Nursing and Midwifery Council
Fitness to Practise Committee

Substantive Hearing
Monday, 18 August 2025 – Friday, 22 August 2025
Tuesday, 26 August 2025 – Friday, 29 August 2025

Virtual Hearing

Name of Registrant:	**Axl Free Redwine**
NMC PIN:	19C2065E
Part(s) of the register:	Registered Nurse – Sub part 1 RNMH – Registered Nurse Mental Health (19 September 2019)
Relevant Location:	Norfolk
Type of case:	Misconduct
Panel members:	Farrah Jaura (Chair, Lay member) Sharon Peat (Registrant member) Tricia Breslin (Lay member)
Legal Assessor:	Gillian Hawken (18 – 26 August 2025) Neil Fielding (27 - 29 August 2025)
Hearings Coordinator:	Bethany Seed
Nursing and Midwifery Council:	Represented by Alex Radley, Case Presenter
Mr Redwine:	Not present and unrepresented at this hearing
Facts proved by admission:	1a) and 9c)
Facts proved:	1b), 2, 3, 4, 5, 6, 7a), 7b), 7c), 7d), 8a)-c) (in respect of charges 1-7 except for charge 7d)
Facts not proved:	9a) and 9b)
Fitness to practise:	Impaired

Sanction:	**Striking off order**
Interim order:	**Interim suspension order (18 months)**

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Mr Redwine was not in attendance and that the Notice of Hearing letter had been sent to Mr Redwine's registered email address by secure email on 17 July 2025.

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

The panel took into account that the Notice of Hearing provided details of the allegation, the time, dates and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Mr Redwine's right to attend, be represented and call evidence, as well as the panel's power to proceed in his absence.

In light of all of the information available, the panel was satisfied that Mr Redwine has been served with the Notice of Hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Mr Redwine

The panel next considered whether it should proceed in the absence of Mr Redwine. It had regard to Rule 21 and heard the submissions of Mr Radley who invited the panel to continue in the absence of Mr Redwine. He submitted that Mr Redwine had voluntarily absented himself.

Mr Radley referred the panel to the documentation from Mr Redwine which included emails from Mr Redwine dated 21 June 2025 and 24 June 2025 wherein Mr Redwine indicated that he would not attend any NMC hearing in relation to this matter.

The panel accepted the advice of the legal assessor.

The panel noted that its discretionary power to proceed in the absence of a registrant under the provisions of Rule 21 is not absolute and is one that should be exercised *'with the utmost care and caution'* as referred to in the case of *R* v *Jones (Anthony William)* (No.2) [2002] UKHL 5.

The panel decided to proceed in the absence of Mr Redwine. In reaching this decision, the panel considered the submissions of Mr Radley and the advice of the legal assessor. It had particular regard to the factors set out in the decision of *R v Jones* and *General Medical Council v Adeogba* [2016] EWCA Civ 162 and had regard to the overall interests of justice and fairness to all parties. It noted that:

- No application for an adjournment has been made by Mr Redwine;
- Mr Redwine has informed the NMC that he has received the Notice of Hearing and confirmed that he will not be attending the hearing today both in his emails and in the Case Management Form (CMF);
- There is no reason to suppose that adjourning would secure his attendance at some future date;
- One witness will attend today to give live evidence, and three others are due to attend later this week;
- Not proceeding may inconvenience the witnesses, their employers and, for those involved in clinical practice, the clients who need their professional services;
- The charges relate to events that occurred in 2020;
- Further delay may have an adverse effect on the ability of witnesses to accurately recall events; and

- There is a strong public interest in the expeditious disposal of the case.

There is some disadvantage to Mr Redwine in proceeding in his absence. Although the evidence upon which the NMC relies will have been sent to him at his registered email address, he has decided not to attend the hearing today. He will not be able to challenge the evidence relied upon by the NMC and will not be able to give evidence on his own behalf. However, in the panel's judgement, this can be mitigated. The panel can make allowance for the fact that the NMC's evidence will not be tested by cross-examination and, of its own volition, can explore any inconsistencies in the evidence which it identifies. Furthermore, the limited disadvantage is the consequence of Mr Redwine's decisions to absent himself from the hearing, waive his rights to attend, and/or be represented, and to not provide further evidence or make submissions on his own behalf.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Mr Redwine. The panel will draw no adverse inference from Mr Redwine's absence in its findings of fact.

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

Mr Radley made a request that this case be held partly in private on the basis that proper exploration of Mr Redwine's case may involve reference to [PRIVATE]. The application was made pursuant to Rule 19 of 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.

The panel determined to go into private session in connection with [PRIVATE] as and when such issues are raised in order to protect his right to privacy in his absence.

Decision and reasons on application to amend the charge

The panel heard an application made by Mr Radley, on behalf of the NMC, to amend the wording of charge 1.

The proposed amendment was to change the date in the charge from 2022 to 2020. It was submitted by Mr Radley that the proposed amendment would provide clarity and more accurately reflect the evidence of Colleague A. He submitted that there would be no injustice caused to Mr Redwine by the amendment.

"That you, a registered nurse:

1. In or around March – April ~~2022~~ **2020** in relation to Colleague A:

   a) …

   b) …

And in light of the above, your fitness to practise is impaired by reason of your misconduct."

The panel accepted the advice of the legal assessor and had regard to Rule 28 of the Rules.

The panel was of the view that such an amendment, as applied for, was in the interest of justice. The panel was satisfied that there would be no prejudice to Mr Redwine and no injustice would be caused to either party by the proposed amendment being allowed. The panel was satisfied that an amendment to the date would not change the substance of the

charge, and was clear on the face of the evidence. It was therefore appropriate to allow the amendment, as applied for, to ensure clarity and accuracy.

Decision and reasons on application to amend the charge

At the close of the NMC case, Mr Radley made an application to amend the wording of charge 8 under Rule 28 of the Rules. In particular, he submitted that the panel has the power to amend the wording of any charge before it has made its decision on the facts of the case.

The proposed amendment was to rephrase the stem of the charge to *"amount to harassment"* from *"harassed."* He further proposed to rephrase and reorder the sub charges in order to more accurately reflect how the NMC guidance recommends charging harassment, and to better reflect the way in which he has put his case which was that the harassment was not necessarily sexual but was related to colleagues' sex.

Mr Radley submitted that there would be no injustice caused to Mr Redwine by the amendment. He submitted that it would assist both Mr Redwine, and the panel in its deliberations, by making clear the allegation at the crux of this charge. He further submitted that the proposed amendment would provide clarity to any person reading this determination and would better reflect the evidence that the panel has heard.

The proposed amendment was:

8. "Your conduct at any or all of charges 1 – 7 ~~harassed~~ **amounted to the harassment of** Colleagues in that:

    a. The conduct was unwanted ~~conduct of a sexual nature and/or~~
    b. **The conduct was of a sexual nature and/or related to the Colleagues' sex**

c. It had the purpose and/or effect of violating ~~Colleague's~~ **Colleagues'** dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment."

The panel accepted the advice of the legal assessor and had regard to Rule 28 of the Rules and the NMC Guidance PRE-2e *Particular features of misconduct charging* (last updated: 3 March 2025).

The panel was of the view that such an amendment, as applied for, was in the interest of justice. The panel was satisfied that there would be no prejudice to Mr Redwine and no injustice would be caused to either party by the proposed amendment being allowed. The panel was satisfied that the new wording of the charge would provide clarity to the meaning of harassment in accordance with the Equality Act 2010. The panel determined that the substance of the charge was fundamentally unchanged, and the new wording would assist the panel in clarifying the regulatory concerns. It was therefore appropriate to allow the amendment, as applied for, to ensure clarity and accuracy.

