel Determination

At the outset of this meeting, the panel was made aware that a provisional agreement of a Consensual Panel Determination (CPD) had been reached with regard to this case between the Nursing and Midwifery Council (NMC) and Mr Butler.

The agreement, which was put before the panel, sets out Mr Butler's full admissions to the facts alleged in the charges and that his fitness to practise is currently impaired by reason of his conviction. It is further stated in the agreement that an appropriate sanction in this case would be a striking-off order.

The panel has considered the provisional CPD agreement reached by the parties.

That provisional CPD agreement reads as follows:

"Consensual panel determination: provisional agreement

The Nursing & Midwifery Council and the Registrant, Scott David Butler, hereinafter referred to as the “Registrant”, PIN 07K0509E (“the Parties”) agree as follows:

1. Where the case is proposed to be dealt by way of a CPD meeting and the Registrant is content for it to be dealt with that way, the Registrant understands that if the panel determines that a different sanction should be imposed, the panel will adjourn the matter for this provisional agreement to be considered at a CPD hearing.

2. Where the CPD issues are to be dealt with a hearing and the Registrant does not intend to attend the hearing and is content for it to proceed in his and his representative’s absence (Emma Dmitriev, Senior Legal Officer at the RCN), the Registrant will endeavour to be available by telephone should any clarification on any point be required, or should the panel wish to make any amendment to the provisional agreement. The Registrant understands that if the panel wishes to make amendments to the provisional agreement that he doesn’t agree with, the panel will reject the CPD and refer the matter to a substantive hearing.

The charge

3. The Registrant admits the following charges:

That you, a registered midwife, on the 23rd July 2021 were convicted at South London Magistrates Court of the following offences:

1. Possessing extreme pornographic images of acts of intercourse and/or oral sex with a dead or alive animal, contrary to sections 63(1), 7(d) and 67(3) of the Criminal Justice and Immigration Act 2008.

2. Possessing extreme pornographic images of an act which threatens a person’s life, contrary to sections 63(1), 7(a) and 67(2) of the Criminal Justice and Immigration Act 2008.

3. *Making an indecent photograph or pseudo photograph of a child, namely 19 still images and 205 moving images of Category A, contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.*

4. *Making an indecent photograph or pseudo photograph of a child, namely 23 still images and 60 moving images of Category B, contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.*

5. *Making an indecent photograph or pseudo photograph of a child, namely 35 still images and 95 moving images of Category C, contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.*

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

The facts

4. *The registrant appears on the register of nurses, midwives and nursing associates maintained by the NMC as a nurse and as a midwife and has been so registered since 2020.*

5. *At the relevant time [2020], the Registrant was employed at St. George's Hospital, Blackshaw Road, Tooting SW17 OQT as a nurse in midwifery*

6. *Police intelligence identified in February 2020 that the Registrant was a person of interest. The police identified what is known as a "KIK" user [here "whiskeynsoda"] was associated to the email address connected to the registrant and that this user had uploaded 50 files of indecent images of children ranging from Categories A to C [explained below]. An associated IP address was also used to upload on of the Category A videos.*

7. *On the 3rd December 2020, the police attended at the Registrant's address and approached him. The Registrant made off on a cycle and the police were unable to overreach him in a police vehicle.*

8. The police then attended at the Registrant's work place at St George's Hospital and spoke discretely to HR. At this stage, the Registrant emerged. The police introduced themselves and showed their warrant cards. Initially, the Registrant indicated that he was happy to talk in front of staff from the hospital but as soon as the police mentioned his "KIK" user name, he asked for any further dealings to be in private.

