

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

**Substantive Order Review Hearing
Thursday, 27 August 2026**

Virtual Hearing

Name of Registrant:	Marie Louise Fiske	
NMC PIN:	01A0289E	
Part(s) of the register:	Registered Nurse – Sub part 1 Mental Health Nursing – 24 January 2004	
Relevant Location:	Middlesbrough	
Type of case:	Misconduct	
Panel members:	Peter Fish Rosemary Chapman Vickie Glass	(Chair, Lay member) (Lay member) (Registrant member)
Legal Assessor:	Karen Rea	
Hearings Coordinator:	Grace Sharp	
Nursing and Midwifery Council:	Represented by Joy Isaacs, Case Presenter	
Miss Fiske:	Not Present and unrepresented	
Order being reviewed:	Conditions of practice order (6 months)	
Fitness to practise:	Impaired	
Outcome:	Suspension order (6 months) to come into effect on 6 October 2026 in accordance with Article 30 (1)	

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Miss Fiske was not in attendance and that the Notice of Hearing had been sent to Miss Fiske's registered email address by secure email on 29 July 2026.

Ms Isaacs, 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 substantive order being reviewed, the time, date and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Miss Fiske's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all of the information available, the panel was satisfied that Miss Fiske has been served with notice of this hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Miss Fiske

The panel next considered whether it should proceed in the absence of Miss Fiske. The panel had regard to Rule 21 and heard the submissions of Ms Isaacs who invited the panel to continue in the absence of Miss Fiske.

Ms Isaacs referred the panel to the on-table papers received from the NMC containing correspondence from Miss Fiske clearly stating that she will not be attending today's proceedings. Ms Isaacs submitted that this demonstrated that Miss Fiske was aware of the hearing and had made a voluntary decision not to attend.

Ms Isaacs submitted that good service had been served on Miss Fiske and that she had been given the opportunity to engage with the NMC and provide oral/written submissions and/or evidence to prove that her fitness to practise is no longer impaired.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Miss Fiske. In reaching this decision, the panel has considered the submissions of Ms Isaacs, and the advice of the legal assessor. It has had particular regard to any relevant case law and to the overall interests of justice and fairness to all parties. It noted that:

- No application for an adjournment has been made by Miss Fiske;
- Miss Fiske had informed the NMC that she will not be attending and is aware of today's proceedings but has voluntarily absented herself;
- There is no reason to suppose that adjourning would secure her attendance at some future date; and
- There is a strong public interest in the expeditious review of the case.

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

Decision and reasons on review of the substantive order

The panel decided to impose a suspension order to replace the current conditions of practice order on its expiry.

This order will come into effect at the end of 6 October 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the second review of a substantive suspension order originally imposed for a period of 6 months by a Fitness to Practise Committee panel on 3 September 2025. This was reviewed on 2 April 2026 where the suspension order was replaced with a conditions of practice order.

The current order is due to expire at the end of 6 October 2026.

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

The charge found proved which resulted in the imposition of the substantive order was as follows:

1) *On 23 January 2024 whilst dealing with Patient A:*

c) attempted to kick them

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

'The panel noted that the original panel found that Miss Fiske had limited insight. It noted that the original panel at the substantive hearing had identified the need for Miss Fiske to provide a fully insightful and reflective piece which addresses how her actions impacted the nursing profession, as well as independent evidence of the development of coping strategies to manage her stress and [PRIVATE]. In relation to this, the panel at this hearing carefully considered the reflective material provided by Miss Fiske. The panel was of the view based on the information before it that Miss Fiske had demonstrated some insight into the impact of the incident upon herself and has also made some attempt to reflect on the wider consequences of her actions. The panel also accepted that Miss Fiske has undertaken some relevant work during her period of suspension, namely by working for a charity that seeks to provide support and housing for people with complex needs, and that she has sought to outline coping strategies and steps she would take differently in future.

Despite this, the panel considered that it had no independent evidence before it to demonstrate that Miss Fiske had completed [PRIVATE] which had been identified by the original panel at the substantive hearing. The panel noted from Mr Holborn's submissions that Miss Fiske had only completed [PRIVATE] in part. The panel determined that whilst difficulties may have arisen which prevented Miss Fiske from

completing the course, it had insufficient evidence before it to be satisfied that the underlying issues in relation to Miss Fiske's practice had been fully addressed.

