

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

**Substantive Meeting
Thursday, 6 August 2026**

Nursing and Midwifery Council
10 George Street, Edinburgh, EH2 2PF

Name of Registrant:	Ioan Marian Fechete
NMC PIN:	15E0362C
Part(s) of the register:	Nursing, Sub part 1 RN1, Registered Nurse – Adult 26 May 2015
Relevant Location:	England
Type of case:	Misconduct
Panel members:	Graham Gardner (Chair, lay member) Alison Thomson (Registrant member) Mark Allison (Lay member)
Legal Assessor:	Gerard Coll
Hearings Coordinator:	Fionnuala Contier-Lawrie
Facts proved:	Charges 1 and 2
Fitness to practise:	Impaired
Sanction:	Striking-off order
Interim order:	Interim suspension order (18 months)

Decision and reasons on service of Notice of Meeting

The panel was informed at the start of this meeting that that the Notice of Meeting had been sent to Mr Fechete's registered email address by secure email on 2 July 2026.

The panel accepted the advice of the legal assessor.

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

In the light of all of the information available, the panel was satisfied that Mr Fechete 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 proceeding in absence

The panel took legal advice from the legal assessor regarding proceeding in absence of Mr Fechete and was content that it was appropriate to hear the case at this meeting and proceed in the absence of Mr Fechete. The panel noted that it was at liberty to refer matters to a hearing at any time during its deliberations, should that become necessary. The panel noted that it would only consider the NMC charges and would not allow its decision on proceeding as a meeting, to be clouded by the nature of the police charges. The panel noted the police position that Mr Fechete is likely to have left the UK and that there has been no contact with the NMC, the police or the court since before the date subject of charge. The panel therefore considered that by referring this meeting to a hearing, or to adjourn to secure Mr Fachete's attendance, there would still be no certainty that Mr Fechete would attend and therefore it was content to proceed today.

Details of charge

That you a registered nurse,

1) Failed to appear before Lincoln Magistrates Court on 23 January 2025 in connection with criminal charges brought under the Sexual Offences Act 2003.

2) On or after 23 January 2025, after a warrant had been issued for your arrest by Lincoln Magistrates Court, failed to surrender under that warrant in a timely manner or at all.

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

Background

On 13 April 2021, the NMC received a referral from Jo Cross, the Governance Manager at ID Medical Group Ltd, raising concerns about Mr Fechete and his conduct while he was working at Lincoln County Hospital ("the Hospital") on 5 April 2021.

It is alleged that on 5 April 2021, Patient A visited the Hospital because she was unwell and experiencing withdrawal symptoms. Patient A later reported that during her visit, Mr Fechete sexually assaulted her. She says that he exposed his penis several times throughout the night and pressurised her into giving him oral sex. Mr Fechete also grabbed her breasts.

Patient A also reported that Mr Fechete offered to take her home and she agreed to go with him because she had no other way of getting home. During the ride home, Mr Fechete again pressurised her into giving him oral sex.

Mr Fechete was interviewed by Lincolnshire Police and he denied the sexual assault allegation. Mr Fechete was charged with sexual assault on a female contrary to section 3 of the Sexual Offences Act 2003 and rape of a woman 16 years of age or over contrary to section 1 of the Sexual Offences Act 2003.

Mr Fechete was due to attend his first hearing on 23 January 2025 at Lincoln Magistrates' Court but he did not turn up. As a result, there is an active warrant out for his arrest. Lincolnshire Police suspect that Mr Fechete is currently in Romania.

Lincolnshire Police have advised that they will not proceed with any further investigation into the allegations unless Mr Fechete returns to the UK.

Decision and reasons on facts

In reaching its decisions on the disputed facts, the panel took into account all the documentary evidence in this case together with the representations made by the NMC.

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.

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

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

Charges 1 and 2

That you a registered nurse,

1) Failed to appear before Lincoln Magistrates Court on 23 January 2025 in connection with criminal charges brought under the Sexual Offences Act 2003.

2) On or after 23 January 2025, after a warrant had been issued for your arrest by Lincoln Magistrates Court, failed to surrender under that warrant in a timely manner or at all.

