

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

**Substantive Order Review Hearing
Tuesday 9 June 2026**

Virtual Hearing

Name of Registrant: Lynsey Ann Brown

NMC PIN: 9710086N

Part(s) of the register: Nursing, Sub part 1
RNLD, Registered Nurse - Learning Disabilities
25 September 2000

Relevant Location: Belfast

Type of case: Misconduct

Panel members: Oluremi Alabi (Chair, Lay member)
Rashmika Shah (Registrant member)
Vicki Harris (Lay member)

Legal Assessor: William Hoskins

Hearings Coordinator: Emma Norbury-Perrott

Nursing and Midwifery Council: Represented by James Holloway, Case Presenter

Miss Brown: Not present and not represented at this hearing. Written submissions provided by The Royal College of Nursing (RCN)

Order being reviewed: Suspension order (12 months)

Fitness to practise: Impaired

Outcome: **Suspension order (12 months) to come into effect at the end of 11 June 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 Brown was not in attendance and that the Notice of Hearing had been sent to Miss Brown's registered email address by secure email on 4 June 2026. Further, the panel noted that the Notice of Hearing was also sent to Miss Brown's representative at the Royal College of Nursing (RCN) on 4 June 2026.

Mr Holloway, on behalf of the Nursing and Midwifery Council (NMC), explained to the panel that the hearing was originally scheduled for 6 June 2026, and that notice had been served on 6 May 2026. However, on 4 June 2026, the RCN told the NMC that they had not received the Notice of Hearing and requested that the hearing was rescheduled to afford the RCN time to take instructions and confirm Miss Brown's position. Therefore, the hearing was relisted for today, 9 June 2026, and notice was served on 4 June 2026.

The panel had regard to an email, dated 8 June 2026, from Miss Brown's representative at the RCN. It said:

'Please be advised that we will waive the NMC notice period.'

Mr Holloway 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 Brown'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 Brown has been served with notice of this hearing in accordance with the requirements of Rules 11 and 34, subject to the confirmation of the waiver from the RCN.

Decision and reasons on proceeding in the absence of Miss Brown

The panel next considered whether it should proceed in the absence of Miss Brown. The panel had regard to Rule 21 and heard the submissions of Mr Holloway who invited the panel to continue in the absence of Miss Brown. He submitted that the RCN and Miss Brown had received and considered the notice of the hearing and had provided submissions on her position on the substantive order in a letter from the RCN, dated 5 June 2026.

Mr Holloway further submitted that Miss Brown did not attend either of the previous substantive order reviews and she had not requested an adjournment for this hearing. Additionally, he submitted that there was no basis for thinking that Miss Brown would attend a future hearing.

Mr Holloway referred the panel to an email from Miss Brown's representative, dated 5 June 2026, and concluded that she had voluntarily absented herself:

*'Our member will not be attending the hearing nor will she be represented.
No disrespect is intended by her non-attendance.'*

'Our member and instructing solicitors were advised of this hearing and received papers pertaining to this hearing on Thursday 4th June 2026.'

The panel also had regard to the email from the RCN, dated 8 June 2026, in which it confirmed that Miss Brown was content to waive the standard 28-day notice period.

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

The panel decided to proceed in the absence of Miss Brown. In reaching this decision, the panel has considered the submissions of Mr Holloway, the representations made on Miss

Brown's behalf by the RCN, 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:

- Miss Brown's representative has informed the NMC that Miss Brown has received the Notice of Hearing;
- No application for an adjournment has been made by Miss Brown;
- 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, particularly as the current order is due to expire at the end of 11 June 2026.

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

Decision and reasons on review of the substantive order

The panel decided to extend the period of the current suspension order.

This order will come into effect at the end of 11 June 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (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 9 November 2023. This was reviewed on 30 October 2024 when the reviewing panel imposed a further suspension order for a period of six months. That order was reviewed on 3 June 2025, when the reviewing panel imposed a further suspension order for a period of 12 months.

The current order is due to expire at the end of 11 June 2026.

