

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

**Substantive Hearing**

**Wednesday, 10 December 2025 – Thursday, 18 December 2025**

Nursing and Midwifery Council  
2 Stratford Place, Montfichet Road, London, E20 1EJ

<b>Name of Registrant:</b>	Patrick Anderson
<b>NMC PIN:</b>	14G0555E
<b>Part(s) of the register:</b>	Nursing Sub Part 1 RNA, Registered Nurse - Adult 05 September 2014
<b>Relevant Location:</b>	Oldham
<b>Type of case:</b>	Misconduct/ Health/Conviction
<b>Panel members:</b>	Lucy Watson (Chair, registrant member) Catherine McCarthy (Registrant member) Sally Kitson (Lay member)
<b>Legal Assessor:</b>	Andrew Lewis
<b>Hearings Coordinator:</b>	Audrey Chikosha
<b>Nursing and Midwifery Council:</b>	Represented by Selena Jones, Case Presenter
<b>Mr Anderson:</b>	Not present and not represented at the hearing
<b>Facts proved:</b>	Charges 1, 2 in respect of schedule 1.3 only, Charges 3 & 4
<b>Facts not proved:</b>	Charge 2 schedule 1.1 and 1.2
<b>Fitness to practise:</b>	<b>Impaired by reason of health and conviction</b>
<b>Sanction:</b>	<b>Suspension order (12 months)</b>
<b>Interim order:</b>	<b>Interim suspension order (18 months)</b>

**The panel heard the facts of this case in two parts: firstly, in relation to health and misconduct and secondly in relation to conviction. An application under Rule 19 of the Nursing and Midwifery Fitness to Practise Rules Order of Council 2004 to hear all matters in relation to the first part (health and misconduct) in private was accepted.**

#### **Decision and reasons on service of Notice of Hearing**

In respect of charges 3 and 4 of this case relating to criminal convictions, Mr Anderson was not present and not represented at the hearing. The panel was informed that the Notice of Hearing letter had been sent to Mr Anderson's registered email address by secure email on 10 November 2025.

Ms Jones, on behalf of the Nursing and Midwifery Council, 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 venue of the hearing, including instructions on how to attend and participate and, amongst other things, information about Mr Anderson's right to attend, be represented and call evidence, as well as the panel's power to proceed in his absence.

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

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

Ms Jones made a request that this case be held entirely in private on the same grounds as for the previous charges. She submitted that the public interest does not

outweigh the need to protect Mr Anderson's privacy as this case is intrinsically linked to his health and private life. The application was made pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The legal assessor reminded the panel that while Rule 19(1) provides, as a starting point, that hearings shall be conducted in public, Rule 19(3) states that the panel may hold hearings partly or wholly in private if it is satisfied that this is justified by the interests of any party or by the public interest.

The panel determined that there is a strong public interest in charges related to criminal convictions being heard in public. However, it noted that in the exploration of Mr Anderson's case, there may be reference to his health. Therefore, the panel determined to hear the hearing partly in private, going into private at any times reference to Mr Anderson's health is made, all other matters will be heard in public.

### **Decision and reasons on proceeding in the absence of Mr Anderson**

Ms Jones invited the panel to proceed in the absence of Mr Anderson. She submitted that Mr Anderson was previously represented and referred the panel to an email dated 5 December 2025. This indicated that his representative had been in contact with Mr Anderson regarding this hearing.

Ms Jones submitted that Mr Anderson is aware of the hearing and has not attended. She invited the panel to consider that Mr Anderson has voluntarily absented himself. Ms Jones submitted that Mr Anderson has not made an application to adjourn the hearing and that there is no evidence to suggest that adjourning the hearing would secure his attendance at a later date.

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

The panel noted its discretionary power to proceed in the absence of a registrant under the provisions of Rule 21.

The panel determined to proceed in the absence of Mr Anderson. In reaching this decision, the panel considered the submissions of Ms Jones, and the advice of the legal assessor. It had regard to the overall interests of justice and fairness to all parties. It noted the following:

- No application for an adjournment has been made by Mr Anderson
- On 10 December 2025, it made a decision to proceed in the absence of Mr Anderson in relation to the case regarding charges 1 & 2 and the same reasons apply on this occasion.
- Since that decision was made, Mr Anderson has provided a written statement.