9. The police then attended the Registrant's address with him. They searched the premises and found numerous articles. The Registrant was invited to sign the search book but declined saying that indecent images of children were on the exhibits. The paraphernalia of the Registrant's crimes was found in the Registrant's bedroom and was made up of the following:

OIR/01 - Sony mobile phone in case - MP5B25377190 - 01ld/8649/20

OIR/02 - Sony mobile phone - MP5B 25377191 - 01ld/8649/20

OIR/03 - Lenovo tablet - MP5C39474949 - 01ld/8649/20

OIR/04 - Seagate external hard drive - MP5C39474948 - 01ld/8649/20

OIR/05 - Toshiba Laptop - MP5D45597095 - 01ld/8649/20

OIR/06 - Sandisk flash drive - MP5A24239472 - 01ld/8649/20

OIR/07 - Toshiba flash drive - MP5A24239473 - 01ld/8649/20

OIR/08 - Silver and blue flash drive - MP5A24239474 - 01ld/8649/20

10. The Registrant was then transported to Brixton Police Station, where he was interviewed twice but on both occasions made no comment and subsequently bailed.

11. The police informed St. George's Hospital of the nature of the case on the 3rd December 2020 and the matter was referred to the NMC on the 9th December 2020.

Conviction

12. *It is not proposed to elaborate on the charges for which the Registrant was convicted and these speak for themselves. The category of image should however be explained:*

Category A images involving penetrative sexual activity, sexual activity with an animal or sadism

Category B images involving non-penetrative sexual activity

Category C indecent images not falling within categories A or B.

13. *The Registrant appeared at the South London Magistrates Court on the 23rd July 2021 and indicated a plea of guilty. He was committed to the Crown Court for Sentence, where he entered a plea of guilty to all 5 counts.*

14. *On the 15th September 2021, Recorder Wood QC sitting at the Inner London Crown Court passed sentence on the Registrant, a sentence which was clarified or ratified on the 21st September 2021.*

15. *Before passing sentence, Recorder Wood noted:*

(1) Counts 1-3 involved extreme pornography

(2) He considered the images includes those of the “worst possible kind”

(3) That the Registrant would know the harm caused by even viewing such images.

16. *He imposed the sentence of*

(1) On counts 1 and 2 six months imprisonment

(2) On count 3, eight months imprisonment

(3) On count 4, three months imprisonment

(4) On count 5, no separate penalty was imposed.

(5) Such orders of imprisonment to run concurrently, making a total of 8 months imprisonment to be suspended for 18 months.

(6) Sexual Harm Prevention Order for 5 years.

(7) Conditions were attached to the suspension order, including (broadly put) preventing the Registrant using the internet (except for certain activities), using or owning a computer with access to the internet (without software programming to prevent access to child pornography, a barring order preventing him from disabling such software programming.

(8) A Rehabilitative Activity requirement order was also imposed.

(9) At no stage did the Registrant offer any basis for his plea of guilty.

17. It is to be noted that the preponderance of images found in the Registrant's possession constitute

(a) The most indecent, obscene and extreme type of pornography

(b) Charge 3 concerns 19 still images and 205 images or pseudo images of children involving penetrative sexual activity or sadism.

(c) The abominable privation of children in circumstances which are likely to cause them irreparable harm

(d) The Judge noted that the Registrant knew of this harm.

18. The NMC charges brought against the Registrant reflect the convictions recorded against him in the criminal court. The NMC obtained the certificate of these convictions which, by virtue of Rule 31(2)(a) of the NMC (Fitness to Practise) Rules 2004, is conclusive proof of the convictions. For the avoidance of doubt, given the provisional CPD agreed by the parties, the Registrant admits the charges brought against him by the NMC.