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. *Between 11 February 2020 and May 2020:*
 - a. *On one or more occasion, left medication on Resident A's table which was not medication for Resident A; [PROVED BY ADMISSION]*
 - b. *Called Resident B by the wrong name when administering medication; [PROVED BY ADMISSION]*
 - c. *Left a pill pot with medication in it unattended. [PROVED BY ADMISSION]*

2. *Between 11 February 2020 and 20 July 2020, dispensed medication for 3 residents (60ml of paracetamol) into one cup when individual cups should have been used for each resident. [PROVED BY ADMISSION]*

3. *Between 09 July 2020 and 10 July 2020, left 20mg of Memantine in a resident's room which was labelled for another resident. [PROVED BY ADMISSION]*

4. *On an unknown date in March 2020, said to Colleague A "you are full of shit" or words to that effect. [PROVED BY ADMISSION]*

5. *Between 11 February 2020 and 20 July 2020 said to Colleague B:*
 - a. *"I just wish I could do my job without you being a dick head to me", or words to that effect; [PROVED BY ADMISSION]*
 - b. *"You are a prick, that's what you are that's why I'm calling you prick", or words to that effect. [PROVED BY ADMISSION]*

6. *Between 20 May 2020 and 20 July 2020, told one or more colleagues that Colleague B had inserted a catheter into Resident D's bottom. [PROVED]*

7. ...

8. ...'

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

'The panel considered whether Miss Brown's fitness to practise remains impaired.

The panel noted that the original and last reviewing panel found that Miss Brown had limited insight into her failings. At this hearing the panel heard no new information that changed the position regarding Miss Brown's insight.

In its consideration of whether Miss Brown has taken steps to strengthen her practice, the panel heard no new information. Therefore, the panel concluded that she has taken no steps to strengthen her practice.

The original and last reviewing panel determined that Miss Brown was liable to repeat matters of the kind found proved. Today's panel has not received any new information in relation to the risk of repetition. In light of this, this panel determined that Miss Brown 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 Miss Brown's fitness to practise remains impaired.'

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

'The panel concluded that a further period of suspension would be the appropriate and proportionate response in light of the seriousness of the misconduct and the lack of insight or remediation demonstrated by Miss Brown. It would also afford Miss Brown adequate time to further develop her insight and take steps to strengthen her practice.'

The panel determined therefore 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 months. This would provide Miss Brown with an opportunity to provide evidence of any relevant continued professional development, as well as a reflection demonstrating her insight into the impact of the charges admitted and found proven upon her patients, colleagues, and the reputation of the profession.'

The panel considered a striking off order in the light of no evidence of reflection and strengthened practice since the substantive hearing, but at this stage felt it would be disproportionate.'

Decision and reasons on current impairment

The panel has considered carefully whether Miss Brown'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 the documentation before it, including the NMC bundle and the written representations provided by the RCN on Miss Brown's behalf. It has taken account of the submissions made by Mr Holloway on behalf of the NMC.

Mr Holloway outlined the background of the case. He drew the panel's attention to the previous reviewing panels' decisions and submitted that there are no material changes in matters at this hearing. In addition, he explained to the panel that the secondary matter being investigated by the NMC and the corresponding criminal proceedings were ongoing, and in respect of that, there was an 18 month interim suspension order in place.

Mr Holloway referred the panel to the written submissions provided by the RCN on Miss Brown's behalf, dated 5 June 2026, in which the RCN invited the panel to continue and extend the substantive suspension order for a period of 12 months to allow the ongoing separate matter to conclude.

Mr Holloway initially submitted that Miss Brown had not provided any evidence demonstrating reflection, insight or strengthening of practice and that she had not been working in a clinical role for an extended period of time. He submitted that therefore, the risk of repetition remains and Miss Brown's fitness to practise remains impaired.

Mr Holloway submitted that the NMC took no firm view on the appropriate sanction and that it was a matter for the panel. However, he submitted that the panel may determine that a further period of 12 months suspension would allow Miss Brown a further opportunity to engage with proceedings and to demonstrate insight, reflection and strengthening of practice. He submitted that to allow the order to lapse with impairment was not appropriate as all the factors stated in the guidance were not engaged. He directed the panel to the NMC guidance on reviews of substantive orders.

During the course of the day, Mr Holloway received a document titled Professional Reflections from Miss Brown, sent by her representative at the RCN to the NMC case officer at 13:16, which was forwarded to the panel during its deliberations. Mr Holloway drew this document to the panel's attention. He observed that the document did not require him to adjust his submissions in any way.

The panel had regard to written submissions, dated 5 June 2026, provided by the RCN on Miss Brown's behalf:

'Please be advised that our member has not been in a position to continue with her nursing career since the imposition of this suspension order due to a parallel NMC matter which has resulted in an interim Suspension Order being placed upon her registration.

[PRIVATE]

Our member [PRIVATE] is unable to continue with her nursing career and development until all other matters have been resolved.

Accordingly we invite the panel to extend the current order for a period of 12 months in order for the matters outlined above to conclude..'

The panel also considered the Professional Reflections of Miss Brown which it received during its deliberations.

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 Brown's fitness to practise remains impaired.