These charges are found proved.

In reaching this decision, the panel took into account the Court Extract, dated 23 January 2025 as well as an email from the court administrator, dated 6 February 2025 and an email from DBS Disclosure Manager, dated 4 September 2025.

The panel considered the Court Extract from Lincoln Magistrates' Court, dated 23 January 2025 which outlines the offences which were to be considered on the above date. The extract shows that there is a warrant out for arrest without bail for Mr Fechete as he failed to appear in court on 23 January 2025.

The panel also considered the email dated 6 February 2025 from the Lincoln Magistrates' Court administrator which confirms there is an active warrant out for Mr Fechete's arrest.

The panel acknowledged that in an email from the Police Disclosure Manager, dated 4 September 2025, it states that:

"I am able to confirm in this email that he was sent a summons (charges via post), and this provided him with the date when he was due to attend Lincoln Magistrates Court which was 23/1/2025, when he failed to attend, the court issued a warrant for his lack of attendance (this is a court warrant and not police). It could be that he left the address we had on file prior to getting the postal charges and therefore didn't know his court date and the fact that charges had been brought against him."

The panel was satisfied that there was no evidence before it to show that Mr Fechete had not received the court summons. It also considered that Mr Fechete was well aware that a significant criminal investigation had been undertaken, and that matters had not been concluded. The panel considered that the court would not have issued a warrant unless it was satisfied that Mr Fechete had received the summons. The panel therefore found both charges 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 Fechete'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 safely and effectively without restriction.

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 Fechete's fitness to practise is currently impaired as a result of that misconduct.

Representations on misconduct and impairment

In coming to its decision, the panel had regard to the case of *Roylance v GMC (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.'

The NMC 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.

The NMC highlighted the relevant provision of the NMC code which it submitted Mr Fechete has breached:

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*

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

20.4 *keep to the laws of the country in which you are practising*

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

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

23. Cooperate with all investigations and audits

23.2 *tell both us and any employers as soon as you can about any caution or charge against you, or if you have received a conditional discharge in relation to, or have been found guilty of, a criminal offence (other than a protected caution or conviction).*

The NMC submitted that Mr Fechete's conduct represents a serious departure from the standards set out in the NMC Code and that his conduct falls far below the standards expected of a registered nurse. The behaviour undermines public trust and raises serious concerns about integrity and judgement.

The NMC therefore invited the panel to find that Mr Fechete's actions amount to misconduct.

With regard to impairment, the NMC referred the panel to the 'test' as outlined in *Grant [2011] EWHC 927 (Admin)* and submitted that the first three limbs are engaged.

The NMC submitted that the allegations made against Mr Fechete and the related conduct, calls into question his ability to respect boundaries, breach of trust and his lack of attendance in court to answer for criminal charges, demonstrates a lack of engagement with legal accountability and raises serious concerns about Mr Fechete's willingness to comply with regulatory obligations. The NMC submitted that this poses a direct and significant risk to public protection.

The NMC submitted that Mr Fechete has taken no steps to demonstrate remorse, insight or understanding of the seriousness of the concerns. Without any of this, there is no evidence to show that the conduct would not be repeated. Taken together, the seriousness of the alleged sexual offences, the involvement of a patient, the breach of professional

trust, Mr Fechete's failure to cooperate with the criminal process and the complete absence of insight or remediation, there is a clear risk to the public.

The NMC therefore submitted that Mr Fechete is impaired on public protection grounds.

In relation to public interest, the NMC submitted that Mr Fechete's actions are callous and placed a patient at risk of harm. Similar actions in the future could lead to a further risk of harm and distress if not addressed and his actions are liable to bring the profession into disrepute.

The NMC submitted that a finding of impairment is also required on the public interest grounds.

The NMC requires the panel to bear in mind its overarching objective to protect 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. The panel has referred to the cases of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin).

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] and *General Medical Council v Meadow* [2007] QB 462 (Admin).