Impairment

19. *The parties agree that the Registrant's fitness to practise is currently impaired by reason of his convictions.*

20. *It is relevant to refer to the questions formulated by Dame Janet Smith in her Fifth Report from Shipman, approved in the case of Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant [2011] EWHC 927 (Admin) by Cox J;*

- *Has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- *Has in the past brought and/or is liable in the future to bring the professions into disrepute; and/or*
- *Has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the professions; and/or*
- *Has in the past acted dishonestly and/or is liable to act dishonestly in the future?*

21. *The first, second and third limbs are clearly engaged for the reasons set out below.*

22. *It is also relevant to refer to the case of Cohen v General Medical Council [2008] EWHC 581 (Admin) in which the court set out three matters which it described as being 'highly relevant' to the determination of the question of current impairment;*

- *Whether the conduct that led to the charge(s) is easily remediable.*
- *Whether it has been remedied.*
- *Whether it is highly unlikely to be repeated.*

23. *Deep seated attitudinal problems*

(1) The possession of the vast material of obscene material in this case reflects a deep seated and grossly distorted attitude to children, the preservation of life and animals.

(2) No credible explanation has been advanced for the possession of the material.

(3) There are only two inferences to be drawn :

(a) There is nor is there likely to be any plausible remediation for this conduct.

(b) The conduct is wholly and irredeemably incompatible with being a nurse or midwife

Public protection impairment

24. A finding of impairment is necessary on public protection grounds.

25. There may always be a risk that the Registrant's exposure to children in his job (a feature barred by the Criminal Court) might allow him to photograph or video such children in indecent circumstances.

Public interest impairment

26. A finding of impairment is necessary on public interest grounds.

27. In Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant [2011] EWHC 927 (Admin) at paragraph 74 Cox J commented that:

"In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession

would be undermined if a finding of impairment were not made in the particular circumstances.”

28. The material in this case demonstrates a complete disregard for the standards required to be a nurse or midwife. A member of the public would be wholly shocked should such a person be permitted to practise as a nurse or midwife at all. .

29. Admission

The Registrant agrees to be struck off in this case. By necessary implication, he admits that his convictions render him currently impaired from practice.

30. Accordingly, the Registrant’s fitness to practice is impaired on public protection and/or public interest grounds.

Sanction

31. The appropriate sanction, which is agreed in this case, is one of strike off.

32. Mitigating factors

The Registrant has reflected on his conviction, inter alia in the following terms: I now feel and understand that this was a complete betrayal and undermining of both my personal and professional values. I acknowledge that my actions of receiving this material meant that I had condoned the abuse perpetrated on these individuals, that it will be a permanent stain on my character.

33. Aggravating factors

Please see paragraphs 17 and 23 above .

34. NMC guidelines to sanction provide assistance to Panels in dealing with “sanctions for serious cases”, including in cases of sexual misconduct.

Sexual offences include accessing, viewing, or any other offence relating to images or videos involving child sexual abuse or exploitation. These types of offences gravely undermine patients' and the public's trust in nurses, midwives and nursing associates. Some offences relating to images or videos of child sexual abuse are considered more serious than others in the criminal courts. However, in fitness to practise, any conviction relating to images or videos involving child sexual abuse is likely to involve a fundamental breach of the public's trust in nurses, midwives and nursing associates.

Panels deciding on sanction in cases about serious sexual misconduct will, like in all cases, need to start their decision-making with the least severe sanction, and work upwards until they find the appropriate outcome. They will very often find that in cases of this kind, the only proportionate sanction will be to remove the nurse, midwife or nursing associate from the register. If the panel decides to impose a less severe sanction, they will need to make sure they explain the reasons for their decision very clearly and very carefully. This will allow people who have not heard all of the evidence in the case, which includes the victims, to properly understand the decision.

35. Guidance is also provided under the heading of "criminal convictions". There the NMC guidelines provide the following assistance

It's clear that the Committee's purpose isn't to punish the nurse, midwife or nursing associate for a second time. Because of this, the sentence passed by the criminal court isn't necessarily a reliable guide to how seriously the conviction affects the nurse, midwife or nursing associate's fitness to practise. So, the personal circumstances or mitigation of the nurse, midwife or nursing associate is also less likely to be useful or helpful to the Fitness to Practise Committee when making a sanction decision than it would have been to the criminal court.