In this statement dated 10 December 2025 Mr Anderson states:

*'I understand that the hearing is scheduled for 10-19 December 2025 at the NMC premises in London...'*

*'...I understand that if I do not attend, the hearing may proceed in my absence and decisions may be made without my direct input. I accept this consequence...'*

- Within the statement, Mr Anderson writes that he would be willing to attend the hearing, however the panel also had before it an email dated 5 December 2025 from Mr Anderson's representative which states:

*'Unfortunately due to a variety of reasons the Registrant does not feel able to attend in person or online but is providing me with a written witness statement'*

- In light of the above, the panel was of the view that it is highly unlikely that adjourning the hearing would secure Mr Anderson's attendance at a later date.
- Given the charges relate to two convictions, there is a very strong public interest in the expeditious disposal of this case.

The panel recognise there is some disadvantage to Mr Anderson in proceeding in his absence. The evidence upon which the NMC relies will have been sent to him at his registered address. He will not be able to challenge the evidence relied upon by the NMC in person 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.

The panel decided that it is fair to proceed in the absence of Mr Anderson. The panel will draw no adverse inference from Mr Anderson's absence in its findings of fact.

### **Details of charge**

That you a registered nurse;

3. On 21 November 2022 at the Crown Court at Southwark were convicted of committing arson, in that without lawful excuse you damaged a CCTV operative system and a door to the value of £550 belonging to a Wonderful Safe Place Hostel intending to destroy or damage such property or being reckless as to whether such property would be damaged or destroyed. Contrary to sections 1(1), 1(3) and 4 of the Criminal Damage Act 1971
  
4. On 21 November 2022 at the Crown Court at Southwark were convicted of committing arson, in that without lawful excuse you destroyed a bed frame, bedding, oven and interior decorations, namely painted walls, to a total value of £2800 belonging to A Wonderful Safe Place Hostel intending to destroy or damage such property or being reckless as to whether such property would be damaged or destroyed. Contrary to sections 1(1), 1(3) and 4 of the Criminal Damage Act 1971.

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

### **Background**

The charges relate to two incidents at a Wonderful Safe Place Hostel ('the Hostel'). From Mr Anderson's statement dated 10 December 2025, it appears that the

premises was a hostel that provides accommodation [PRIVATE] at which Mr Anderson was a resident at the time.

In accordance with the Memorandum of Entry from the Central London Magistrates' Court, charge 3 relates to an incident where on 11 December 2021, Mr Anderson damaged by arson a CCTV operating system and a door to the value of £550 belonging to the Hostel. Charge 4 relates to an incident on 15 December 2025 where Mr Anderson destroyed by arson a bed frame, bedding, oven and interior decorations, namely the painted walls, to a total value of £2800.

The case was sent for trial at the Crown Court from Central London Magistrates' Court on 17 December 2021. Mr Anderson pleaded guilty to both counts and was convicted on 21 November 2022. He was sentenced on 25 January 2024, the details are as follows:

*'24 months Community Order*

[PRIVATE]

*Made as part of a 24 month Community Order. To run concurrent'*

### **Decision and reasons on facts**

In reaching its decision on the facts, the panel heard submissions from Ms Jones and had sight of two written statements from Mr Anderson.

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

The panel had regard to Rule 31(2) and (3) of the Rules which provides that:

*'(2) Where a registrant has been convicted of a criminal offence—*

*(a) a copy of the certificate of conviction, certified by a competent officer of a Court in the United Kingdom (or, in Scotland, an extract conviction) shall be conclusive proof of the conviction; and*

*(b) the findings of fact upon which the conviction is based shall be admissible as proof of those facts.*

*(3) The only evidence which may be adduced by the registrant in rebuttal of a conviction certified or extracted in accordance with paragraph (2)(a) is evidence for the purpose of proving that she is not the person referred to in the certificate or extract.'*

The charges concern Mr Anderson's conviction. The panel was provided with a copy of the Certificate of Conviction dated 6 February 2024 for Criminal Damage to property valued under £5000 and Arson following a conviction on 21 November 2025. It also had before it the Memorandum of Entry from the Magistrates' Court together with the sentencing remarks from Southwark Crown Court. The panel also considered the statements of Mr Anderson dated 10 December 2025 in which he accepts the convictions that relate to his actions.