The panel noted that the previous reviewing panels found that Miss Brown had not demonstrated sufficient insight or reflection into matters found proved, nor had she demonstrated any steps taken by her to remedy her past failings or strengthen her practice. The panel determined that this was still the case as the Professional Reflections received today did not address the concerns raised by the findings in the original hearing.

Miss Brown's Professional Reflections included:

[PRIVATE]...

However, the hostile environment at Glenmachan made me feel hunted and unwelcome. With the benefit of hindsight, I recognise that I lacked the insight at the time to remove myself from a toxic situation, resulting in the termination of my contract just before the end of my six-month probation...

In reflection, my primary failing during my time at Glenmachan was a failure to speak up and escalate the difficulties I was facing with the night team from the outset. I allowed isolation and fear to prevent me from utilizing proper grievance and reporting structures.

If I were to encounter a similar workplace culture in the future, I would handle it entirely differently. I now recognise the vital importance of protecting [PRIVATE] and professional integrity. Rather than attempting to endure a hostile environment [PRIVATE], I would proactively raise formal concerns through the appropriate freedom-to-speak-up channels, and if the environment remained unsafe, I would choose to exit the organization cleanly before my practice could be compromised.'

The panel found that the Professional Reflections did not demonstrate sufficient insight into the impact of Miss Brown's misconduct on patients, colleagues and the wider public interest, nor did it reflect any remediation undertaken or evidence continuous strengthening of her practice. This panel therefore had no new information before it to show that Miss Brown was unlikely to repeat the matters found proved by the substantive panel.

The panel considered that Miss Brown's misconduct is capable of remediation with her committed engagement. However, in light of Miss Brown's limited engagement since the substantive hearing over three years ago, and in the absence of any evidence demonstrating sufficient insight, remediation or strengthened practice, this panel determined that there is a continued risk that Miss Brown may repeat matters of the kind

found proved. Therefore, the panel determined that a risk of repetition remains and a finding of continuing impairment is necessary on the grounds of public protection.

In addition, the panel determined that public confidence would be seriously undermined if Miss Brown were allowed to practice without restriction at this time, taking into account the nature and seriousness of the matters found proved which involved medication errors and attitudinal concerns. The panel determined that a finding of impairment is otherwise in the public interest to maintain professional standards and uphold public confidence in the nursing and midwifery professions, and in the NMC as its regulator.

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

Decision and reasons on sanction

Having found Miss Brown'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 the guidance on substantive order reviews. It 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 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 Brown'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 Brown'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 Miss Brown'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, particularly as matters relate to attitudinal concerns which can be very difficult to address. Additionally, Miss Brown is not working in a nursing role due to the orders currently in place.

The panel considered the imposition of a further period of suspension. It attached some weight to the fact that Miss Brown had now submitted a reflective piece, albeit that the piece was inadequate in various respects. This showed a welcome engagement with the process which had been absent during earlier reviews. In the panel's judgement, and having regard to the nature of the initial findings which were not incompatible with continued registration, a period of suspension was appropriate to enable Miss Brown to make further progress in developing her insight and in undertaking remediation.

In view of the period of time over which Miss Brown had been subject to a suspension order without engagement from her, the panel considered whether a striking-off order would be proportionate at this point. In view of the nature of the initial findings that Miss Brown's misconduct was not fundamentally incompatible with remaining on the register, and her recent engagement, the panel considered that a striking-off order would not be proportionate at this stage. However, if Miss Brown failed to make further progress prior to the next review, the reviewing panel would be well aware that a striking-off order might become appropriate.

The panel determined therefore 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 a period of 12 months to afford Miss Brown with an opportunity to meaningfully engage with the NMC and provide evidence of reflection, insight and strengthening her practice.

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

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:

- Miss Brown's attendance at the next hearing or evidence which may explain her inability to attend;
- An updated reflective piece which demonstrates Miss Brown's insight into her actions, the risks involved and the impact on patients, colleagues and the reputation of the nursing profession; in particular, evidence of the application of the reflections on the concerns to future situations;
- Testimonials or references from any paid or unpaid work or from professionals engaged with Miss Brown's continuous professional development;
- Evidence of any relevant and recent continued professional development, in particular; on the administration and management of medication, [PRIVATE], professionalism, communication with colleagues and patients and maintaining confidentiality including a reflective piece on how Miss Brown would apply her learning to future practice;
- Any evidence of factors which may explain the minimal engagement since the original hearing; and
- Update regarding the progress on the NMC's investigations and the associated criminal matter.

This will be confirmed to Miss Brown in writing.

That concludes this determination.