The panel also considered the email sent by Miss Fiske to the NMC on 9 March 2026. It accepted Mr Holborn's submission that this email may have been written at a time of personal distress and that Miss Fiske may have been reacting to difficult personal circumstances. However, the panel was of the view that the tone and timing of the email, alongside the limited independent evidence of remediation, reinforced its concern that Miss Fiske's insight and emotional processing of the incident are not yet sufficiently developed.

The panel was of the view that whilst Miss Fiske has shown some developing insight, her reflection is not yet sufficient to demonstrate that the risk of repetition has been adequately addressed. The panel was not satisfied that there has been complete remediation of the concerns which led to the finding of impairment. In these circumstances, the panel concluded that there remains a risk that Miss Fiske could in future place patients at an unwarranted risk of harm. 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. Now that Miss Fiske has been subject to a sanction of six months suspension, no finding of continuing impairment on public interest grounds is also required.

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

The first 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 Miss Fiske'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, but the Committee wants to mark that what happened was unacceptable and must not happen again.' The panel considered that Miss Fiske'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 considered substituting the current suspension order with a conditions of practice order. The panel had careful regard to the serious nature of the misconduct found proved, the extent of Miss Fiske's insight and remediation and the risk identified. The panel was of the view that despite the seriousness of Miss Fiske's misconduct, Miss Fiske had made admissions at the substantive hearing, has demonstrated some insight, has remained engaged with this process, has shown a willingness to undertake further work to remediate and has indicated that she wishes to return to nursing practice.

The panel considered that a conditions of practice order would provide a structured and proportionate means by which Miss Fiske could return to practice safely, whilst being subject to oversight and support. The panel considered that such an order would allow Miss Fiske to undertake further remediation, including [PRIVATE] and professional development work, within a professional setting. The panel was of the view that this would provide a more realistic opportunity for remediation for Miss Fiske, rather than a further period of suspension.

The panel was satisfied that it would be possible to formulate practicable and workable conditions that, if complied with, may lead to Miss Fiske's unrestricted return to practice and would serve to protect the public and the reputation of the profession in the meantime.

The panel decided that the public would be suitably protected as would the reputation of the profession by the implementation of the following conditions of practice:

‘For the purposes of these conditions, ‘employment’ and ‘work’ mean any paid or unpaid post in a nursing, midwifery or nursing associate role. Also, ‘course of study’ and ‘course’ mean any course of educational study connected to nursing, midwifery or nursing associates.’

- 1. At least seven days before the next review of this order, you must send your NMC case officer written evidence from [PRIVATE]*
- 2. a) You must keep a reflective practice profile. The profile will:*
 - Consist of a monthly review of cases where you are involved with a patient behaving violently*
 - Set out the nature of your response/your reaction to a patient behaving violently*
 - Each review must contain feedback and be signed by your line manager or equivalent.*

b) You must send your NMC case officer a copy of the profile 7 days before the next review of this order.
- 3. You must keep us informed about anywhere you are working by:*
 - a) Telling your case officer within seven days of accepting or leaving any employment.*
 - b) Giving your case officer your employer’s contact details.*
- 4. You must keep us informed about anywhere you are studying by:*

- a) *Telling your case officer within seven days of accepting any course of study.*
 - b) *Giving your case officer the name and contact details of the organisation offering that course of study.*
5. *You must immediately give a copy of these conditions to:*
- a) *Any organisation or person you work for.*
 - b) *Any agency you apply to or are registered with for work.*
 - c) *Any employers you apply to for work (at the time of application).*
 - d) *Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.*
 - e) *Any current or prospective patients or clients you intend to see or care for on a private basis when you are working in a self-employed capacity.*
6. *You must tell your case officer, within seven days of your becoming aware of:*
- a) *Any clinical incident you are involved in.*
 - b) *Any investigation started against you.*
 - c) *Any disciplinary proceedings taken against you.*
7. *You must allow your case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:*
- a) *Any current or future employer.*
 - b) *Any educational establishment.*

- c) *Any other person(s) involved in your retraining and/or supervision required by these conditions.*

The period of this order is for 6 months.

