

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

**Substantive Order Review Hearing
Thursday, 7 August 2025**

Virtual Hearing

Name of Registrant:	Eruore Augustina Obibi
NMC PIN:	94I0385E
Part(s) of the register:	Nursing, sub part 1 RNMH, Registered Nurse - Mental Health 23 March 1998
Relevant Location:	Belfast
Type of case:	Misconduct
Panel members:	Alisa Newman (Chair, Lay member) Daniel Robert Harris (Registrant member) Sophia Clarke (Lay member)
Legal Assessor:	Hala Helmi
Hearings Coordinator:	Andrew Ormsby
Nursing and Midwifery Council:	Represented by Jamie Perriam, Case Presenter
Mrs Obibi:	Not present and not represented at this hearing
Order being reviewed:	Suspension order (9 months)
Fitness to practise:	Impaired
Outcome:	Suspension order (9 months) to come into effect on 12 September 2025 in accordance with Article 30 (1)

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Ms Obibi was not in attendance.

The panel noted that the Notice of Hearing had been sent to Mrs Obibi's registered email address via secure email on 8 July 2025. The panel also noted that Mrs Obibi's representative was also copied into the same email.

Mr Perriam, on behalf of the Nursing and Midwifery Council (NMC), submitted that it had complied with the requirements of Rule 11 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.

In the light of all of the information available, the panel was satisfied that Mrs Obibi has been served with notice of this meeting in accordance with the requirements of Rule 11 and 34 of the Rules.

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

Mr Perriam made a request that this case be held in partly in private on the basis that [PRIVATE]. The application was made pursuant to Rule 19 of the Rules. Mr Perriam also suggested that [PRIVATE].

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 there will be reference to [PRIVATE], the panel determined to hold such parts of the hearing in private. The panel determined to go into private session [PRIVATE] as and when such issues are raised. The panel agreed to deal with proceeding in absence entirely in private for the reasons advanced by Mr Perriam.

Decision and reasons of proceeding in the absence of Mrs Obibi

The panel next considered whether it should proceed in the absence of Mrs Obibi. The panel had regard to Rule 21 and heard the submissions of Mr Perriam who invited the panel to continue in the absence of Mrs Obibi.

Mr Perriam submitted that the panel should use its discretionary power to continue the hearing, notwithstanding Mrs Obibi's absence, as there was an overriding public interest to do so.

Mr Perriam stated that, [PRIVATE].

The panel considered the contents of Mrs Obibi's representative's emailed correspondence, dated 9 July 2025, informing the NMC that she would not be attending due to [PRIVATE].

The panel also received correspondence from [PRIVATE].

Additionally, the panel was cognisant of the correspondence it had received from Mrs Obibi's representative which indicated that both he and Mrs Obibi were aware of today's hearing.

Mr Perriam further noted Mrs Obibi's representative's email correspondence stating that he would not be able to attend the hearing to represent Mrs Obibi as he was away on [PRIVATE]. Mr Perriam stated that Mrs Obibi's representative had suggested that the hearing '*be set aside*' as neither he nor Mrs Obibi could be present. Mr Perriam stated that this may amount to a request for an adjournment under Rule 32 of the Rules.

Mr Perriam submitted that Mrs Obibi's interests in potentially adjourning the hearing must be balanced against the panel's primary duty, which was to protect the public and the public interest.

Mr Perriam submitted that there was a strong public interest in the hearing proceeding to protect the public and maintain confidence in the profession.

Mr Perriam further drew the panel's attention to the expiration of the order of suspension currently imposed on Mrs Obibi's registration on 12 September 2025. He stated that if the hearing were to adjourn it was highly unlikely that this matter would be considered before 12 September 2025. He noted that, although a registrant can waive their right to 28 days' notice, the correspondence to which he had earlier referred stated that [PRIVATE] whilst her representative is away until early September.

Mr Perriam submitted that there was therefore a strong risk that the current order would simply expire and the registrant would then be able to return to unrestricted practice. He stated that there was therefore a public interest that the order should be reviewed before expiration and that required the panel to proceed today in Mrs Obibi's absence.

The panel accepted the advice of the legal assessor.

The panel took the request to set today's hearing '*aside*' as set out in Mrs Obibi's representative's email, dated 23 July 2025, as an application to adjourn this hearing. In considering this application the panel took into account Rule 32 of the Rules as well as the NMC's guidance at CMT-11. The panel was aware that it must take into account (amongst other matters relevant to the particular circumstances of the case):

- The public interest in the expeditious disposal of the case;
- The potential inconvenience to a party or any witnesses; and
- Fairness to the registrant.