Details of charge (as amended)

That you, a registered nurse, whilst working as a Charge Nurse at the [PRIVATE]:

1. In or around March – April 2020 in relation to Colleague A:

    a) On one or more occasions asked them out on a date. **[ADMITTED]**

    b) Said '*that's why you won't go out with me because you only like black men'* or words to that effect. **[PROVED]**

2. On an unknown date in a discussion of how young is too young to have sex with someone said ‘if there is grass on the pitch I would play the ball’ or words to that effect. **[PROVED]**

3. On unknown dates would suggest that Colleague A did not have a sense of humour or was jealous when she challenged you for your comments. **[PROVED]**

4. On an unknown date said that you would ‘turn’ Colleague B who was gay or words to that effect. **[PROVED]**

5. On unknown dates at work would brag about going out and sleeping with multiple women at work. **[PROVED]**

6. On an unknown date after Colleague A raised concerns said that she was being bitchy or malicious or words to that effect. **[PROVED]**

7. On an unknown date told unknown colleagues:

    a) That their bottom was big. **[PROVED]**
    b) That they were a ‘big fat cunt’ **[PROVED]**
    c) That they were a ‘bitch’ **[PROVED]**
    d) That he ‘didn’t give a fuck’ about any issues in their life. **[PROVED]**

    Or words to that effect.

8. Your conduct at any or all of charges 1 – 7 amounted to the harassment of Colleagues in that:

    a. The conduct was unwanted.
    b. The conduct was of a sexual nature and/or related to the Colleagues’ sex.

c. It had the purpose and/or effect of violating Colleagues' dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment.

[PROVED, in relation to charges 1 – 7a - c), but not 7d)]

9. On unknown dates:
    a) Failed to assist an unknown patient when they collapsed and had a seizure when a band 3 clinical support worker was managing the emergency. **[NOT PROVED]**
    b) Failed to hand over that there had been a change in risk with an unknown patient. **[NOT PROVED]**
    c) Put cream on an unknown patient's wound on their feet. **[ADMITTED]**

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

Background

The charges arose whilst Mr Redwine was employed as a Charge Nurse at [PRIVATE] ('the Hospital'), at the Norfolk and Suffolk NHS Foundation Trust ('the Trust'). Around August 2021, concerns were raised about Mr Redwine's conduct both by a CQC whistleblower and to the Trust. The Trust then commenced an internal investigation. The allegations relate to incidents that occurred from the onset of COVID-19, and Colleague A (who attended these proceedings as Witness 2) was a Student Nurse who was drafted into the workforce to assist the with pressures of the pandemic prior to qualifying and taking up a position of Staff Nurse on the ward.

On 7 September 2021, the NMC received an anonymous referral which alleged that Mr Redwine would make inappropriate comments to female colleagues which would make them uncomfortable and upset. The referral also alleged that Mr Redwine did not respond

appropriately to incidents involving patients, in particular to a patient having a seizure, and that he left unqualified staff to manage these situations.

It is further alleged that Mr Redwine engaged in inappropriate sexual behaviour in a professional environment. It is alleged that Mr Redwine swore and used misogynistic language in relation to other staff members regularly.

These matters were investigated by the Trust, and Mr Redwine resigned from his position prior to the conclusion of the disciplinary process on 27 January 2022.

Mr Redwine has denied these allegations but has admitted that there may have been times where he made sexual comments, however he denies knowing that he made others feel uncomfortable.

Decision and reasons on adjourning the hearing for redactions to be made

Mr Radley acknowledged that there is information contained in the evidence provided by the NMC that is not charged and could be prejudicial to Mr Redwine. He submitted that the relevant redactions to the papers were being made. He requested that the hearing be adjourned until 19 August 2025 so these redactions could be made in order to preserve the fairness of these proceedings. Mr Radley submitted that the panel should still have sufficient time to consider this case if the short adjournment is granted.

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

The panel determined to adjourn the hearing until 19 August 2025 in order to allow the NMC time to redact the extraneous information from the documents. The panel was satisfied that it could disregard the unredacted material and give fair and proper consideration to the appropriate evidence before it in these proceedings.

Decision and reasons on adjourning the hearing for further redactions to be made

The hearing recommenced on 19 August 2025.

The panel informed Mr Radley that, having received the redacted documents, it noted there were several instances where prejudicial information had not yet been redacted. The panel requested that further redactions be made to the documentation to ensure fairness to Mr Redwine in his absence. The panel noted that some inconvenience would be caused to the NMC, and particularly the witnesses that had been warned to attend today. However, it considered that given the seriousness of the allegations, and the severity of the NMC sanction bid, it is of the utmost importance that these proceedings are as fair as they can be in these circumstances.

Mr Radley informed the panel that making these redactions may be a time-consuming task, and as such, he could not at this stage give a time estimate for when the task could be completed. He informed the panel that having been instructed as an independent, external counsel by the NMC in this matter, he has a professional duty to provide advice to the NMC on how to proceed. He submitted that there may be implications to this advice, which may present further time delays. Mr Radley submitted that he would make all reasonable efforts to ensure that the redactions were done efficiently to minimise any disruption to the witnesses that are arranged for this week.

The legal assessor advised the panel that in the interest of fairness to Mr Redwine, the NMC has a duty to ensure that correct, relevant information is before the panel for its decision making.

The panel determined that in the interest of fairness, the hearing should adjourn until 20 August 2025 so the full and proper redactions could be made.

Decision and reasons on facts

The panel heard that in Mr Redwine's returned CMF, he had made admissions to charges 1a, 2 and 9c. The legal assessor advised the panel that it must be satisfied that these admissions are unequivocal in order to accept them. The legal assessor drew the panel's attention to the CMF, where Mr Redwine had included further contextual information regarding these admissions.

The panel, having had regard to the CMF and the legal advice, determined that charge 1a is unequivocally admitted. It further considered that in the additional information of the CMF, Mr Redwine accepts the factual allegation of charge 9c. The panel therefore finds charges 1a and 9c proved, by way of Mr Redwine's admissions.

The panel considered that charge 2 was not fully and unequivocally admitted by Mr Redwine, and so it determined to reject this admission and to consider this charge in its deliberations in due course.

In reaching its decisions on the disputed facts, the panel took into account all the oral and documentary evidence in this case together with the submissions made by Mr Radley.

The panel has drawn no adverse inference from the non-attendance of Mr Redwine.

The panel was aware that the burden of proof rests on the NMC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not that the incident occurred as alleged.

The panel heard live evidence from the following witnesses called on behalf of the NMC:

- Witness 1: Lead Investigator into the alleged incidents.

- Colleague A/Witness 2: Student Nurse/Staff Nurse at the Hospital during the time of the alleged incidents.

- Witness 3: Staff Nurse at the Trust during the time of the alleged incidents.

- Witness 4: Charge Nurse at the Trust during the time of the alleged incidents.

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor. It considered the witness and documentary evidence provided by the NMC.

The panel then considered each of the disputed charges and made the following findings.

Charge 1b)

That you, a registered nurse, whilst working as a Charge Nurse at the [PRIVATE]:

1. In or around March – April 2020 in relation to Colleague A:

    b. Said '*that's why you won't go out with me because you only like black men'* or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account the oral and documentary evidence of Witness 1 and Colleague A. In particular, it took into account Colleague A's oral evidence that Mr Redwine saw a picture of Colleague A's black friend on her phone and

said words to the effect of *"this is why you won't go out with me, you only like black boys."* The panel further noted that there is contemporaneous evidence from Colleague A's Notes of Investigation Interview dated 14 September 2021 regarding this allegation. It also noted that in Colleague A's witness statement, dated 5 December 2023, she stated:

> *"One of the men in the photo was black and Axl said "that's why you won't go out with me because you only like black men." I was dumbfounded by this comment, and it made me really uncomfortable."*

The panel also noted the witness statement of Witness 1 dated 29 November 2023 which stated:

> *"I spoke to Mr Redwine about another concern that he had commented to a colleague that she only dated black men after she had continually refused to date him. […] He wasn't upset by the allegations."*

The panel considered that there is sufficient, consistent evidence before it regarding this allegation. Whilst the panel was mindful that it should avoid judging the credibility of witness evidence based solely or substantially upon emotions, the panel took the view that in this instance the witness' demeanour was of some relevance within the witness' evidence as a whole. It considered that Colleague A appeared to be genuine in her evidence and that she became visibly emotional when speaking about this incident. The panel was of the view that Colleague A and Witness 1 both gave credible and consistent evidence, and it was therefore satisfied that it is more likely than not that this incident happened. It bore in mind that there has been no specific response to this charge from Mr Redwine in the CMF, however the panel determined that charge 1b is found proved.