This conditions of practice order will take effect upon the expiry of the current suspension order, namely the end of 6 April 2026 in accordance with Article 30(1).

Before the end of the period of the order, a panel will hold a review hearing to see how well Miss Fiske has complied with the order. At the review hearing the panel may revoke the order or any condition of it, it may confirm the order or vary any condition of it, or it may replace the order for another order.

Any future panel reviewing this case would be assisted by:

- Miss Fiske's compliance with the conditions of practice order*
- Miss Fiske's attendance at a future review hearing of this order*
- Miss Fiske's continued engagement with the NMC.'*

Decision and reasons on current impairment

The panel has considered carefully whether Miss Fiske's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as the ability of a professional on our register to practise as a nurse, midwife or nursing associate safely and effectively without restriction. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel has had regard to all of the documentation before it, including the NMC bundle and the NMC on table containing correspondence from Miss Fiske stating she will not be attending today's proceedings and that she wishes to be removed from the register. It has taken account of the submissions made by Ms Isaacs on behalf of the NMC.

Ms Isaacs took the panel through the background of the case and the previous review.

Ms Isaacs submitted that there is very limited evidence before the panel to demonstrate any further remediation since the previous review. There is no updated reflective piece, evidence of completed trauma training or independent evidence of [PRIVATE], development of coping mechanisms or other work undertaken to address the concerns identified by previous panels. Whilst Miss Fiske had previously provided evidence of having undertaken part of [PRIVATE], there is no evidence that this has since been completed. Ms Isaacs submitted that this evidential deficiency was significant, particularly in the absence of any evidence demonstrating compliance with the current conditions of practice.

There is also no evidence before the panel as to Miss Fiske's current employment or working circumstances, and therefore no evidence upon which the panel could assess whether she is currently practising or, if so, whether that practice is safe. Miss Fiske has not provided evidence demonstrating how she has complied with the conditions or strengthened her practice. In those circumstances, Ms Isaacs submitted that the risks identified by the previous panel currently remain. Without evidence of further remediation, insight or strengthened practice, there remains a risk that Miss Fiske could respond adversely to patients and place them at risk of harm if allowed to practise unrestricted.

Ms Isaacs also referred the panel to the recent correspondence from Miss Fiske dated 9 August 2026, indicating a renewed intention to leave the register. The panel was reminded that Miss Fiske had expressed a similar intention at the previous review. Ms Isaacs submitted, however, that Miss Fiske has not made an application for voluntary removal and that this option is not available to her whilst she remains subject to the current conditions of practice.

Ms Isaacs referred the panel to the NMC guidance REV-2h concerning removal from the register when there is a substantive order in place. Ms Isaacs reminded the panel that the persuasive burden is on Miss Fiske to demonstrate to the panel that she has sufficiently addressed the impairment.

Ms Isaacs referred the panel to *Professional Standards Authority v Nursing and Midwifery Council v Graham (2025) EWHC 3132 (Admin)* in relation to the distinction between allowing a registrant to lapse with impairment and imposing a striking off order and invited the panel to have careful regard to the relevant guidance and case law when considering the appropriate outcome.

Ms Isaacs acknowledged that the misconduct was an isolated incident within an otherwise unblemished career. However, it was submitted that the panel must consider the position as it stands today, including the lack of evidence demonstrating remediation, insight and strengthened practice, and the seriousness of the misconduct.

Ms Isaacs submitted the panel's overarching responsibility is to protect the public, maintain public confidence in the profession and uphold professional standards. The panel should therefore consider Miss Fiske's engagement, any progress since the last review, any attitudinal concerns, and the overall circumstances of the case.

In relation to sanction, Ms Isaacs submitted that a further conditions of practice would be unlikely to serve a useful purpose in the circumstances where Miss Fiske has not demonstrated meaningful engagement with the existing conditions. A further suspension order would similarly require Miss Fiske to engage and undertake further reflection and remediation, for which there is at present, no evidence of willingness to do so.