The panel has decided to proceed in the absence of Mrs Obibi. In reaching this decision, the panel has considered the submissions of Mr Perriam, the correspondence from Mrs Obibi's representative, and the advice of the legal assessor. It has had particular regard to any relevant case law and to the overall interests of justice and fairness to all parties. It noted that:

- There is a strong public interest in the hearing proceeding in order to prevent any possible lapse of the current order;

- Correspondence from Mrs Obibi's representative indicated that Mrs Obibi was happy for the current order to remain in place;
- Mrs Obibi would not be able to attend any hearing before the expiry of the current order of suspension and the representative is unavailable until after the end of the first week of September, and there is no indication that the hearing could be listing by then given the short time frame; and
- It was in the interests of justice and the public interest to consider the case expeditiously.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Mrs Obibi.

Decision and reasons on review of the current order

This is the second effective review of a substantive suspension order originally imposed for a period of nine months by a Fitness to Practise Committee panel on 12 February 2024. This was scheduled for a review on 4 November 2024 (which was adjourned) and was reviewed 29 November 2024, where the suspension imposed on Mrs Obibi's registration was extended for a further nine months.

The current order is due to expire at the end of 12 September 2025.

The panel is reviewing the order pursuant to Article 30(1) of the Order.

The charges found proved which resulted in the imposition of the substantive order were as follows:

“Charge 1

“On 20 March 2022, failed to preserve patient safety in that you left the door to the Unit unlocked”.

Charge 2)

“On 28 April 2022, failed to provide care in accordance with Patient A's care plan and/or risk assessment in that you failed to undertake

adequately, or at all, 1:1 observation for Patient A”.

Charge 3)

“On a date between 28 April and 2 May 2022, you failed to preserve patient safety in that you left keys to the Unit unattended”.

Charge 4)

“On 5 May 2022 you behaved inappropriately towards Patient A in that you:

- a) put your bottom towards Patient A and/or slapped your bottom and said “slap it, slap my arse” or words to that effect*
- b) said “kiss my arse” or words to that effect*
- c) put your index and middle finger up to the ceiling and said “fucked in the arse” or words to that effect”.*

Charge 5)

“Your actions at charge 4(a) and/or 4(b) and/or 4(c) breached professional boundaries.”

The first reviewing panel determined the following with regard to impairment:

‘The panel had regard to the original panel’s finding of impairment and considered whether Mrs Obibi has taken steps to address the concerns and demonstrate that she was no longer currently impaired. In considering current impairment, the panel was mindful that the persuasive burden rests with Mrs Obibi to demonstrate that she is not currently impaired. It was also mindful of the need to maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.

The panel noted that the original panel found that Mrs Obibi had insufficient insight. At this hearing the panel found that Mrs Obibi’s fitness to practise remains impaired.

At this hearing the panel considered the previous reviewing panel's guidance to Mrs Obibi which included the following recommended steps for today's hearing:

- 'Attendance at future hearings and engagement with the process*
- Information regarding Mrs Obibi's intentions about her nursing career*
- Information about the type of work Ms Obibi has undertaken during her suspension*
- Evidence of training courses completed*
- Testimonials from current employer*
- Reflective piece addressing the issues the panel have identified'*

In its consideration of whether Mrs Obibi has taken steps to strengthen her practice, the panel took into account the concerns of the previous panel and their recommendations of what may assist a reviewing panel. In the course of its deliberations on day two, [PRIVATE], two training certificates and her reflective account on her fitness to practise. The panel considered that the documents received were relevant to Mrs Obibi's non-attendance on 4 November 2024 when this case was first considered. It noted that the medical evidence provided was helpful contextual information but that the new information did not have much relevance to the question of Mrs Obibi's fitness to practise.

The panel was pleased that Mrs Obibi had prepared a reflective piece and provided training certificates. It noted that the reflective statement was demonstrative of some insight but that there were gaps in Mrs Obibi's understanding of the impact of her actions on patients, the public and on the profession. It noted that Mrs Obibi had not fully demonstrated remorse or accountability for her actions, but it acknowledged the training she claims she had undertaken. However, the panel was concerned to notice that there were only two certificates (relating to professional boundaries and fitness to practise in April 2024 and November 2024 respectively). The panel would have liked to have seen further evidence of reflection into her actions, and

evidence of further training that is appropriate to the misconduct encapsulated in the charges found proved such as mental health communication with children, health and safety at work and risk assessments.