Charge 2)

2. On an unknown date in a discussion of how young is too young to have sex with someone said ‘if there is grass on the pitch I would play the ball’ or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account the oral and documentary evidence of Witness 1, Colleague A, and the response of Mr Redwine in the CMF. In particular, the panel considered the witness statement of Witness 1, which stated:

> *“Mr Redwine said that he may have used the phrase if there was “grass on the pitch he would play the ball” but that he could not remember doing so. […] In speaking about this concern, Mr Redwine again minimized it and said it was just a silly phrase he may have used. He did not acknowledge that it was inappropriate.”*

The panel also had regard to the Notes of Investigation Interview with Mr Redwine, which were signed and dated by him on 26 October 2021. In response to being asked about using this phrase, Mr Redwine stated that he could not recall saying this, but he:

> *“would accept that if others recalled that he had done so, he previously said that he may of[sic] said this in a conversation as a silly phrase…”*

The panel also considered the oral evidence of Witness 1, in which he stated that his understanding of this phrase was that *“grass”* refers to pubic hair, and that if a person had pubic hair, that they would be old enough to have sex with.

The panel considered the witness statement of Colleague A, which stated:

> *“They were talking about how young is too young to have sex with someone. Axl said “if there is grass on the pitch I would play the ball”. When he said this, I was shocked and [Person B] and I looked at each other like what the hell. Axl was*

laughing. I told Axl that he wounded[sic] like a paedo and what he said was horrible."

The panel also considered the Notes of Investigation Interview with Colleague A, dated 11 October 2021 which states:

"I had been in the office where AR had been talking to others ([Person A] and [Person B] were present) about how young was too young to have sex. AR stated that "if there was grass on the pitch I would play the ball" which shocked me very much. I commented that it was unacceptable and that it sounded like something paedophiles would say."

The panel noted that in Colleague A's witness statement, she confirms that she reported Mr Redwine to the Matron of the Ward following this incident as she did not believe Person A (who was Mr Redwine's direct line manager) took Mr Redwine's comments seriously. The panel took into account Mr Redwine's response to this allegation, specifically that he may have used this phrase, but that it was a reference to the Inbetweeners television programme.

The panel noted that Mr Redwine appeared to be non-committal in response to this allegation on a number of occasions. The panel considered that Mr Redwine has not admitted to the use of this specific phrase but has accepted that he could have used this phrase in a silly manner. The panel considered the Session Record of Management Supervision, dated 27 May 2021 by Person A where Mr Redwine admitted to *"using phrases like this in jest and apologises if he has caused offence to anyone."* The panel noted that Witness 1 could not recall the Inbetweeners television programme ever being mentioned during the investigation interviews with both Mr Redwine and the other nursing staff. Additionally, Colleague A did not recall any reference to the Inbetweeners television programme when this conversation took place. The panel also noted that Mr Redwine did not mention the Inbetweeners television programme during his two investigation interviews and that the first time he raises this is in the CMF.

In light of the above, the panel considered that there is clear and consistent evidence that Mr Redwine made this comment. The panel noted Mr Redwine's account of how the phrase may have been used in jest, however it considered that Mr Redwine's response to this allegation was non-committal and inconsistent. Therefore, the panel found that charge 2 is proved.

Charge 3)

3. On unknown dates would suggest that Colleague A did not have a sense of humour or was jealous when she challenged you for your comments.

This charge is found proved.

In reaching this decision, the panel took into account Colleague A's oral and documentary evidence. In particular, the panel considered Colleague A's witness statement which stated:

> *"Often when sexualised comments or jokes were made and I challenged them it was suggested that I was a prude or did not have a sense of humour or I was jealous."*

In her oral evidence, Colleague A confirmed that these comments were made several times over a sustained period when she challenged Mr Redwine when he talked about his personal dating and sex life. Colleague A explained that she told Mr Redwine that she did not want to hear about his personal life, and she was repeatedly called jealous and a prude. The panel considered that Colleague A was clear and consistent in her evidence. It considered that whilst there were no specific examples given of the comments being made, that Colleague A had been clear when stating that these comments were regularly made in her presence. This displays evidence of an abuse of the power disparity between

Mr Redwine and Colleague A. The panel accepted both the written and oral evidence in respect of this allegation. The panel therefore determined that charge 3 is found proved.

Charge 4)

4. On an unknown date said that you would 'turn' Colleague B who was gay or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account Colleague A's oral and documentary evidence. In particular, the panel considered the Notes of Investigation Interview with Colleague A in which she stated:

> *"I also felt uncomfortable that AR spoke about a colleagues sexuality and that he would "turn her", he said that she had a girlfriend as she hadn't had the right man. The colleague he referred to is [Person C]."*

In her oral evidence, Colleague A recalled that Mr Redwine made comments *"a few times"* about being able to *"turn"* Person C. She confirmed that she understood that this phrase to mean that Mr Redwine "*could "get with" her or be with her in a heterosexual way."* The panel also considered Colleague A's witness statement which stated:

> *"I had also heard Axl say that he would "turn" a female colleague who was gay. This was incredibly inappropriate, and I think he had also said this directly to her."*

The panel considered the evidence of Witness 1, and in particular his witness statement in which he stated:

> *"There was also concern that Mr Redwine had made inappropriate comments to and about colleague [Person C], who was gay. Mr Redwine supposedly said that he*

would "turn" her and that he had made unwelcome advances towards her. When I asked Mr Redwine about this he felt that it was just banter and he was surprised that [Person C] had said that Mr Redwine was rude and offensive. Mr Redwine felt that [Person C] had used offensive comments back to him so he was surprised she had taken offense."

The panel considered that this is evidence of Mr Redwine accepting that he could have made this comment, or a comment like this. The panel further considered that there is consistent contemporaneous evidence of this comment being made in the Investigation Interview with Colleague A which has been supported by consistent and credible oral evidence from Colleague A and Witness 1. The panel therefore determined that charge 4 is proved.

Charge 5)

5. On unknown dates at work would brag about going out and sleeping with multiple women at work.

This charge is found proved.

In reaching this decision, the panel took into account the evidence of Colleague A, Witness 1 and Witness 3. In particular, the panel noted the oral evidence of Colleague A that Mr Redwine was *"flaunting"* his relationships and that he aways initiated the conversations. The panel also took into account the witness statement of Colleague A which stated:

"However, Axl continuously bragged about going out and sleeping with multiple women. He was really vulgar about it, and we didn't want to hear about it."

The panel also noted the contemporaneous Notes of Investigation Interview with Colleague A, which stated:

"AR would also talk about his Tinder dates and the number of women he was having sex with…"

The panel considered that this was further supported by the oral evidence of Witness 3, who stated that Mr Redwine was *"arrogant"* in respect of his sex life. It noted Witness 3's witness statement dated 17 December 2023 which stated:

"Axl also continually talked about her[sic] personal romantic relationships and the way he spoke about these women was really inappropriate. I felt that it was really degrading the way he talked about these women and I remember questioning him about it saying I was a woman and a girl and asked him if he would treat all women like that. He was very dismissive of me and just said that men were like that."

The panel also noted Witness 1's witness statement which stated:

"Concerns had also been raised about Mr Redwine discussing his sex like[sic] in explicit detail on the Ward. When I asked Mr Redwine about this, he said that staff all shared details of their relationships and that he didn't think anyone had been distressed by what he had shared. However, the things that Mr Redwine shared and that he showed pictures of topless women to his colleagues went beyond what was appropriate in the workplace. Again, Mr Redwine had been spoken to about this concern multiple times during supervisions but his conduct did not change."

The panel also noted that in Witness 3's oral evidence, she confirmed that Mr Redwine often spoke about being a man and having lots of women that were interested in him. The panel also saw contemporaneous evidence that discussing his personal relationships openly in the workplace had been raised as unacceptable with Mr Redwine during supervision sessions with his line managers.

The panel was of the view that there is sufficient contemporaneous evidence which is supported by witness statements and oral evidence that Mr Redwine did brag about his sexual relationships with women at work, and therefore the panel determined that charge 5 is proved.

Charge 6)

6. On an unknown date after Colleague A raised concerns said that she was being bitchy or malicious or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account the oral and documentary evidence of Colleague A.

