

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

**Substantive Order Review Meeting
Thursday, 27 November 2025**

Virtual Meeting

Name of Registrant:	Margo Murray
NMC PIN:	06I0317S
Part(s) of the register:	Nurses part of the register Sub part 1 RNA: Adult nurse, level 1 (12 September 2009)
Relevant Location:	Glasgow
Type of case:	Misconduct
Panel members:	Derek Artis (Chair, lay member) Jason Flannigan-Salmon (Registrant member) Emma Foxall (Lay member)
Legal Assessor:	Simon Walsh
Hearings Coordinator:	Abigail Addai
Order being reviewed:	Suspension order (12 months)
Fitness to practise:	Impaired
Outcome:	Striking-Off order to come into effect on 11 January 2026 in accordance with Article 30 (1)

Decision and reasons on service of Notice of Meeting

The panel noted at the start of this meeting that the Notice of Meeting had been sent to Mrs Murray's registered email address by secure email on 9 October 2025.

The panel took into account that the Notice of Meeting provided details of the review, that the review meeting would be held no sooner than 24 November 2025 and inviting Mrs Murray to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

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

Decision and reasons on review of the current order

The panel decided that on the expiry of the current suspension order, a striking off order should take effect. This order will come into effect at the end of 11 January 2026 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the third review of a substantive suspension order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 13 June 2023. This was reviewed on 31 May 2024 when the panel extended the suspension order for a period of 6 months. On 26 November 2024, the panel extended the suspension order for a period of 12 months.

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

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

'That you, a registered nurse:

- 1. On 7 September 2020 were in attendance at work and unfit for duty.*
- 2. On 21 March 2019 were in attendance at work and unfit for duty.*

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

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

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

The panel noted that the original and last reviewing panel found that Mrs Murray had insufficient insight. At this meeting the panel noted that it has no evidence before it to demonstrate any development of Mrs Murray's insight. The panel noted that she has not engaged with NMC proceedings and has therefore not provided a reflective statement.

The panel took into account that it had no evidence before it to demonstrate that Mrs Murray has strengthened her practice to sufficiently address the areas of regulatory concern. Mrs Murray has not provided any evidence of having undertaken training nor has she provided any testimonials or references from the workplace to attest to her character and behaviour.

The last reviewing panel determined that Mrs Murray was liable to repeat matters of the kind found proved. Today's panel has received no new information to undermine the panel's previous finding. In light of this the panel determined that Mrs Murray remains liable to repeat matters of the kind found proved. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing

profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.

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

The second reviewing panel determined the following with regard to 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, and the public protection issues identified, an order that does not restrict Mrs Murray'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 Mrs Murray's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

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

The panel next considered the imposition of a further period of suspension. The panel noted that Mrs Murray has not provided evidence of her developed insight, nor has she provided any evidence that she has undertaken steps to strengthen her practice. Further she has not provided any evidence of testimonials or references from the workplace. The panel noted that Mrs Murray has previously indicated an intention to not return to nursing practice, but no evidence has been presented to support this assertion. The panel took into account that the charges found proved are very serious, in that they involved Mrs Murray attending work whilst unfit on more than one occasion over an extended period of time.

However, the panel was of the view that a further period of suspension order would allow Mrs Murray further time to fully reflect on her previous failings. The panel concluded that a further 12-month suspension order would be the appropriate and proportionate response and would afford Mrs Murray adequate time to further develop her insight and take steps to strengthen their practice. It would also give Mrs Murray an opportunity to approach past and current health professionals to obtain testimonials to attest to her character, behaviour and clinical practice.

The panel did carefully consider the imposition of a striking-off order, in the absence of any evidence of Mrs Murray's insight, remediation and strengthening of practice given her lack of engagement. However, the panel determined that a striking-off order would be disproportionate, at this time, given the nature of the charges and that the substantive order was first imposed on 13 June 2023.