Ms Isaacs therefore invited the panel to consider whether a striking off order was the appropriate and proportionate response to the ongoing concerns, having regard to the seriousness of the misconduct, the absence of remediation and the need to protect the public and uphold public confidence in the nursing profession.

Finally, Ms Isaacs submitted that allowing the current order to lapse with a finding of impairment, would not be appropriate in the circumstances. The panel was invited to consider the available sanctions carefully and, if found that Miss Fiske's fitness to practise remains impaired, to determine the appropriate outcome having regard to the guidance, the case law and Miss Fiske's current position.

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 Miss Fiske's fitness to practise remains impaired.

The panel acknowledged that the misconduct arose from an isolated incident within an otherwise unblemished career and that there had been some evidence of insight at the previous review hearing. However, this panel was not satisfied that there had been sufficient progress since the last review to demonstrate that the concerns had been fully addressed.

The panel noted that there had been no further reflection, no evidence of completed training or independent evidence that Miss Fiske had undertaken [PRIVATE] or developed appropriate coping mechanisms. Miss Fiske had also provided no evidence of her current working conditions or practice. The panel considered that such evidence could have assisted it in determining whether Miss Fiske had strengthened her practice and was able to manage situations similar to that which gave rise to the original concerns.

The panel took into consideration the limited engagement since the previous review. Other than brief communication indicating that Miss Fiske would not be attending today's hearing, there was no evidence of meaningful engagement with the NMC or of steps taken to address the concerns identified. The panel considered that the previous panel made it clear what further evidence would assist this panel in determining whether the concerns had been remediated but those recommendations have not been addressed, as this panel has no evidence before it from Miss Fiske on those matters.

The panel therefore concluded that there had been no material change in the evidence relating to insight, remediation or strengthened practice, despite the current conditions of practice giving her the opportunity to do so. With the absence of this evidence, the panel were not satisfied that the risk of repetition or harm to patients has reduced.

The panel considered that, without the evidence of meaningful remediation, there remained a risk that Miss Fiske could respond inappropriately to a similar situation in the future, potentially placing patients or colleagues at risk of harm. The panel was therefore unable to conclude that the risk had been sufficiently addressed to allow Miss Fiske to return to unrestricted practice and, for these reasons, 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 noted that the previous reviewing panel did not find continuing impairment on public interest grounds after the 6-month period of suspension had been served. However, this panel considered that the public would expect a registered nurse to demonstrate sufficient insight into the concerns, take appropriate steps to remediate them and provide evidence capable of reassuring a future panel that the concerns had been addressed. In the panel's judgement, an informed and reasonable member of the public would be seriously concerned if a finding of impairment on public interest grounds were not made given the misconduct found proved in this case, which remains unremediated. The panel determined that, in this case, a finding of impairment on public interest grounds is also required.

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

Decision and reasons on sanction

Having found Miss Fiske'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), including REV-2h, 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 circumstances in which allowing the order to lapse with a finding of impairment may be appropriate, by way of confirming the current order and

allowing it to lapse on 6 October 2026 under Article 30(4)(a) of the order. The panel took account of the relevant parts of the NMC guidance REV-2h:

*‘A panel should consider allowing a professional to lapse with impairment only in cases where **all** the following factors are present:*

- the professional would no longer be on the register but for the order in place;*
- the panel concludes that the professional is unlikely to return to safe unrestricted practice within a reasonable period of time;*
- The case relates solely to health or English language **or** is one where the professional has retired and has made it clear through engagement with the NMC and evidence that they do not intend to return to practice **or** situations where a professional’s inability to address impairment not related to health (for example misconduct or lack of competence) is clearly related to a health condition;*
- The case doesn’t involve concerns of the kind referred to in our guidance on sanctions for the highest risk cases.’*

The panel was satisfied on the documentation before it, that the first criterion applied. In relation to the second criterion, the panel noted that the substantive order had been in place for less than a year. There had been some insight and earlier engagement. The panel could not conclude at this stage that Miss Fiske was unlikely to return to safe and unrestrictive practice within a reasonable time.

In relation to the third criterion, this was not a case that relates solely to health or English Language and there was no evidence to suggest that Miss Fiske’s inability to address the impairment was clearly related to health. Although Miss Fiske’s most recent correspondence suggested that she may no longer wish to return to nursing, this was not sufficiently clear or supported by evidence to establish that she had definitively retired or would not seek to return to practice.