The panel considered the contemporaneous Notes of Investigation Interview with Colleague A in which she stated:

> *"When I raised concerns on other occasions AR would say that I was being "bitchy" or "malicious" he was dismissive and did not take my concerns seriously. The impact of this was that I did not feel able to raise concerns with AR they were not taken seriously or shared."*

The panel noted Colleague A's witness statement, which stated:

> *"Anytime I raised a patient safety concern or staff behaviours concern AxI would say that I was being bitchy or malicious.*
> *…*
> *His attitude contributed to a culture of trying to keep people quiet about concerns. I know that I had reported things to him before and then later asked staff senior to*

him and they didn't know of my concerns. He never reported the concerns appropriately."

The panel considered Colleague A's oral evidence where she described an instance where she raised a concern about another nurse, and Mr Redwine dismissed her concerns as he believed that Colleague A did not like the other nurse. Colleague A provided context for the concern and explained that it was an ongoing important and complex issue which she tried to pursue with Mr Redwine. She explained that she reported the issue to more senior members of staff as it was unacceptable. The panel considered this displays evidence of an abuse of the power disparity between Mr Redwine and Colleague A. The panel noted that Colleague A was consistent in both her contemporaneous interview and oral evidence that Mr Redwine used these words in reference to her.

The panel was satisfied that the NMC has discharged the burden of proof and determined that charge 6 is proved.

Charge 7a)

7. On an unknown date told unknown colleagues:

    a. That their bottom was big.

    Or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account the oral and documentary evidence of Witness 3. In particular, the panel considered the Notes of Investigation Interview with Witness 3, dated 3 October 2021 which stated:

“On one occasion I was in the utility room with a member of staff and another band 6 member of staff was present. AR said to the member of staff that her bottom was big. I felt uncomfortable and awkward not knowing what to say. I do not feel that I can name those members of staff at this time.”

Witness 3 had also confirmed in her Investigation Interview that she had heard Mr Redwine make this remark. The panel considered that this is supported by Witness 3’s witness statement, which stated:

“There was an instance when I heard Axl tell a member of staff that her bottom was big. I don’t know if it was meant to be banter but if I had been told that I would have been uncomfortable. I don’t know how that member of staff felt as I had wanted to speak to her but I was busy. Axl made a lot of comments that shouldn’t be said in a work environment.”

The panel took into account Witness 3’s oral evidence, in which she stated that she had a *“vivid memory of this incident”* and that Mr Redwine said *““you've got a big bottom” and hit the member of staff's bottom, like give it a little bit of a slap.”* Witness 3 further explained that she regretted not asking the member of staff if she was okay after this incident.

The panel considered that Witness 3 had been credible when giving evidence and that her evidence had been consistent throughout. Therefore, the panel determined that charge 7a is found proved.

Charge 7b)

7. On an unknown date told unknown colleagues:

    b. That they were a ‘big fat cunt’

    Or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account the oral and documentary evidence of Colleague A and Witness 3. In particular, the panel had regard to Colleague A's witness statement which stated:

> *"[Mr Redwine] said he wouldn't go with her with a lot of vitriol in his voice, which is bad because [Person D] is very experienced and knowledgeable about the process. He said [Person D] was a "fat cunt"."*

The panel noted that there was some inconsistency in Colleague A's evidence in her Investigation Interview and that of her witness statement to the panel in that she could not recall the exact words used. However, during her oral evidence in response to panel questions when this inconsistency was put to her, she was clear that Mr Redwine had used these exact words.

The panel also considered the evidence of Witness 3. The panel considered the Notes of Investigation Interview for Witness 3 in which she stated:

> *"I have also witnessed AR using the words "cunt" and "bitch" and AR calling [Person E] a "big fat cunt" when there were other staff present."*

The panel noted Witness 3's witness statement which stated:

> *"I also had heard Axl call a colleague a "bit fat cunt" and say "bitch" about another colleague. He said this in a serious way and he wasn't joking. That was not ok to do in a work environment and he should have kept it to himself."*

In light of the above, the panel was satisfied that there is sufficient, consistent evidence that Mr Redwine used these words or words to that effect and therefore it found charge 7b proved.

Charge 7c)

7. On an unknown date told unknown colleagues:

    c. That they were a ‘bitch’

    Or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account its findings at charge 7b and Witness 3’s oral evidence. The panel noted that in oral evidence, Witness 3 confirmed that Mr Redwine frequently used the word *“bitch”* to refer to members of staff, specifically when they disagreed with him and that he would say it behind their backs. The panel considered this displays evidence of an abuse of the power disparity between Mr Redwine and at least some of his female colleagues.

For the reasons given in the panel’s findings on charge 7b above, and considering the oral and contemporaneous evidence of Colleague A regarding the frequency of name calling by Mr Redwine, the panel determined that charge 7c is proved.

Charge 7d)

7. On an unknown date told unknown colleagues:

    d. That he ‘didn’t give a fuck’ about any issues in their life.

Or words to that effect.

This charge is found proved.

In reaching this decision, the panel took into account the oral and documentary evidence of Witness 4. In particular, the panel considered the Notes of Investigation Interview with Witness 4 dated 13 October 2021 which stated:

> *"I also feel that AR displays a undermining sexualised attitude and does not support staff. I have heard (not directly) that he has said to staff he does "not give a sh*t, F*ck" and that he is not going to stay to help the team staffing."*

The panel took into account Witness 4's witness statement which stated:

> *"I also felt that Axl lacked empathy for the staff. I quite often heard him tell staff that he "didn't give a fuck" about any issues in their life. One time a staff member had to leave early as their child had an accident and Axl said he didn't care."*

In her oral evidence Witness 4 clarified that she had heard from other members of staff, and had also heard it directly herself, i.e Mr Redwine telling people that he *"did not give a fuck."* She clarified that she was told a lot of information during a handover and that she had also heard him say this herself. The panel considered that the evidence of Witness 4 was credible and consistent when tested. The panel was satisfied that Witness 4 provided an honest account and told the panel when she could not recall details. In light of the above, the panel determined that charge 7d is proved.

Charge 8)

8. Your conduct at any or all of charges 1 – 7 amounted to harassment of Colleagues in that:

a. The conduct was unwanted conduct.
b. The conduct was of a sexual nature and/or related to the Colleagues' sex.
c. It had the purpose and/or effect of violating Colleagues' dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment.

This charge is found proved.

The panel considered charges 1-7 individually and, in each case, determined whether the conduct it had found proved amounted to harassment as set out at charge 8. The panel accepted the advice of the legal assessor that in order to find that Mr Redwine's conduct in relation to any of charges 1-7 amounted to harassment, it would need to find each element of charge 8a, 8b and 8c proved.

The panel took into account its findings in relation to charges 1-7, the documentary and oral evidence of all the witnesses and Mr Redwine's responses to the allegations in the CMF.

Charge 1a and 1b

In respect of charge 1a and 1b, the panel noted that in the Notes of Investigation Interview between Mr Redwine and Witness 1, it is stated that:

> *"AR could recall that over a year ago, on two occasions he had asked his colleague S/N [Colleague A] out for a drink, she declined and raised that she did not like being asked this. AR did not ask again."*

The panel also considered that in the CMF, Mr Redwine made the following admission:

> *"i did ask a collegue [Colleague A] for drinks on a few occasion in a light*

hearted way, i felt we had a good working relationship which was reciprocated. once it was raised she felt uncomfortable regarding me asking her for drinks, i immediately apologised and did not continue to ask her. I felt saddened at this time as i meant no bad intention and felt bad i made her feel incomfortable."

The panel took into account the evidence of Colleague A. In particular, her Notes of Investigation Interview stated:

"When I joined the ward in April 2020, AR asked me out for a date on almost a daily basis for many months, I would always respond that I didn't date work colleagues by AR persisted in asking me. I told him that he needed to stop doing this which he eventually did."

The panel also considered Colleague A's witness statement in which she confirms:

"When I had first started working on the Ward, Axl asked me out on dates regularly for months. I told him no each time. I am a really private person, and I don't talk about my relationship status. Axl would tell me that I was lovely and ask why I was single and when was I going to take him out. He even made a list of pros and cons of dating him. It made me very uncomfortable, and I would awkwardly laugh it off. I told him that I don't date people that I work with. I tried to be polite and professional. But he continued to ask me out all the time even after I told him to stop. I didn't find it funny."