### **Charge 3**

On 21 November 2022 at the Crown Court at Southwark were convicted of committing arson, in that without lawful excuse you damaged a CCTV operative system and a door to the value of £550 belonging to a Wonderful Safe Place Hostel intending to destroy or damage such property or being reckless as to whether such property would be damaged or destroyed.

Contrary to sections 1(1), 1(3) and 4 of the Criminal Damage Act 1971

**This charge is found proved**

The panel noted from the Memorandum of Entry from the Magistrates' Court that this charge relates to an incident on 11 December 2021.

The panel had before it the sentencing remarks from the Judge at Southwark Crown Court dated 25 January 2024 who said:

*'For the two counts that you have pleaded guilty to, Mr Anderson, unusually I am going to make a community order for a period of two years. [PRIVATE], as directed by probation, for 30 days.'*

The certificate of conviction confirms that Mr Anderson was, on 25 January 2024 sentenced to:

*'24 months Community Order*

*[PRIVATE],*

*Made as part of a 24 month Community Order. To run concurrent"*

The panel had no information on the current status of the order.

The panel also took into account Mr Anderson's statement dated 10 December 2025 which reads:

*'4.1. On 21 November 2022 at Southwark Crown Court, I was convicted of arson for damaging a CCTV operative system and a door to the value of £550 belonging to A Wonderful Safe Place Hostel, contrary to sections 1(1), 1(3) and 4 of the Criminal Damage Act 1971.*

*4.2. I accept this conviction and I take full responsibility for my actions.'*

The panel therefore satisfied that it had sufficient evidence to find this charge proved.

#### **Charge 4**

On 21 November 2022 at the Crown Court at Southwark were convicted of committing arson, in that without lawful excuse you destroyed a bed frame,

bedding, oven and interior decorations, namely painted walls, to a total value of £2800 belonging to A Wonderful Safe Place Hostel intending to destroy or damage such property or being reckless as to whether such property would be damaged or destroyed. Contrary to sections 1(1), 1(3) and 4 of the Criminal Damage Act 1971.

**This charge is found proved.**

The panel relied on the same evidence as charge 3.

It noted from the Magistrates' Court Memorandum of Entry that this conviction relates to an incident on 15 December 2021, four days after the first incident in charge 3.

In Mr Anderson's statement dated 10 December 2025 he writes:

*'4.6. On the same date, I was also convicted at Southwark Crown Court of arson for destroying a bed frame, bedding, oven and interior decorations to a total value of £2,800 belonging to A Wonderful Safe Place Hostel, contrary to sections 1(1), 1(3) and 4 of the Criminal Damage Act 1971.*

*4.7. I accept this conviction and I take full responsibility for my actions...*

...

*4.10 I appeared before His Honour Judge Cole at Southwark Crown Court on 25 January 2024 for sentencing in relation to these convictions.*

*4.11. I accept the sentence imposed by the Court as just and appropriate given the seriousness of my offending.'*

The panel therefore finds that the facts are 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 in relation to charge 1 amount to misconduct and, if so, whether Mr Anderson's fitness to practise is currently impaired by way of misconduct. It was also tasked to consider whether Mr Anderson's fitness to practise is currently impaired by reason of his health and/or by conviction. 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 in relation to charge 1, amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, Mr Anderson's fitness to practise is currently impaired as a result of that misconduct. It must then decide whether Mr Anderson's fitness to practise is currently impaired as a result of his health and/or of his convictions.

### **Submissions 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.*'

Ms Jones 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.

Ms Jones identified the specific, relevant standards where Mr Anderson's actions amounted to misconduct, namely 20, 20.1 and 20.8. She submitted that Mr Anderson's fitness to practise is impaired due to his actions [PRIVATE] did fall short of what is proper in the circumstances and the standards expected of a registered nurse.

### **Submissions on impairment**

Ms Jones submitted that Mr Anderson's fitness to practise is impaired by reason of his misconduct, his health and his conviction.

Ms Jones 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 case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin).

Ms Jones referred the panel to Witness 2's statement in which she writes that Mr Anderson wrote a letter to the NMC seeking Voluntary Removal (VR). This is confirmed by Mr Anderson in his statement dated 10 December 2025 that he made an application for VR [PRIVATE].

Ms Jones submitted that Mr Anderson has demonstrated limited engagement with these proceedings. She acknowledged that he has submitted written statements, however reminded the panel that he has not attended the hearing.