In relation to the fourth criterion, the panel noted that in her submissions, Ms Isaacs accepted that the concerns were not of the kind referred to in the guidance on sanctions for the highest risk cases and in the panel’s judgment, this was correct.

Given its conclusions in relation to the second and third criteria, the panel concluded that allowing the current order to lapse with impairment was not appropriate.

The panel next considered whether to take no action but concluded that this would be inappropriate in view of the nature and seriousness of the case, and the need for restrictions on Miss Fiske's registration. 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 Miss Fiske'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, but the Committee wants to mark that what happened was unacceptable and must not happen again.'* The panel considered that Miss Fiske'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 imposing a conditions of practice order on Miss Fiske's registration would still be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The previous conditions were intended to support Miss Fiske in addressing the concerns and managing the risks associated with her practice. However, there was insufficient evidence before the panel that Miss Fiske had meaningfully engaged or complied with those conditions or undertaken the additional work necessary to demonstrate that the identified risks had been addressed or reduced since the last review hearing. There was no evidence of relevant treatment, support or further reflection as set out in the conditions.

The panel took into account that there was no clear evidence of Miss Fiske's current circumstances or explanation for the lack of engagement. In these circumstances, the panel could not identify conditions, whether existing, varied, revoked or new, which would be sufficiently realistic, relevant, proportionate, measurable and workable so as to manage the identified risk and, thus, protect the public and uphold the public interest.

The panel determined therefore that a suspension order for a period of 6 months is the only proportionate and appropriate sanction which would both protect the public and satisfy the wider public interest. The panel recognised the seriousness of the misconduct. However, it also had regard to the circumstances in which the incident occurred. The original panel found the incident to have been an involuntary act arising from self-protection rather than deliberate aggression. This panel considered this distinction relevant when assessing the proportionality of the available sanctions.

The panel also took into account that the incident was isolated and occurred against a career of approximately 20 years without any previous concerns. Miss Fiske had previously engaged with the regulatory process and previously had demonstrated some insight.

The panel considered that a further period of suspension would provide Miss Fiske with an opportunity to address the underlying concerns, obtain appropriate support, undertake relevant training and develop a fuller understanding of the circumstances which led to the incident. It would also provide an opportunity for her to demonstrate that she has taken appropriate steps to manage the risk of repetition.

The panel noted that Miss Fiske had previously expressed a desire to return to nursing, although her most recent correspondence suggested that she may now, again, be considering leaving the profession. If Miss Fiske wishes to leave the profession, the panel considered that she would have the opportunity during the period of suspension to provide clear evidence of that intention and demonstrate that she does not intend to return to nursing practice so as to meet the criteria of the NMC REV-2h guidance. Conversely, if Miss Fiske wishes to remain on the register, she will need to demonstrate meaningful engagement with the concerns identified by the panel and provide evidence that she can return to safe unrestricted practice.

The panel did consider whether a striking off order was necessary but concluded that this would be disproportionate at this stage. Whilst the misconduct was serious, the panel had regard to the fact that it was an isolated incident within an otherwise unblemished career of approximately 20 years and there had been no evidence of other similar incidents. The panel was not satisfied that the most serious available sanction was necessary when a

further period of suspension could adequately protect the public and uphold the public interest, whilst also providing Miss Fiske with an opportunity to address the outstanding concerns or to assess her position with continuing in her profession.

This suspension order will take effect upon the expiry of the current conditions of practice order, namely the end of 6 October 2026 in accordance with Articles 30(1), 30(4)(d) and 29(5)(b) of the order.

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:

- Independent evidence that Miss Fiske has effectively addressed the trauma issues which led to events subject to these proceedings;
- A reflective piece identifying how Miss Fiske would respond to any similar incidents in the future and the coping mechanisms she has developed;
- Testimonials from line manager/supervisor that details your current work practices;
- Alternatively, if relevant, evidence that Miss Fiske has retired from the nursing profession with no intention of returning

This will be confirmed to Miss Fiske in writing.

That concludes this determination.