Colleague A clarified in oral evidence that Mr Redwine only stopped asking her on dates after she spoke with other members of staff and a team leader. She stated that Mr Redwine did not stop asking her out for months, despite telling him that she did not like it. Colleague A confirmed in her evidence that she never received an apology from him. The panel also took into account Colleague A's oral and documentary evidence that Mr Redwine repeatedly asked her out and did not stop once she made it clear that she was not interested. In her evidence, Colleague A further stated that Mr Redwine provided her

with a handwritten “pros and cons” list of dating him. She stated in her evidence that this was *“jarring”* and *“inappropriate,”* specifically that this happened during work. In her evidence, Colleague A stated that this made her very uncomfortable and that she would try to avoid conversations with Mr Redwine.

The panel considered the evidence of Witness 3. In particular, her witness statement which stated:

> *“I also saw Axl flirting with colleague [Colleague A] and [she] was obviously uncomfortable.”*

It noted that Witness 3 in her evidence stated that Colleague A was *“obviously uncomfortable,”* and that Mr Redwine’s actions were inappropriate because of the *“intensity and the repetition.”*

The panel also considered Witness 4’s witness statement which stated:

> *“Axl also made advances to one staff member and made her uncomfortable.”*

The panel further noted that in Colleague A’s oral evidence, she described that when she rejected Mr Redwine’s advances, he became “*passive-aggressive*” and purposely increased her workload when she was busy. The panel noted that in her oral evidence she recounted a specific incident where Mr Redwine asked her to fill out a Datix report for an incident he witnessed as he was too busy. She explained that this was a long process, requiring a lot of work, and that he stood and watched her. She explained to the panel that as he was the witness to the event, Mr Redwine should have been the one completing the form. The panel considered that this is evidence of Mr Redwine’s attempt to control and exert his power over her, following her rejection of him. The panel considered this displays evidence of an abuse of the power disparity between Mr Redwine and Colleague A.

In addition, the panel considered the comment made in charge 1b, and it noted that it was unwanted in light of Colleague A's previous and sustained rejection of Mr Redwine. The panel noted that the comment was hugely inappropriate, offensive and judgmental. The panel considered that this was an unwarranted intrusion into Colleague A's personal life, and was extremely upsetting for Colleague A.

In considering all of the above, the panel considered that the evidence confirms that this was unwanted conduct that was sexual in nature as witnesses recounted that Mr Redwine was flirting with Colleague A repeatedly. This was persistent over a sustained period of time and in spite of Colleague A clearly stating that it was unwanted.

The panel was satisfied that this created a hostile, degrading, humiliating or offensive environment in which Colleague A was forced to take evasive action, e.g leave rooms when Mr Redwine was present, in order to avoid this environment. In light of the above, the panel found charge 8 proved in respect of charge 1a and 1b.

Charge 2

In respect of charge 2, the panel considered that this comment is entirely inappropriate and offensive, but specifically unwarranted in a work environment. The panel considered that it is of a sexual nature in that it relates to having sex with a younger person. It took into account Colleague A's oral evidence that the office in which she overheard the comment was *"small"* and that *"everyone hears everything."* She said she challenged it and said this is something paedophiles would say, and she noted that Person A distanced himself after the comment was made. Colleague A, in her oral evidence, stated that:

> *"I found it deeply disturbing, inappropriate, it means different things to different people but I don't have the words to describe how I feel about that it was really shocking."*

The panel considered that this comment violated Colleague A's dignity and had the effect of creating a hostile, degrading and offensive environment. In light of the above, the panel considered that charge 8 is found proved in respect of charge 2.

Charge 3

In respect of charge 3, the panel considered that Colleague A's evidence was that these comments were made repeatedly in response to her expressing her discomfort during inappropriate conversations of a sexual nature. The panel considered that calling a person *"jealous"* or a *"prude"* is offensive and degrading and would contribute to a hostile work environment. The panel considered that this was a pattern of behaviour to minimise and devalue Colleague A's position in the workplace, in order for Mr Redwine to be able to continue with this behaviour and to make her feel that the real problem was with her. The panel considered that this was a further example of an intimidating, hostile, degrading, humiliating and offensive environment. In light of the above, the panel considered that charge 8 is found proved in respect of charge 3.

Charge 4

In respect of charge 4, the panel took into account the Notes of Investigation Interview between Person C and Witness 1. In particular, the panel considered that Person C stated:

> *"…AR makes inappropriate sexual comments all the time.*
> *I have a girlfriend and a colleague told me that AR said that he would "turn me straight" as I had not had the right man. I found this very offensive."*

The panel considered that this is evidence of the comments being unwarranted. The panel was satisfied that this remark was of a sexual nature as it relates to Person C's sexuality and personal relationship, and alludes to having intercourse in order to *"turn"* her straight. The panel also noted that this comment refers to the protected characteristic of sexual

orientation, but it bore in mind the particulars of the charge and was satisfied this was proved purely on the basis that the comment was of a sexual nature.

The panel noted that in the Notes of Investigation Interview with Colleague A, she described that:

> *"I felt uncomfortable that AR spoke about a colleagues sexuality and that he would "turn her", he said that she had a girlfriend as she hadn't had the right man."*

The panel considered that these comments are upsetting, degrading and offensive and had the impact of creating a hostile work environment. Therefore, it determined that charge 8 is proved in relation to charge 4.

Charge 5

In respect of charge 5, the panel considered its previous findings and the evidence of Colleague A and Witness 3. In particular, the panel noted that in Colleague A's oral evidence, she told the panel that Mr Redwine's comments about his personal life made her feel uncomfortable and that she did not want to hear it. Colleague A described one incident where Mr Redwine told her about a Tinder date he had been on where he slept with a woman but left early because she was *"ugly."* Colleague A told the panel that this conversation was *"unprompted and unpleasant."* The panel considered that this is evidence that the comments were unwarranted.

The panel also considered the evidence of Witness 3, who in her oral evidence told the panel that Mr Redwine would *"describe the sexual acts that he did, letting it all out for everyone to know."* Witness 3 told the panel that Mr Redwine *"said he only looks at women and girls for his own pleasure"*, which made her feel uncomfortable. The panel was satisfied that these comments were unwanted and were of a sexual nature. Noting the discomfort that both Colleague A and Witness 3 described in their oral evidence, the panel was satisfied that Mr Redwine's conduct had the effect of creating a humiliating,

degrading, offensive and hostile work environment. It therefore found charge 8 proved in respect of charge 5.

Charge 6

In respect of charge 6, the panel considered the nature of the charge and determined that it would be unwanted to be referred to as *"bitchy"* or *"malicious"* in a professional setting. The panel also considered Colleague A's description of her relationship with Mr Redwine and noted that she did not want to be called these names. The panel noted that this conduct is not of a sexual nature, but that it does relate to Colleague A's sex. The panel was of the view that the term *"bitch"* is typically used to refer to women, and specifically *"bitchy"* is a term used to describe a woman's spiteful or critical way of behaving or speaking. The panel considered that this gendered language satisfies the requirement that the conduct was related to Colleague A's sex. The panel also considered this to be an intimidatory use of language intended to manipulate Colleague A, prevent her from raising issues thus ensuring her silence. The panel further considered that this language is offensive, degrading, derogatory and intimidating and had the effect of creating a hostile work environment. In light of the above, the panel considered that charge 8 is found proved in respect of charge 6.

Charge 7a, 7b, and 7c

The panel considered charge 7a, 7b and 7c together in respect of charge 8. The panel considered the nature of these comments, and that these are serious, unkind and inappropriate comments, particularly in the context of the workplace. The panel considered that the comments are specifically related to gender, in that these are demeaning terms typically used in describing women. The panel considered that this language is hostile, humiliating, degrading and offensive and had the effect of creating a hostile work environment. Therefore charge 8 is found proved in respect of charge 7a, 7b and 7c.

Charge 7d

In respect of charge 7d, the panel was satisfied that this was unwanted conduct, specifically that it was an inappropriate comment to make in the workplace. The panel considered that it was particularly inappropriate in the workplace as Mr Redwine was in a leadership position and should have been supporting his staff. The panel did not consider, however, either that the comment was of a sexual nature, or that it related to colleagues' sex. As the panel has not found 8b proved in this instance, the panel did not find that Mr Redwine's comment in 7d amounted to harassment of his colleagues.