The panel therefore determined that a suspension order is the appropriate sanction which would continue to both protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for the period of 12 month would provide Mrs Murray with a further opportunity to engage with the NMC and provide evidence to support that she has fully acknowledged, understood and addressed the areas of regulatory concern. It considered this to be the most appropriate and proportionate sanction available.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 11 January 2025 in accordance with Article 30(1).'

Decision and reasons on current impairment

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

The panel has had regard to all of the evidence in the NMC bundle.

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

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

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

The panel noted that the previous reviewing panel suggested the following could assist a future reviewing panel:

- Mrs Murray's engagement with NMC proceedings
- Mrs Murray's intentions in relation to her nursing practice
- Reflective statement from Mrs Murray
- Testimonials or references from the workplace

The panel noted that the previous reviewing panel found that Mrs Murray had insufficient insight. Today's reviewing panel noted that Mrs Murray has not engaged with the NMC, has not provided a reflective statement or provided any testimonials or references from her workplace. As a result, the panel was not satisfied that Mrs Murray has provided any evidence of her insight.

The panel took into account that Mrs Murray has not provided any evidence outlining her intentions relating to her nursing practice. It found nothing to undermine the previous reviewing panel's decisions. Therefore, the panel concluded that Mrs Murray is liable to repeat the matters found proved.

The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

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

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

Decision and reasons on sanction

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

The panel first considered the imposition of a caution order but determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Murray'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 Mrs Murray's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

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

The panel next considered extending the suspension order. The panel noted that Mrs Murray has not demonstrated any insight into her previous failings or engaged with the NMC. The panel was of the view that considerable evidence would be required to show that Mrs Murray no longer posed a risk to the public. The panel determined that a further period of suspension would not serve any useful purpose in all of the circumstances.

The panel next considered whether to allow the suspension order to lapse upon expiry. In doing so, it had regard to the NMC Guidance allowing a substantive order to expire when a registered nurse/midwife's registration would lapse (REV-2h):

'Where the professional would no longer be on the register but for the order in place, a reviewing panel can allow the order to expire or, at an early review, revoke the order. Professionals in these circumstances will automatically be removed from the register, or lapse, upon expiry or revocation of the order. The panel will record that the professional remains impaired.'

A panel will allow a professional to lapse with impairment where:

- *the professional would no longer be on the register but for the order in place;*
- *the panel can no longer conclude that the professional is likely to return to safe unrestricted practice within a reasonable period of time;*
- *a striking off order isn't appropriate.*

Whilst the intentions or wishes of the professional do not determine whether they should be allowed to lapse, a professional who would no longer be on the register but

for the order in place can themselves request an early review to ask that the order is removed.

Panels should be considering lapse with impairment even where the reason for a professional's lack of progress is outside their control. What matters is whether such issues are likely to be resolved in a reasonable period of time.

Circumstances where lapse with impairment is likely to be appropriate include where

- a professional has shown limited engagement and/or insight, but this is reasonably attributable to a health condition;*
- or there has been insufficient progress*
- in cases involving health or English language;*
- or in other cases, where the lack of progress is attributable wholly or in significant part to matters outside the professional's control (e.g. health, immigration status, the ability to find work or other personal circumstances).'*

Having considered the guidance and the seriousness of the facts found proved, the panel concluded that this would not be appropriate in the circumstances. It noted that Mrs Murray has not engaged with the NMC, or requested for a panel to allow her registration to lapse.

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?*

Having looked at the guidance, and the information before it, the panel was satisfied that the only appropriate sanction is that of a striking-off order. The panel was of the view that

the facts found proved were serious. It noted that the concerns date back to 2019-2020, and Mrs Murray has not engaged with the NMC or provided any evidence of the suggestions proposed by previous panels. Therefore, the panel concluded that a striking-off order would protect the public and satisfy the public interest.

This striking-off order will take effect upon the expiry of the current suspension order, namely the end of 11 January 2026 in accordance with Article 30(1).

This decision will be confirmed to Mrs Murray in writing.

That concludes this determination.