Ms Jones referred the panel to Mr Anderson's statement dated 10 December 2025 which reads:

[PRIVATE]'

[PRIVATE]

Ms Jones referred the panel to another section in Mr Anderson's statement which reads:

*'6.6 I am committed to engaging fully with the hearing process and providing whatever information the panel requires'*

She submitted that Mr Anderson has not engaged fully with the hearing process as stated he would. Ms Jones submitted that his absence at this hearing has meant he cannot answer any questions regarding his fitness to practise. She further submitted that within Mr Anderson's statement he does not provide a reason for not engaging and attending the hearing. Ms Jones submitted that Mr Anderson's representative had to withdraw due to a lack of engagement from Mr Anderson. She referred the panel to an email from Mr Anderson's former representative dated 9 December 2025 which reads:

*'I am really sorry but I have had no contact from the Registrant since our last conversation and so I have not been able to confirm proper instructions.'*

*'I am sorry but reluctantly I can only withdraw from assisting him. I am left with no choice under these circumstances but wish him well'.*

Ms Jones submitted that Mr Anderson has not provided any testimonials or anything from his workplace to address any concerns regarding how he would cope working in a pressured environment such as nursing. She submitted that there therefore remains a real possibility that Mr Anderson would act in a similar way in the future.

Ms Jones then addressed the convictions. She submitted that the offences are serious and relate to arson and criminal damage. Ms Jones referred the panel to the Crown Court Judge's sentencing remarks on 25 January 2024 which read:

*'...It is really important you understand this, Mr Anderson. I reserve any breaches to myself. I am hoping not to see you again because, if there is a breach, there is a real likelihood I will replace it with immediate custody. That would be my last resort but, for the offences of arson, if you do not take*

*advantage of the community order I am making, [PRIVATE], I will treat that very seriously indeed...’*

Ms Jones submitted that the public would be concerned should a finding of misconduct and impairment not be made in relation to the facts found proved.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments. These included: *Roylance v General Medical Council* (No 2) [2000] 1 A.C. 311, *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin) and *R (on application of Cohen) v General Medical Council* [2008] EWHC 581 (Admin).

### **Decision and reasons on misconduct**

When determining whether the facts found proved in relation to charge 1 amount to misconduct, the panel had regard to the terms of the Code.

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

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

**‘22. Fulfil all registration requirements**

*To achieve this, you must:*

*22.1 keep to any reasonable requests so we can oversee the registration process’*

*‘23 Cooperate with all investigations and audits This includes investigations or audits either against you or relating to others, whether individuals or organisations. It also includes cooperating with requests to act as a witness in*

*any hearing that forms part of an investigation, even after you have left the register.'*

[PRIVATE].

The panel accepted the advice of the legal assessor and had regard to the guidance given to panels by the High Court in *Solicitors Regulation Authority (SRA) v Day* [2018] EWHC 2726:

*'We do not, we emphasise that, say that there is a set standard of seriousness or culpability for the purposes of assessing breaches of the core principles in Tribunal proceedings. It is a question of fact and degree in each case. Whether the default in question is **sufficiently serious and culpable** thus will depend on the particular core principles in issue and on the evaluation of the circumstances of the particular case as applied to that principle.'*

The panel also had regard to the guidance given by the High Court in *Bar Standards Board v Howd* [2017] EWHC 2010 [PRIVATE].

[PRIVATE]

The panel therefore determined that in relation to charge 1, Mr Anderson's actions did not amount to serious misconduct. As such, Mr Anderson's fitness to practice is not impaired by reason of misconduct.

### **Decision and reasons on impairment**

The panel next went on to decide if as a result of the health and his convictions, Mr Anderson's fitness to practise is currently impaired.

In coming to its decision, the panel had regard to the NMC Guidance on '*Impairment*' (Reference: DMA-1 Last Updated: 03/03/2025) in which the following is stated:

*‘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. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. 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*

The panel determined that the first three limbs of the Grant test are engaged in this case.

## **Health**

[PRIVATE]

The panel therefore determined that Mr Anderson's fitness to practise is impaired by reason of health.