The panel reviewed this information and through the legal assessor, invited [her representative] to make further submissions on Mrs Obibi's current fitness to practise and current impairment. [Mrs Obibi's representative] informed the panel of Mrs Obibi's position:

"[PRIVATE] Ms Obibi has advised me to inform the Panel that she does not wish to place/proceed with any further admissions [sic] to the Panel at this time, and thanks them for their consideration [sic] to her at this time.

Should [PRIVATE] she would of course be available to appear in front of a Panel to speak, and also with proper legal assistance/advice, as we are helping/assisting Ms Obibi in a purely Pastoral role, not being legally qualified."

Upon clarification, [Mrs Obibi's representative] confirmed the following:

"I can confirm admissions can be used as submissions. Apologies at not being Legal in using different wording to the Panel."

The panel also invited Mr Radley, who represented the NMC on day two of the hearing, to make further submissions. He submitted that:

"I will not be asking any questions of this registrants papers."

In light of the new information, the panel considered whether Mrs Obibi has taken sufficient steps to address her misconduct and whether she has shown satisfactory degree of insight in terms of how her conduct will have affected patients, colleagues and the wider profession. Although she has

taken initial steps in this regard, the panel was not satisfied that she has remediated her behaviour or demonstrated sufficient insight. The panel determined that Mrs Obibi showed a lack of ownership of her actions. The panel noted that Mrs Obibi had not fully followed the recommendations of the previous panel and that her reflective account had the appearance of being perfunctory.

[PRIVATE] so that she can focus on strengthening her practice by following up on the recommended steps. These include undertaking and evidencing further relevant training and providing a further reflective piece addressing the issues raised by the panel.

Today's panel was of the view that the limited evidence from Mrs Obibi was insufficient to give it confidence that Mrs Obibi will not repeat matters of the kind found proved. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.

For these reasons, the panel finds that Mrs Obibi's fitness to practise remains impaired.'

The first reviewing panel determined the following with regard to sanction:

'The panel next considered whether a conditions of practice on Mrs Obibi's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in mind the seriousness of the facts found proved at the original hearing and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest.

The panel considered the imposition of a further period of suspension. [PRIVATE]. It considered that [PRIVATE] and address the upcoming hearings. It was therefore of the view that imposing a further suspension order would allow Mrs Obibi further time to fully reflect on patient care in relation to her previous misconduct and gain a full understanding of how the misconduct of one nurse can impact upon the nursing profession as a whole. The panel concluded that a further suspension order would be the appropriate and proportionate response and would afford Mrs Obibi adequate time to further develop her insight and take steps to strengthen her practice. The panel considered imposing a striking-off order but determined that this would be disproportionate and punitive given the circumstances.

The panel determined that a suspension order is the appropriate sanction as it will continue to protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for a period of nine months.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 12 December 2024 in accordance with Article 30(1).

[...]

Any future panel reviewing this case would be assisted by:

- *Attendance at future hearings and continued engagement with the process;*
- *Information about the type of work Mrs Obibi has undertaken during her suspension;*
- *Evidence of training courses completed relevant to the charges found proved;*
- *Testimonials from current and previous employers, either in a healthcare setting or voluntary;*
- *Reflective piece, preferably using a reflective model (such as Gibbs'), addressing the issues the panel has identified such as remorse and how her actions impacted on others and the wider profession.'*

NMC submissions on current impairment

Mr Perriam submitted that a finding of continuing impairment was necessary on the grounds of public protection and the public interest.

Mr Perriam submitted that whilst Mrs Obibi had provided further reflective pieces, which the previous reviewing panel had decided would be helpful, she had not undertaken further training and '*nothing had changed in the training and development front*'. Further, he stated that the testimonial provided by Mrs Obibi was not relevant as it pre-dated her misconduct so was not of assistance.

Mr Perriam submitted that on the question of impairment, even taking account of the two further reflective pieces that Mrs Obibi's had provided, she remained impaired as she had not undertaken sufficient training and had not discharged the persuasive burden to demonstrate that she was no longer impaired.

Mr Perriam stated that Mrs Obibi had not offered sufficient new material to indicate that she has gone about the process of remediation and development of insight and, submitted that she was still therefore liable to repeat matters of the kind found proved.

Mr Perriam invited the panel to extend the current suspension order for a further nine months as this was the appropriate and proportionate option open to the panel in the circumstances.

He stated that a conditions of practice order would not be workable, measurable, or appropriate. Further he stated that her misconduct was too serious for conditions and would not satisfy the public interest.

Mr Perriam stated that a further period of suspension would allow Mrs Obibi to reflect and strengthen her practice and demonstrate that she was no longer a risk to the public. He stated that anything less than suspension would not sufficiently protect the public or satisfy the public interest.