*Cases about criminal offending by nurses, midwives or nursing associates illustrate the principle that the reputation of the professions is more important than the fortunes of any individual member of those professions. Being a registered professional brings many benefits, but this principle is part of the 'price' (principle enunciated in *Bolton v Law Society*).*

36. Sanctions to consider

(1) It is suggested that it is self-evident that to take no action or impose a caution would be wholly inapt to protect the public or the public interest.

(2) It is contended that conditions do not provide a proportionate, workable or measurable means of dealing with the convictions.

(3) It is contended that the convictions were for offences so serious that even the maximum period of suspension would be inadequate.

(4) The only appropriate and proportionate sanction, which would provide the public and the public interest with due protection would be a strike off order. The Registrant agrees that this is the appropriate sanction.

37. Two ancillary but important points should be made:

(1) Council for the regulation of Health Care professionals v General Dental Council (the "Fleischmann" case) [2005] EWHC 87 is authority for the proposition that a practitioner should not be permitted to resume practice during the currency of a criminal sentence [54]

(2) On the 8th December 2021, the Disclosure and Barring service placed the Registrant on the barred list for children and adults. This would prevent the Registrant acting as a nurse or a midwife. The order does not specify a duration.

38. In light of these points, only a striking off order would be proportionate. Further reference is made to the NMC sanction guidance on Striking Off Orders, which invited panels to ask the following questions:

Do the regulatory concerns about the nurse, midwife or nursing associate raise fundamental questions about their professionalism?

Can public confidence in nurses, midwives and nursing associates be maintained if the nurse, midwife or nursing associate 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

39. The parties agree that only a striking off order can allow the panel to answer these questions satisfactorily.

Interim order

40. An interim order is required in this case. The interim order is necessary for the protection of the public and/or otherwise in the public interest for the reasons given above. The interim order should be for a period of 18 months in the event the Registrant seeks to appeal against the panel's decision. The interim order should take the form of an interim suspension order.

The parties understand that this provisional agreement cannot bind a panel, and that the final decision on findings of impairment and sanction is a matter for the panel. The parties understand that, in the event that a panel does not agree with this provisional agreement, the admissions to the charges and the agreed statement of facts set out above, may be placed before a differently constituted panel that is determining the allegation, provided that it would be relevant and fair to do so”.

Here ends the provisional CPD agreement between the NMC and Mr Butler. The provisional CPD agreement was signed by Mr Butler on 27 October 2022.

The CPD agreement presented to the panel had not been signed by the NMC and the panel considered whether in the circumstances it could proceed with the hearing. The panel noted that the agreement had been prepared and submitted by the NMC. It had been considered at an earlier hearing, at which it was decided that the matter should be referred to a meeting, Mr Butler had signed it and was legally represented. The panel did not identify any prejudice to Mr Butler or the NMC that could arise through proceeding without the CPD agreement signed by the NMC. The panel took into consideration the overarching objectives of the NMC namely public protection,

maintaining public confidence and promoting and maintaining proper standards of conduct. The panel also took into account the importance of addressing matter expeditiously. The panel therefore determined that it would proceed with the meeting.

The panel decided to accept the CPD.

The panel heard and accepted the legal assessor's advice. He referred the panel to the 'NMC Sanctions Guidance' (SG) and to the 'NMC's guidance on Consensual Panel Determinations'. He reminded the panel that they could accept, amend or outright reject the provisional CPD agreement reached between the NMC and Mr Butler. Further, the panel should consider whether the provisional CPD agreement would be in the public interest. This means that the outcome must ensure an appropriate level of public protection, maintain public confidence in the professions and the regulatory body, and declare and uphold proper standards of conduct and behaviour.

The charges concern Mr Butler's conviction. The panel was provided with a copy of the certificate of conviction. The panel noted that Mr Butler admitted the facts of the charges as set out in the signed provisional CPD agreement. In the circumstances the panel finds that the facts are found proved in accordance with Rule 31 (2) and (3).