## **Conviction**

The panel then considered whether Mr Anderson's fitness to practise was impaired as a result of his convictions. The panel noted that Mr Anderson was convicted of two serious offences that he committed on two separate occasions. It noted that Mr Anderson caused damage to a Hostel which provided accommodation for vulnerable people. Committing arson in such a premises not only damaged the property, but also potentially put vulnerable members of the public who lived in the residence and staff at risk of harm. It also placed a considerable cost on the service. By his own admission, Mr Anderson noted in his statement dated 10 December 2025 that he caused upset to other people.

Regarding insight, the panel noted that Mr Anderson takes full responsibility for his actions. In his statement dated 10 December 2025, he writes:

*'The destruction I caused was significant and I deeply regret it. I understand that A Wonderful Safe Place Hostel provides accommodation for vulnerable people, and by damaging their property I potentially put others at risk and caused disruption to an important service.*

...

*I offer my sincere apologies to all those affected.'*

The panel noted that the convictions relate to actions outside of Mr Anderson's professional practise but was of the view that the actions taken were nevertheless in breach of the values, Code, and fundamental tenets of the nursing profession. Mr Anderson acted in a way that did not meet the standards of a registered nurse, he put vulnerable people at risk of harm and caused criminal damage.

[PRIVATE]. It noted that within the sentencing remarks dated 25 January 2024, the Judge says:

*'For the two counts that you have pleaded guilty to, Mr Anderson, unusually I am going to make a community order for a period of two years.  
[PRIVATE], as directed by probation, for 30 days.*

*It is really important you understand this, Mr Anderson. I reserve any breaches to myself. I am hoping not to see you again because, if there is a breach, there is a real likelihood I will replace it with immediate custody. That would be my last resort but, for the offences of arson, if you do not take advantage of the community order I am making, [PRIVATE], I will treat that very seriously indeed.'*

It also noted that Mr Anderson within his statement dated 10 December 2025, he says:

*[PRIVATE], and do not reflect my professional values as a nurse or my behaviour when I am well and stable.'*

The panel noted that a considerable amount of time has elapsed since these offences occurred and Mr Anderson has demonstrated some insight [PRIVATE] on his behaviour and the impact his actions had on others. [PRIVATE].

[PRIVATE]. The panel determined that in these circumstances, the panel would be failing in its duty to uphold public confidence in the profession if Mr Anderson was permitted to practise without restriction. The panel therefore determined that a finding of impairment is necessary in the public interest.

As such the panel determined that Mr Anderson's fitness to practise is impaired by reason of conviction.

### **Sanction**

The panel has considered this case very carefully and has decided to make a suspension order for a period of 12 months. The effect of this order is that the NMC register will show that Mr Anderson's registration has been suspended.

### **Submissions on sanction**

Ms Jones invited the panel to make a striking-off order. She submitted that given the panel's finding of impairment, a striking-off order is necessary in these circumstances to maintain public confidence in the nursing profession.

Ms Jones invited the panel to consider aggravating and mitigating factors. She submitted that an aggravating factor in this case is that there has been limited remediation from Mr Anderson. She also submitted that a mitigating factor is that Mr

Anderson has not had any previous regulatory concerns raised against him or been subject to regulatory proceedings in the past.

Ms Jones submitted that there are no conditions of practice that could be formulated and imposed that would be sufficient to maintain public confidence in the profession. She adopted her submissions in relation to misconduct and impairment and submitted that Mr Anderson has not provided any supporting evidence with regards to [PRIVATE] or level of remediation. Ms Jones acknowledged that Mr Anderson had provided two training certificates but submitted that Mr Anderson has had sufficient time to gather the relevant documents to put before the panel in support of the assertions in his statement dated 10 December 2025.

Ms Jones noted that Mr Anderson states within his written statement of 10 December 2025, [PRIVATE]. She submitted that there has been no supporting documentation provided by Mr Anderson [PRIVATE].

Ms Jones submitted that in the absence of any supporting evidence, there remains a risk of repetition. She submitted that public confidence in the profession would be seriously undermined should Mr Anderson remain on the register. Ms Jones therefore invited the panel to impose a strike-off order.