[PRIVATE].

Decision and reasons on current impairment

The panel has considered carefully whether Mrs Obibi's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as a registrant's ability to practise safely, kindly and professionally. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel has had regard to all of the documentation before it, including the NMC bundle and the written responses from Mrs Obibi which included:

- Two reflective pieces, both undated;
- Testimonial from Zebra Nursing And Employment Agency referring to Mrs Obibi's employment between 2000 - 2021;
- Certificate of completion of Maintaining Professional Boundaries, dated April 2024;
- Certificate of completion of Fitness to Practise Programme, dated 19 November 2024;
- [PRIVATE].

The panel heard and accepted the advice of the legal assessor.

In reaching its decision, the panel was mindful of the need to protect the public, maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.

The panel considered whether Mrs Obibi's fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Mrs Obibi had insufficient insight.

In its consideration of whether Mrs Obibi has taken steps to strengthen her practice, the panel was pleased to see that she had submitted updated reflective pieces. It considered

that her reflective pieces evidenced some developing insight around the impact of her actions on the nursing profession and limited insight into the impact on patients. However, it failed to fully reflect and take accountability of the seriousness of her misconduct. It also noted that she had not provided reflection against all of the charges which implied that her insight was not fully developed.

On question of impairment, even taking into account the two further reflective pieces, the panel concluded that Mrs Obibi remained impaired.

The panel noted the lack of any further training undertaken specifically in relation to communicating with young people and risk assessment in a mental health setting. It considered that the failure to make any progress in that regard was significant. Taking into account all of the aforementioned factors the panel concluded that Mrs Obibi had not discharged the persuasive burden on her to demonstrate that she is no longer impaired and therefore there was real risk of repetition of her misconduct.

The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public protection and public interest grounds is required.

For these reasons, the panel finds that Mrs Obibi's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Mrs Obibi's fitness to practise currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel noted that its powers are set out in Article 30 of the Order. The panel has also taken into account the 'NMC's Sanctions Guidance' (SG) and has borne in mind that the purpose of a sanction is not to be punitive, though any sanction imposed may have a punitive effect.

The panel accepted the advice of the legal assessor.

The panel had regard to its previous findings on impairment in coming to this decision. It bore in mind that its primary purpose is to protect the public and maintain public confidence in the nursing profession and the NMC as its regulator.

The panel considered that taking no further action would be neither appropriate nor proportionate taking into account the public protection concerns and the need to uphold the wider public interest in this case.

The panel considered that a caution order would not be appropriate given the risk of repetition of serious misconduct.

Further, the panel considered that conditions of practice were not appropriate in this case. It determined that it could not be formulated which were relevant, proportionate, workable and measurable to address the serious misconduct to a degree that would protect the public and satisfy the public interest. [PRIVATE].

In the circumstances, the panel determined that a extension of the current suspension order was necessary to protect the public and satisfy the public interest.

In addition, the panel considered that a period of suspension would afford Mrs Obibi the opportunity to provide further reflections in relation to all of the charges and would allow her to undertake further training and provide evidence of understanding as to how she would put this into practice.

The panel considered that striking Mrs Obibi's name from the register would not be proportionate given her continued engagement with the regulatory process and her developing insight [PRIVATE].

Accordingly, panel determined that a suspension order for a further period of nine months was the necessary and proportionate sanction to reflect the level of insight which is still developing and the need for Mrs Obibi to demonstrate further remediation. As such, a period of nine months was necessary and proportionate to protect the public and satisfy the wider public interest.

The panel has noted that this order will prevent Mrs Obibi from working as a registered nurse and, as a consequence, Mrs Obibi may be caused financial hardship. However, in applying the principle of proportionality, the panel determined that, in any event, the need to protect the public and the wider public interest outweighed Mrs Obibi's interest in this regard.

Before the end of the period of suspension, another panel will review the order. At the review hearing the panel may revoke the order, or it may confirm the order, or it may replace the order with another order.

Any future panel reviewing this case would be assisted by:

- Attendance at future hearings and continued engagement with the process;
- Reflective pieces addressing all of the charges;
- Testimonials from current employment to demonstrate strengthened practice;
- Information about the type of work Mrs Obibi has undertaken during her suspension;
- Information regarding Mrs Obibi's intentions about her nursing career;
- Evidence of training courses completed relevant to the charges found proved.

The panel decided to extend the current period of suspension for a further nine months.

This order will come into effect at the end of 12 September 2025 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This will be confirmed to Mrs Obibi in writing.

That concludes this determination.