Charge 9a)

9. On unknown dates:

    a. Failed to assist an unknown patient when they collapsed and had a seizure when a band 3 clinical support worker was managing the emergency.

This charge is found not proved.

In reaching this decision, the panel took into account the evidence of Colleague A, Witness 1 and Mr Redwine's completed CMF. It noted that the evidence suggests that in addition to the Band 3 Clinical Support Worker (CSW), an Assistant Practitioner (AP) and a Student Nurse (St/N) attended this incident.

The panel considered Colleague A's oral evidence, in which she confirmed that she had not witnessed the incident but that she knew about it because she had seen it on the CCTV footage, but this did not have sound.

The panel considered the Notes of Investigation Interview with Person F and Witness 1 in which she provided context to this incident as:

"The St/N and AP cared for the patient and [Person G] identified that the patient had cut their arm severely when they fell to the floor, she asked for a dressing and bandage and AR left the area."

The panel noted that in his interview with Witness 1, Mr Redwine:

"could not recall a specific incident but would have thought if this occurred, he would of responded and if he found the AP and St/N were dealing with the situation in a safe way and not requiring further assistance he would leave them to manage it."

The panel also considered that in the CMF, Mr Redwine confirms that he cannot recall the incident.

The panel bore in mind that in Witness 1's oral evidence, he confirmed that the AP in question was trained to a level where she could make assessments of an incident like the one described. The panel accepted that as the Charge Nurse, Mr Redwine had a duty to oversee incidents on the ward and to ensure that patients receive optimal care. However, taking into account the statement and oral evidence of Witness 1, and the evidence of Person G, the panel considered that the incident was appropriately dealt with and therefore the panel was not satisfied on the balance of probabilities that Mr Redwine failed to assist a patient as the AP was appropriately trained to manage the emergency. In light of the above, the panel determined that the NMC has not discharged the burden of proof in respect of this charge and therefore charge 9a is not proved.

Charge 9b)

9. On unknown dates:

    b. Failed to hand over that there had been a change in risk with an unknown patient.

This charge is found not proved.

In reaching this decision, the panel took into account the documentary and oral evidence of Witness 4. In particular, the panel took into account the Notes of Investigation Interview in which Witness 4 states:

> *"I have witnessed poor quality handovers by AR, on one occasion I had been threatened with a knife by a patient but AR did not pass that risk information onto the next shift. He did not accept feedback about this…"*

The panel also considered Witness 4's witness statement, which stated:

> *"I also had a concern about Axl giving a poor handover about an escalation of a patient's risk. In this incident a patient pulled a cutlery knife on me. I discussed what happened with Axl and he should have handed it over to the next shift. I documented the incident but Axl was in charge of handing it over. The following day, no one knew about what had happened because Axl had not handed it over and warned them about the escalation in risk."*

In her oral evidence Witness 4 confirmed that Mr Redwine was responsible for the handover and that he failed to handover the change in risk for this patient, despite it being his responsibility to do so. The panel found that there was insufficient evidence in respect of this charge. There is no contemporaneous written documentation regarding the handover, and no one involved in the handover has attended to give evidence regarding what was handed over orally. The panel was of the view that there is not enough evidence before it to identify if the handover was completed correctly or not. The panel has no doubt that Mr Redwine was responsible for the handover, but it could not be satisfied that Mr Redwine failed to handover that there had been a change in risk with an unknown patient.

In light of the above, the panel could not conclude that Mr Redwine failed to hand over that there had been a change in risk with an unknown patient. Therefore, it determined that this charge is not found proved.

Fitness to practise

Having reached its determination on the facts of this case, the panel then moved on to consider, whether the facts found proved amount to misconduct and, if so, whether Mr Redwine's fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise kindly, safely and professionally.

The panel, in reaching its decision, has recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage, and it has therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, Mr Redwine's fitness to practise is currently impaired as a result of that misconduct.

Submissions on misconduct

Mr Radley invited the panel to take the view that the facts found proved amount to misconduct. The panel had regard to the terms of 'The Code: Professional standards of practice and behaviour for nurses and midwives 2015' (the Code) in making its decision.

Mr Radley provided written representations to the panel and made supplementary oral submissions. He identified the specific, relevant standards where Mr Redwine's actions amounted to misconduct.

Mr Radley submitted that Mr Redwine's conduct in the charges found proved fall far short of the standards expected of a nurse. He submitted that Mr Redwine's conduct amounts to serious professional misconduct. He submitted that this is serious professional misconduct in that these issues relate to Mr Redwine's role as a Charge Nurse and his conduct affected staff morale, and consequently patient confidence.

Mr Radley submitted that the conduct took place over a sustained period and was therefore not isolated. He submitted that this had a serious impact on staff. He submitted that the conduct relates to abuse in the workplace, specifically based on staff member's gender and sexual orientation. He submitted that Mr Redwine's conduct demonstrates a lack of professionalism.

Mr Radley submitted that these factors could have a serious effect on patient trust and confidence in the nursing profession. He submitted that this underpins the need to identify this behaviour as serious misconduct in this case.

Submissions on impairment

Mr Radley moved on to the issue of impairment and addressed the panel on the need to have regard to protecting the public and the wider public interest. This included the need to declare and maintain proper standards and maintain public confidence in the profession and in the NMC as a regulatory body. This included reference to the cases of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin).

Mr Radley submitted that Mr Redwine has breached a considerable number of areas of the Code and fundamental tenets of the nursing profession. He submitted that a finding of

impairment is required to mark the unacceptability of the behaviour, to emphasises the importance of the fundamental tenets breached and to reaffirm proper standards of behaviour.

Mr Radley invited the panel to consider the context in which Mr Redwine's conduct occurred, specifically:

- Mr Redwine was overly confident when he began working at the Hospital;
- Mr Redwine's contribution to work culture and environment, including the use of sexual language, laddish culture and his attitude towards women and the gay community;
- Mr Redwine's misogynistic attitude and targeting of junior female staff.
- Working in a busy unit.

Mr Radley submitted that these features and with any others identified by the panel do substantially adversely affect Mr Redwine's ability to practise kindly, safely and professionally.

Mr Radley submitted that Mr Redwine has provided some evidence of learning and character references. However, he submitted that there is a clear statement from Mr Redwine that he has left the profession. Mr Radley submitted that it is a matter for the panel to determine whether Mr Redwine has addressed, or taken any steps to address, any concerns or risks identified in the case. He further submitted that it is likely that the conduct would be repeated because these concerns are of a kind that are difficult to put right. Specifically, they appear to demonstrate a poor attitude to sexuality, gender and equal treatment which may impact on Mr Redwine's ability to practise kindly, safely and professionally.

Mr Radley submitted that the consequences of Mr Redwine's conduct risked the public's trust and confidence in the profession. He therefore invited the panel to find that Mr Redwine's fitness to practise is currently impaired.

The panel accepted the advice of the legal assessor which included reference to relevant judgments and NMC guidance.

Decision and reasons on misconduct

In coming to its decision, the panel had regard to the case of *Roylance v General Medical Council (No. 2)* [2000] 1 AC 311 which defines misconduct as a *'word of general effect, involving some act or omission which falls short of what would be proper in the circumstances.'*

When determining whether the facts found proved amount to misconduct, the panel had regard to the terms of the Code.