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

### **Decision and reasons on sanction**

Having found Mr Anderson's fitness to practise currently impaired by reason of health and conviction, 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 Sanctions Guidance (SG). The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating feature:

- Mr Anderson committed serious criminal offences that potentially put vulnerable people and staff at risk of harm

The panel also took into account the following mitigating features:

- [PRIVATE]
- Mr Anderson has not previously had any regulatory concerns raised about his practice

In balancing the mitigating and aggravating features, the panel considered that the offences that resulted in the convictions were serious namely arson and causing criminal damage. The panel took into account the sentencing remarks from the Crown Court Judge on 25 January 2024 in which he sets out:

*'unusually I am going to make a community order for a period of two years.*

*[PRIVATE] as directed by probation, for 30 days...*

- *for the offences of arson, if you do not take advantage of the community order I am making, [PRIVATE], I will treat that very seriously indeed.'*

[PRIVATE]. The panel has before it, Mr Anderson's statement dated 10 December 2025 in which he demonstrated some insight, has shown remorse and taken responsibility for his actions including understanding the seriousness of his offending. [PRIVATE].

The panel concluded that the convictions in this case are serious, but Mr Anderson's culpability is greatly reduced by the findings the panel has already made [PRIVATE].

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case and the risk of [PRIVATE] and repetition that the panel has identified. In addition, Mr Anderson remains subject to a Court Order. 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.

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 determined that, due to [PRIVATE] and the seriousness of the offending, and the public protection issues identified, an order that does not restrict Mr Anderson's practice would not be appropriate in the circumstances. The panel considered that [PRIVATE] and the nature of the criminal offences are so serious that a caution order would be inappropriate.

The panel next considered whether placing conditions of practice on Mr Anderson'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 noted that the concerns do not relate to Mr Anderson's clinical practice. [PRIVATE].

Furthermore, the panel determined that conditions of practice would be insufficient to uphold public confidence in the profession given the two convictions of arson.

The panel then went on to consider whether a suspension order would be an appropriate sanction.

## **Health**

[PRIVATE]

## **Conviction**

In relation to the convictions, the panel noted that there are two separate offences of a similar nature, that occurred four days apart [PRIVATE]. The panel noted that Mr Anderson has shown insight into the seriousness of his offences and the impact his actions may have had on vulnerable people, staff and resources.

The panel noted that it has been four years since the events that gave rise to the convictions, and it had no information before it to suggest that there has been any repetition. [PRIVATE].

It did go on to consider whether a striking-off order would be proportionate. Given the serious nature of the convictions, the panel was of the view that ordinarily this would be incompatible with remaining on the register. [PRIVATE]. Furthermore, given there has not been any repetition or report of similar incidents since 2021, [PRIVATE], the panel was satisfied that a striking-off order was not necessary to maintain public confidence in the profession for the following reasons. An informed member of the public would understand that the public is protected by a period of suspension. They would also understand that the seriousness of the convictions was properly marked by a period of suspension [PRIVATE]. They would also understand that this suspension would be carefully reviewed before a panel might find that Mr Anderson was fit to return to practice.

Whilst the panel acknowledges that a suspension may have a punitive effect, it would be unduly punitive in Mr Anderson's case to impose a striking-off order.

Balancing all of these factors the panel has concluded that a suspension order would be the appropriate and proportionate sanction.

The panel noted the hardship such an order will inevitably cause Mr Anderson. However, this is outweighed by the public interest in this case.

The panel considered that this order is necessary and sufficient to mark the importance of maintaining public confidence in the profession.

The panel determined that a suspension order for a period for 12 months with review was appropriate in this case to firstly mark the seriousness of the conviction [PRIVATE].

Shortly 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:

- Mr Anderson's attendance at the review hearing
- [PRIVATE]
- [PRIVATE]
- [PRIVATE]
- Evidence of current voluntary or paid work
- Testimonials from Mr Anderson's current or former work colleagues
- [PRIVATE]

This will be confirmed to Mr Anderson in writing.

### **Interim order**

As the suspension 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 Anderson's own interests until the suspension 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 Ms Jones. She invited the panel to impose an interim suspension order for a period of 12 months, mirroring the substantive sanction imposed by the panel. Ms Jones submitted that an interim order necessary to protect the public in the interim during the appeal period.

Ms Jones submitted that an interim order is also in the wider public interest.

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

### **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 offences, [PRIVATE] and all the reasons set out in its decision for the substantive order in reaching the decision to impose an interim order.

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 to cover the 28-day period during which Mr Anderson can lodge an appeal and provide sufficient time for any such appeal to be completed.

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

That concludes this determination.