Decision and reasons on misconduct

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

1. Treat people as individuals and uphold their dignity

To achieve this, you must:

1.1 treat people with kindness, respect and compassion

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

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

20.4 keep to the laws of the country in which you are practising

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

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

23. Cooperate with all investigations and audits

23.2 tell both us and any employers as soon as you can about any caution or charge against you, or if you have received a conditional discharge in relation to, or have been found guilty of, a criminal offence (other than a protected caution or conviction).

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. However, the panel found that Mr Fechete is aware of the serious nature of the allegations, that an investigation would be ongoing and that he would potentially be subject to court proceedings as well as proceedings with his regulator. The panel found Mr Fechete's actions, in failing to attend court and without explanation, fell seriously short of the conduct and standards expected of a nurse and amounted to serious misconduct.

Decision and reasons on impairment

The panel next went on to decide if as a result of the misconduct, Mr Fechete'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:28/01/2026) in which the following is stated:

'Being fit to practise is not defined in our legislation but for us it means that a professional on our register can practise as a nurse midwife or nursing associate safely and effectively without restriction.'

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. 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/their fitness to practise is impaired in the sense that S/He/They:

- 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 was satisfied that Mr Fechete's conduct breached limbs a, b and c of the *Grant* test.

The panel noted that Mr Fechete has not engaged with either the court proceedings or regulatory proceedings with the NMC relating to the allegations against him and therefore there was no information before the panel today to show that he is not liable to act in the same way in the future. The panel found that Mr Fechete's actions would bring the profession into disrepute and as a result, has breached the fundamental tenets of the nursing profession.

Regarding insight, the panel considered that there was no evidence of insight or remorse from Mr Fechete due to his complete lack of engagement with the regulatory process and the court proceedings. The panel found that Mr Fechete's lack of engagement demonstrates a lack of understanding of the seriousness of the concerns and a complete disregard for the legal process and the impact this might have on the complainant or others reporting similar incidents.

The panel determined that there was a high risk of repetition based on the lack of engagement and lack of insight. The panel therefore decided that a finding of impairment of fitness to practise is necessary on the grounds 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 public confidence in the profession would be undermined if a finding of impairment of fitness to practise were not made in this case and therefore also finds Mr Fechete's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Mr Fechete's fitness to practise is currently impaired.

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 Fechete off the register. The effect of this order is that the NMC register will show that Mr Fechete 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 regard to the NMC Guidance on '*The sanctions available*' (Reference: SAN-2 Last Updated: 28/01/2026).

The panel accepted the advice of the legal assessor.

Representations on sanction

The panel noted that in the Notice of Meeting, dated 2 July 2026, the NMC had advised Mr Fechete that it would seek the imposition of a striking off order, if it found Mr Fechete's fitness to practise currently impaired.

The panel accepted the advice of the legal assessor.

Decision and reasons on sanction

Having found Mr Fechete's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose. 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 regard to the NMC

Guidance on *'The sanctions available'* (Reference: SAN-2 Last Updated: 28/01/2026). The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating features:

- Mr Fechete faces extremely serious charges relating to a vulnerable patient
- Lack of insight and remorse
- Allegations are directly related to Mr Fechete's clinical practice and abuse of his position
- Failure to appear in court
- No communication with police, regulator or court system
- No indication of learning or awareness of the impact on complainants (in this case a patient) of not engaging with the justice process
- Attitudinal concerns of Mr Fechete knowing that these proceedings are ongoing, relating to serious allegations which are still not concluded.

The panel found no mitigating features in this case.

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.

The panel next considered a caution order and had regard to the NMC Guidance on *'Caution order'* (Reference: SAN-2b Last Updated: 28/01/2026) in which the following is stated:

'A caution is only appropriate if the Committee has decided there's no risk to the public or to people using services that requires the professional's practice to be restricted. This means the case is at the lower end of the spectrum of impaired fitness to practise, but the Committee wants to mark that what happened was unacceptable and must not happen again.'