The panel was of the view that Mr Redwine's actions did fall significantly short of the standards expected of a registered nurse, and that Mr Redwine's actions amounted to a breach of the Code. Specifically:

> ***'8 Work cooperatively***
> *To achieve this, you must:*
>
> ***8.1*** *respect the skills, expertise and contributions of your colleagues, referring matters to them when appropriate*
> ***8.2*** *maintain effective communication with colleagues*
> ***…***
> ***8.4*** *work with colleagues to evaluate the quality of your work and that of the team*
> ***8.5*** *work with colleagues to preserve the safety of those receiving care*
> ***8.6*** *share information to identify and reduce risk*

9 Share your skills, knowledge and experience for the benefit of people receiving care and your colleagues

To achieve this, you must:

…

9.2 *gather and reflect on feedback from a variety of sources, using it to improve your practice and performance*

9.3 *deal with differences of professional opinion with colleagues by discussion and informed debate, respecting their views and opinions and behaving in a professional way at all times*

9.4 *support students' and colleagues' learning to help them develop their professional competence and confidence*

16 Act without delay if you believe that there is a risk to patient safety or public protection

To achieve this, you must:

…

16.4 *acknowledge and act on all concerns raised to you, investigating, escalating or dealing with those concerns where it is appropriate for you to do so*

16.5 *not obstruct, intimidate, victimise or in any way hinder a colleague, member of staff, person you care for or member of the public who wants to raise a concern*

16.6 *protect anyone you have management responsibility for from any harm, detriment, victimisation or unwarranted treatment after a concern is raised*

20 Uphold the reputation of your profession at all times

To achieve this, you must:

20.1 *keep to and uphold the standards and values set out in the Code*

20.2 *act with honesty and integrity at all times, treating people fairly and without discrimination, bullying or harassment*

20.3 *be aware at all times of how your behaviour can affect and influence the behaviour of other people*

…

20.5 *treat people in a way that does not take advantage of their vulnerability or cause them upset or distress*

20.6 *stay objective and have clear professional boundaries at all times with people in your care (including those who have been in your care in the past), their families and carers*

20.7 *make sure you do not express your personal beliefs (including political, religious or moral beliefs) to people in an inappropriate way*

20.8 *act as a role model of professional behaviour for students and newly qualified nurses, midwives and nursing associates to aspire to*

…

20.10 *use all forms of spoken, written and digital communication (including social media and networking sites) responsibly, respecting the right to privacy of others at all times*

24 Respond to any complaints made against you professionally

To achieve this, you must:

…

24.2 *use all complaints as a form of feedback and an opportunity for reflection and learning to improve practice*

25 Provide leadership to make sure people's wellbeing is protected and to improve their experiences of the health and care system

To achieve this, you must:

25.1 *identify priorities, manage time, staff and resources effectively and deal with risk to make sure that the quality of care or service you deliver is maintained and improved, putting the needs of those receiving care or services first*

25.2 *support any staff you may be responsible for to follow the Code at all times. They must have the knowledge, skills and competence for safe practice; and understand how to raise any concerns linked to any circumstances where the Code has, or could be, broken'*

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. However, the panel was of the view that Mr Redwine's conduct not only breached a significant number of fundamental principles within the Code, but was also indicative of a disregard for the Code, all of which had a detrimental impact on staff at the Trust. The panel also noted that his conduct took place over a sustained period of time.

The panel had regard to the NMC Guidance FtP – 2a *Misconduct* (last updated: 6 May 2025). In particular:

"The environment that all health and social care professionals work in should be safe and free from bullying, harassing (including sexual harassment) and victimising behaviours, as well as any abuses of power to exploit, coerce or obtain a benefit (for example sexual or monetary) from people receiving care, colleagues or students.

…

The presence of bullying, harassment (including sexual harassment) and victimisation in the workplace can have an extremely negative effect on the work environment, performance and attendance. This in turn can have an effect on the delivery of care and if not dealt with can affect trust and confidence in the professions."

Charges 1 – 8

The panel considered that several of the charges found proved are sexual in nature, relate to an abuse of his position of trust and his targeting and harassment of junior female colleagues. The panel considered that Mr Redwine's conduct contributed to a professional

environment that did not support staff in providing a high standard of care, specifically that his behaviour was manipulative, intimidating and abusive of his position of responsibility. The panel considered that these breaches were particularly serious because Mr Redwine has failed to, up to and including his response to the NMC in June 2025, accept any significant responsibility for his actions and has failed to respond to feedback from his line manager, which suggests that he has deep-seated attitudinal issues.

The panel was of the view that the numerous breaches of the Code taken together with the context of the conduct amounted to a pattern of serious professional misconduct. The panel found that Mr Redwine's actions did fall seriously short of the conduct and standards expected of a nurse and amounted to serious professional misconduct.

Charge 9c

In respect of charge 9c, which is the only clinical practice charge found proved, the panel considered that Mr Redwine made some admissions to it when it was identified on the ward and subsequently in the CMF. The panel heard no evidence that the error was made maliciously or with intent and there was no adverse outcome from the error. In this instance, the panel was satisfied that this charge on its own did not constitute serious misconduct.

Decision and reasons on impairment

The panel next went on to decide if as a result of the misconduct, Mr Redwine's fitness to practise is currently impaired.

In coming to its decision, the panel had regard to the Fitness to Practise Library, updated on 27 March 2023, which states:

> *'The question that will help decide whether a professional's fitness to practise is impaired is:*

"Can the nurse, midwife or nursing associate practise kindly, safely and professionally?"
If the answer to this question is yes, then the likelihood is that the professional's fitness to practise is not impaired.'

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional and to maintain professional boundaries. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. They must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of *CHRE v NMC and Grant* in reaching its decision. In paragraph 74, she said:

'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.'

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her/ fitness to practise is impaired in the sense that S/He:

a) *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*

b) *has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*

c) *has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*

d) *…*

The panel finds that Mr Redwine's colleagues were caused emotional harm as a result of his misconduct. It noted that Colleague A and Witness 3 remained affected by the misconduct several years on. The panel had particular regard to the NMC guidance, and noted that an environment of bullying, harassment or victimisation had the effect of undermining staff attendance and performance at work. In particular, the panel took into consideration that Mr Redwine's treatment of Colleague A, who was a student nurse at the beginning of her employment at the Hospital and then a newly qualified Staff Nurse, was significant. Mr Redwine's conduct towards her as her line manager, actively discouraged her from asking questions or raising concerns which could have impacted patient safety and also hinder her professional development. The panel was of the view that Mr Redwine's misconduct could continue to have an effect on the delivery of care by all nurses under his supervision and could affect trust and confidence in the professions.

The panel determined that Mr Redwine's misconduct had breached the fundamental tenets of kindness and professionalism expected of the nursing profession and therefore brought its reputation into disrepute. The panel took into account Mr Redwine's discriminatory behaviour, which included commenting in a derogatory and sexualised manner on another individual's sexual orientation. The panel also noted his use of misogynistic language, such as using undermining and degrading terminology about women and their physical appearance in the presence of other colleagues and his

manipulative treatment of female staff, in that he used terminology to suggest that the reaction of nurses was the real issue rather than his unacceptable behaviour. The panel considered that public confidence in the profession would be seriously damaged if the NMC as a regulator did not find the charges relating to harassment extremely serious. For the reasons given above, the panel determined that limbs a, b and c of the *Grant* test are engaged in respect of the past. The panel then continued to consider whether there remains a risk of harm and/or a high risk of repetition.

The panel considered that there is evidence before it of Mr Redwine having deep-seated attitudinal issues. In particular, the panel noted that these charges relate to unwanted behaviour and sexual harassment of his colleagues, misogynistic language that created an intimidating and hostile work environment where those who were out of favour were treated differently. The panel considered that the charges found proved suggest that Mr Redwine abused his position of authority to manipulate, intimidate, sexually harass and abuse colleagues (often more junior) and placed his own personal desires ahead of his duties as a professional. These matters are reflected by the numerous and significant breaches of the Code identified by the panel. The panel had regard to the NMC Guidance which states:

> *"When a professional on the register engages in these types of behaviours, the possible consequences are far-reaching. Members of the public may experience less favourable treatment, or they may feel reluctant to access health and care services in the first place. We know that experiences of discrimination can have a profound effect on those who experience it and that fair treatment of staff is linked to better care for people."*

Therefore, the panel was of the view that this misconduct is very serious, attitudinal and it is difficult to put right.

Regarding insight, the panel considered that Mr Redwine has never at any stage accepted or apologised for his misconduct. The panel noted that Mr Redwine has not demonstrated

remorse for his misconduct and has not taken steps to consider how his actions have impacted his colleagues, or the reputation of the wider nursing profession. The panel also considered that Mr Redwine has not reflected on his role as a leader. The panel noted that as a Charge Nurse on the ward, Mr Redwine has not considered the impact his position has on his direct reports, including being responsible for the mentoring, guidance and professional development of Colleague A in particular.