Decision and reasons on impairment

Having announced its findings on the facts, the panel then considered whether, on the basis of the facts found proved, Mr Butler's fitness to practise is currently impaired by reason of his conviction. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's suitability to remain on the register unrestricted. Whilst acknowledging the agreement between the NMC and Mr Butler, the panel has exercised its own independent judgement in reaching its decision on impairment.

The panel was referred to the cases of *Grant* and *Cohen* in its consideration of impairment. The panel considered whether Mr Butler's fitness to practise is currently impaired by reason of his conviction. The panel determined that Mr Butler's fitness to

practise is currently impaired. It took into account that Mr Butler has shown some insight by admitting the charges and that his fitness to practice is currently impaired. However, the panel determined that his conduct demonstrated deep seated attitudinal problems. The panel was concerned by the explanation given by Mr Butler in his 'Proof of evidence' and did not feel that it demonstrated alleviation of risk. It had no information about the nature of the therapy he was engaged in or its duration. It also considered there was no remediation for his conduct which the panel considered incompatible with being a nurse or midwife. In this respect the panel endorsed paragraphs 19 to 30 of the provisional CPD agreement.

Decision and reasons on sanction

Having found Mr Butler'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:

- A pattern of misconduct over a period of time
- The volume of the material in question
- The nature of the material in question
- Mr Butler's knowledge of the irreparable harm caused to the victims in this case

The panel also took into account the following mitigating features:

- The admissions made by Mr Butler both in relation to his conviction and these proceedings

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 Mr Butler'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 Mr Butler's conduct 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 Mr Butler'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. Furthermore, the panel concluded that the placing of conditions on Mr Butler'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 SG states that suspension order may be appropriate where some of the following factors are apparent:

- *A single instance of misconduct but where a lesser sanction is not sufficient;*
- *No evidence of harmful deep-seated personality or attitudinal problems;*
- *No evidence of repetition of behaviour since the incident;*
- *The Committee is satisfied that the nurse or midwife has insight and does not pose a significant risk of repeating behaviour;*

The panel determined that Mr Butler's conviction did not involve a single instance. The panel saw evidence of harmful deep-seated attitudinal problems and the panel was not

satisfied that Mr Butler has insight into his convictions or that his conduct had been remediated.

The panel took into account the case of *Council for the Regulation of Healthcare Professionals v General Dental Council (The Fleischmann Case) [2005] EWCH 87* and noted that Mr Butler had not completed his sentence. Furthermore, he would not be able to practice as a nurse or midwife having been placed on the barred list for children and adults by the Disclosure and Barring service on 8 December 2021.

The panel determined that the conduct, as highlighted by the facts found proved, was a significant departure from the standards expected of a registered nurse and midwife. The panel noted that the serious breach of the fundamental tenets of the profession evidenced by Mr Butler's actions is incompatible with him 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?*

Mr Butler's actions were significant departures from the standards expected of a registered nurse and midwife and are fundamentally incompatible with him remaining on the register. Mr Butler's convictions related to extremely serious matters, which involved direct harm to animals and children. The panel was of the view that the findings in this particular case demonstrate that Mr Butler's actions were too serious to allow him to continue practising as this would undermine public confidence in the profession and in the NMC as a regulatory body. The panel also found that Mr Butler remains a risk to the public.

Balancing all of these factors and after taking into account all the evidence before it during this case, the panel agreed with the CPD that the appropriate and proportionate sanction is that of a striking-off order. Having regard to the matters it identified, including the risk to the public, in particular vulnerable patients and families and the effect of Mr Butler's actions in bringing the profession into disrepute, the panel has concluded that nothing short of this would be sufficient in this case.

The panel considered that this order was necessary to protect the public, 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 nurse and midwife.

Decision and reasons on interim order

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 Mr Butler's own interests. The panel heard and accepted the advice of the legal assessor.

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 decided 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 the appeal period.

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

That concludes this determination.