The panel considered that Mr Fechete's misconduct was not at the lower end of the spectrum, and it found that there is a risk to patient and public safety. The panel therefore

determined that a sanction that does not restrict Mr Fechete's practise would not protect the public. The panel also determined that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether to place a conditions of practice on Mr Fechete's registration. In considering whether conditions of practice are appropriate, the panel had regard to the factors set out in the NMC Guidance on 'Conditions of practice order' (Reference: SAN-2c Last Updated: 28/01/2026). Having found that there is evidence of deep seated attitudinal concerns and having regard to the nature and seriousness of Mr Fechete's conduct, the panel determined that a conditions of practice order would not be appropriate in the circumstances. The panel considered that there are no relevant, proportionate, workable or measurable conditions that could be formulated to protect patients and to uphold professional standards.

The panel went on to consider whether a suspension order is appropriate in this case. The panel had regard to the NMC Guidance on '*Suspension order*' (Reference: SAN-2d Last Updated: 28/01/2026) in which the following factors on when a suspension order may be appropriate are set out:

- *'the impairment is very serious but not fundamentally incompatible with continuing to be a registered professional*
- *an outcome less severe than strike-off would still satisfy the over-arching objective.'*

The panel also had regard to the key considerations as set out in the NMC Guidance to weigh up before imposing a suspension. It noted the following list of circumstances that may make a suspension order an appropriate sanction:

- *'the charges found proved are at the most serious end of the spectrum and call into question the professional's suitability to continue practising, either currently or at all*
- *while it is possible that the professional could be fit to practise in future, only a period out of practice would be sufficient to allow them to fully strengthen their practice through reflection, the development of their professional skills and / or development of insight and remediation*

- *there is a risk to the safety of people using services if the professional were allowed to continue to practise even with conditions*
- *what went wrong is so serious that public confidence in the profession and professional standards could not be maintained if the professional were able to continue practising without stopping for a period of time*
- *despite the seriousness of what happened, the professional has engaged in the proceedings and has shown at least some meaningful insight which evidences a realistic possibility that they will continue to develop this insight, address their concerns and return to practice.'*

Whilst the panel acknowledged that the risks identified might be able to be managed by Mr Fechete being temporarily removed from the Register, it considered that it would not be sufficient to uphold public confidence in the profession and maintain professional standards due to the seriousness and nature of the facts found proved. Given Mr Fechete's lack of engagement, lack of insight, lack of remorse, together with no evidence of training and development, the panel considered that there is no realistic possibility that he would address the concerns to such a level where he could return to practise safely.

In this particular case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction.

In considering a striking-off order, the panel had regard to the NMC Guidance on '*Sanctions for the highest risk cases*' (Reference SAN-4 Last Updated: 28/01/2026). Having regard to the above, the panel determined that this case falls within the definition of being a '*highest risk case*'.

The panel had regard to the following considerations as set out in the NMC Guidance entitled '*Striking-off order*' (Reference: SAN-2e Last Updated; 28/01/2026):

- *Do the charges found proved raise fundamental questions about their professionalism?*
- *Can public confidence in the profession be maintained if the professional is not removed from the Register?*

- *Is there any amount of insight and reflection which could keep people receiving care and members of the public safe, maintain public confidence in the profession, and uphold professional standards?*
- *Is there a realistic prospect that, after suspension, the professional will have gained insight and strengthened their practice such that the risk they pose will have reduced?*

The panel found that given the seriousness of the alleged offences, complete lack of insight and remorse and Mr Fechete's refusal to engage with the NMC, his actions were significant departures from the standards expected of a registered nurse and are fundamentally incompatible with him remaining on the register. The panel was of the view that the findings in this particular case demonstrate that Mr Fechete's actions were serious and to allow him to continue practising would undermine public confidence in the 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 matters it identified, in particular the effect of Mr Fechete'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 this 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 Fechete 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 Fechete's own interests until the striking-off sanction takes effect.

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

Representations on interim order

The panel took account of the representations made by the NMC that if a finding is made that Mr Fechete's fitness to practise is impaired on a public protection and public interest basis and a restrictive sanction imposed, it considers an interim conditions of practice order should be imposed for 18 months, on the basis that it is necessary for the protection of the public and otherwise in the public interest to cover the appeal period and the time likely to be required before the Court considers the appeal.

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 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 appeal period.

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

That concludes this determination.