The panel determined that Mr Redwine has not taken steps to strengthen his practice. The panel acknowledged the positive testimonials about his clinical practice and the training certificates that Mr Redwine has provided. The panel has had no evidence before it to show that Mr Redwine has learnt from the training courses or his reflections and also has no evidence of how he has put any such learning into practice. The panel considered that the concerns relate to his behaviour and Mr Redwine has not yet demonstrated any serious reflections or that he understands the impact of his misconduct.

The panel had regard to an email to the NMC dated 21 June 2025, in which Mr Redwine stated:

> *"Save yourself the time of doing a hearing. I'm not going to practice as a nurse again. I think the NMC is a joke. Just removed[sic] me from the register. If it's easier to just say I admit all charges even I thought[sic] I do not agree then I will do that. I cannot be bothered to argue my case as I have not been supported or listened to in the last 4 years since this has happened. I used to be a proud nurse and thought highly of the NMC. However, I am disgusted at how the NMC has treated me and even had the courtesy to offer me to speak in person with someone in 4 years. I have tried to make contact with the NMC on numerous occasions and never been offered a telephone conversation to discuss my case. Absolutely disgraceful.*
>
> *Remove me from your register."*

The panel considered that this recent correspondence from Mr Redwine not only demonstrates his continued disregard and lack of understanding of his misconduct but also shows a concerning lack of respect for his regulator. The panel was of the view that Mr Redwine has continually minimised his actions and he has not yet demonstrated any willingness to put his misconduct right. In light of the absence of any reflection, insight or strengthened practice, the panel considered that there remains a risk of harm.

The panel considered that Mr Redwine has not recognised any of his discriminatory, harassing or manipulative behaviours or the impact his misconduct had on his colleagues and the service they provide. The panel was of the view that there is a high risk of repetition based on Mr Redwine's unwillingness to accept responsibility for his misconduct. In light of the above, the panel therefore decided that a finding of impairment is necessary on the ground of public protection.

The panel bore in mind that the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

The panel determined that a finding of impairment on public interest grounds is required because Mr Redwine's misconduct was so serious and indicative of his views and treatment of women and the gay community. The panel had serious concerns about Mr Redwine's ability to practise kindly, safely and professionally in light of these views. The panel concluded that public confidence in the profession would be seriously undermined if a finding of impairment were not made in this case and therefore also finds Mr Redwine's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Mr Redwine's fitness to practise is currently impaired on the grounds of public protection and public interest.

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Mr Redwine off the register. The effect of this order is that the NMC register will show that Mr Redwine has been struck-off the register.

In reaching this decision, the panel has had regard to all the evidence that has been adduced in this case and had careful regard to the Sanctions Guidance (SG) published by the NMC. The panel accepted the advice of the legal assessor.

Submissions on sanction

Mr Radley informed the panel that in the Notice of Hearing, dated 17 July 2025, the NMC had advised Mr Redwine that it would seek the imposition of a striking-off order if it found Mr Redwine's fitness to practise currently impaired.

Mr Radley submitted that taking no action or imposing a caution order would be inappropriate given the seriousness of the case. He submitted that a conditions of practice order would not address the risks identified by the panel, as the misconduct relates to harassment of colleagues and Mr Redwine's deep-seated attitudinal issues.

Mr Radley submitted that a suspension order would not be appropriate in this case. He submitted that this was not a single instance of misconduct, the misconduct was repeated over a sustained period of time and is indicative of deep-seated attitudinal issues.

Mr Radley submitted that a striking off order is the only necessary and proportionate order in this case. He submitted that, in light of Mr Redwine's lack of insight, acceptance of any wrongdoing, and the impact his actions had on colleagues and the work environment, a striking off order is the only proportionate sanction.

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

Decision and reasons on sanction

Having found Mr Redwine'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 had particular regard to the NMC Guidance SAN-2 *Sanctions for particularly serious cases* (last updated: 6 May 2025). In particular, the panel considered the following:

> *"Sexual misconduct is unwelcome behaviour of a sexual nature, or behaviour that can reasonably be interpreted as sexual, which degrades, harms, humiliates or intimidates another. It includes sexual harassment and will be regarded as extremely serious whether or not it occurs in the workplace."*

In light of the above guidance, the panel took into account the following aggravating features:

- Mr Redwine's behaviour was predatory towards a Student/Staff Nurse who appears to have been targeted based on her relative youth, inexperience and recent arrival on the ward which may have made her more susceptible to Mr Redwine's conduct
- Abuse of a position of trust as a Registered Nurse and his position of power as a Charge Nurse at the Hospital
- Repeated and prolonged harassment of colleagues, which was sexual in nature, over a sustained period of time
- Lack of insight into failings, and no remorse or accountability
- No evidence of a willingness to change or to consider the impact of his behaviour on colleagues and on patient care, despite issue being brought to his attention
- Deep-seated attitudinal issues, particularly in respect of his treatment of women

- Risk of harm to patients, colleagues and the public
- Serious impact of the misconduct on the reputation of the profession and damage to public confidence

The panel found that there are no mitigating factors relevant to its findings. The panel considered Mr Redwine's inexperience in the profession and particularly as a senior nurse. The panel considered whether Mr Redwine's relative inexperience influenced his understanding of boundaries in the workplace. The panel also considered whether his understanding of the appropriateness of what he termed as *"banter,"* contributed to his minimisation of the seriousness of his actions and his dismissal and lack of empathy for his colleagues' welfare. The panel determined that it was his choice alone to downplay his behaviour. The concerns found by this panel relate to Mr Redwine's deep-seated attitudinal issues and particularly his apparent unwillingness to accept accountability for his actions or to change his behaviour, despite it being brought to his attention on several occasions. In light of this, the panel could not identify any relevant mitigating factors to its deliberations on the proportionate sanction.

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, an order that does not restrict Mr Redwine'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 Redwine's misconduct 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 Redwine'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. The misconduct identified in this case was not related to Mr Redwine's clinical practice and therefore is not something that can be addressed through retraining. The panel considered that it has made findings that Mr Redwine sexually harassed, manipulated, victimised and degraded his colleagues. It considered that these findings are very serious, and indicative of attitudinal issues that are very difficult to address, especially in the absence of any real insight. The panel was of the view that the consequence of Mr Redwine's misconduct, specifically that his actions actively discouraged other members of staff from raising concerns and asking questions, put patients at a significant risk of harm. The panel concluded that the placing of conditions on Mr Redwine'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 a 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 noted that this was not a single instance of misconduct; it was repeated and prolonged misconduct over a sustained period of time. It noted that there is little, if any, evidence before this panel that Mr Redwine has demonstrated any insight, reflection or strengthened practice. The panel has found that there is a high risk of repetition in light of the apparent absence of any real insight. The conduct, as highlighted by the facts found

proved, was a significant departure from the standards expected of a registered nurse. The panel noted that the serious breach of the fundamental tenets of kindness and professionalism expected from nurses evidenced by Mr Redwine's actions are fundamentally incompatible with Mr Redwine 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 Redwine's actions were very significant and sustained departures from the standards expected of a registered nurse and are therefore fundamentally incompatible with him remaining on the register. The panel was of the view that the findings in this particular case demonstrate that Mr Redwine's actions were serious and to allow him to continue practising would seriously undermine public confidence in the nursing profession and in the NMC as a regulatory body.

Balancing all of these factors and after taking into account all the evidence before it during this case, the panel determined that the appropriate and proportionate sanction is that of a striking-off order. Having regard to the effect of Mr Redwine's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered nurse should conduct himself, the panel has concluded that nothing short of a striking-off order would be sufficient in this case.

The panel considered that this order was necessary to 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.

This will be confirmed to Mr Redwine in writing.

Interim order

As the striking-off order cannot take effect until the end of the 28-day appeal period, 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 Redwine's own interests until the striking-off sanction takes effect.

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

Submissions on interim order

The panel took account of the submissions made by Mr Radley. He submitted that an interim order is necessary to protect the public and mark the public interest during any period of appeal. He submitted that an 18-month interim suspension order would be sufficient to protect the public before the striking-off order comes into effect or during any potential appeal period.

Decision and reasons on interim order

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 considered that not to impose an interim order would undermine its decision in this case. The panel concluded 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 in order to protect the public during any potential 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 Redwine is sent the decision of this hearing in writing.

That concludes this determination.