

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

**Substantive Meeting  
Monday, 29 June 2026 – Tuesday, 30 June 2026**

Virtual Meeting

**Name of Registrant:** Joseph Lewis

**NMC PIN:** 12F2332E

**Part(s) of the register:** RNMH: Registered Nurse – (sub part 1)  
Mental Health – Level 1  
8 September 2012

**Relevant Location:** London

**Type of case:** Misconduct

**Panel members:** John Millar (Chair, Lay member)  
Dino Rovaretti (Lay member)  
Patience McNay (Registrant member)

**Legal Assessor:** John Donnelly

**Hearings Coordinator:** John Kennedy

**Facts proved:** Charges 1, 2a, 2b

**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 the Notice of Meeting had been sent to Mr Lewis's registered email address by secure email on 8 April 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 after which the meeting would be held and the fact that this meeting was heard virtually.

In the light of all of the information available, the panel was satisfied that Mr Lewis 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).

## **Details of charge**

That you, a registered nurse:

- 1) On a date between 15 December 2023 and 4 March 2024, misappropriated money designated for charity that had been stored by you in a locked safe at your place of employment.
  
- 2) Your conduct at charge 1 was dishonest in that:
  - a) You misappropriated the money for your own personal use and/or financial gain.
  - b) You knew that the money was intended to benefit one or more charity.

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

## **Background**

The charges arose whilst Mr Lewis was employed as the Clinical Services Manager and Deputy Hospital Director of Brighton and Hove Clinic (the Hospital). In December 2023 Mr Lewis was allegedly given approximately £500 by Nicola Beil, Head Teacher at Brighton and Hove Clinical School (the School), which is based within the Hospital. The money was raised as part of two charity events at the School and Mr Lewis allegedly asked Ms Beil to give him the money to store in the locked safe. When Ms Beil asked for the money back in January and February 2024 he allegedly provided multiple reasons why this could not be returned.

On 4 March 2024 Ms Beil requested the money be retrieved from the safe by the other keyholder at the Hospital and when it was opened, the money was not there.

## **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.

The panel had regard to the written statements of the following witnesses on behalf of the NMC:

- Nick Shaughnessy: Regional Director of Nursing for Child and Adolescent Mental Health Service;
- Sarah Freestone: Support Service Manager at the Hospital;

- Nicola Beil: Head Teacher at the School.

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.

### **Charge 1**

“1) On a date between 15 December 2023 and 4 March 2024, misappropriated money designated for charity that had been stored by you in a locked safe at your place of employment.

### **This charge is found proved**

The panel considered the statement of Ms Beil who stated that on 15 December 2023 the School had a winter fete to raise money for charity. When the event concluded she counted the money with the assistance of the School’s Deputy Head, this included three separate funds from the summer fete, winter fete, and for the float and once counted the money, amounting to about £500, was placed in three envelopes accordingly. Ms Beil states that as there is no set policy on handling charity funds the usual practice was for it to be stored in a Tupperware box within a locked filing cabinet in the School office. However, on this occasion Mr Lewis, who had entered the office to see how the event went, said it would be more secure in the safe kept in the Hospital. Ms Beil handed over the Tupperware box to Mr Lewis but did not see him place it in the safe.

After the Christmas break, in January 2024, Ms Beil asked Mr Lewis for the Tupperware to hand it to the charity. She stated that she asked him verbally twice for this but on both occasions Mr Lewis stated he forgot to bring his key to the safe. In the week commencing 26 February 2024 Ms Beil asked Mr Lewis for the money again, as it was to be mentioned in the School newsletter that month, and he initially stated he had forgotten his key again. The following day Mr Lewis went to the School office to inform Ms Beil that he had lost the safe key during a home move. He suggested he could bank transfer the money to Ms Beil;

however, she said she could not remember the exact amount raised and therefore this would not work. Mr Lewis replied that he had a photograph of the envelopes, but did not show Ms Beil this; she replied that regardless she would not be comfortable having charity funds moving through her personal bank account.

Ms Beil was concerned that '*something didn't feel right*'. Ms Beil remembered that there were other keyholders to the safe, and upon finding out that it was Ms Freestone they arranged to open the safe on Monday 4 March 2024 to retrieve the charity money. When they opened the safe they discovered that the box was present but the three envelopes containing the money had been removed, leaving only small change in the box. Ms Beil then went to inform Ms Smyth, the Hospital Director, of the missing money as she thought it unusual that the box was left and only the money taken.

Thereafter Ms Beil provided an email to Ms Smyth and the Hospital began an internal investigation.

The panel had sight of the statement of Ms Freestone, which confirmed the account of Ms Beil. Additionally, Ms Freestone mentioned that the safe in question was not one of the regularly used safes, but she was able to get the spare key from the Hospital's master safe. She stated that she had been unaware the money was even kept in that safe, not realising Ms Beil knew about it.

The panel had sight of the statement of Mr Shaughnessy, who was appointed investigation manager into the incident. As part of the investigation Mr Shaughnessy reviewed the safe policy and the list of keyholders for the safes which confirmed that only Mr Lewis and Ms Freestone had keys to the safe which was situated in the Hospital Director's office. In her interview Ms Freestone confirmed that no one had asked for the spare key before 4 March 2024, and that she had not been into the safe either during the time.

The panel considered that given the consistency of evidence across the witnesses; that Ms Freestone had not been aware the money was placed in the safe in December 2023; and that no one else other than Ms Freestone and Mr Lewis had the keys. The panel determined that on the balance of probabilities it is more likely than not that Mr Lewis took the money. The panel considered that Mr Lewis' offer to pay the funds by bank transfer is

not in line with the standard policy and considered that this is highly suggestive that he had used the charity funds as if they were his own funds, potentially with the intention to repay it.

Therefore on the balance of probabilities the panel concluded that Mr Lewis had misappropriated the charity funds and this charge is found proved.

## **Charge 2**

“2) Your conduct at charge 1 was dishonest in that:

- a) You misappropriated the money for your own personal use and/or financial gain.
- b) You knew that the money was intended to benefit one or more charity.

## **This charge is found proved**

In reaching this decision, the panel noted the test for dishonesty as set out in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67.

The panel had regard to the evidence which was clear and consistent that the money had been raised by the School for a charity donation, and Mr Lewis was aware of the fetes and that the money was intended to be of benefit to one or more charity. Therefore the panel concluded that there was no reasonable way Mr Lewis would have not known that the money was intended for charity.

The panel considered that based on his response to transfer the money from his bank account to Ms Beil’s and following his excuses in not making the money available to her, it is more likely than not he had taken the money for his personal use. The panel considered that an ordinary reasonable person would consider the use of money intended for a charity in this way to be misappropriation of funds and that it would amount to dishonesty.

Therefore, the panel concluded that charges 2a and 2b are 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 Lewis' 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 Lewis' 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 identified what it considered to be the specific, relevant standards where Mr Lewis' actions amounted to misconduct and a breach of the Code. It was submitted that

his conduct was a serious and significant departure from the expected standards of a registered nurse.

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) and any other cases referred to.

The NMC invited the panel to find Mr Lewis' fitness to practise impaired on the grounds that his premeditated actions of dishonesty and misappropriation of funds for personal gain could place patients at risk of harm. It is submitted that his actions brought the nursing profession into disrepute and were a breach of the fundamental tenets of nursing practice. There was no reflection or insight provided by Mr Lewis which would indicate that he has remediated and not liable to repeat his actions.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments. These included: *Roylance v General Medical Council (No 2)* [2000] 1 A.C. 311, *Nandi v General Medical Council* [2004] EWHC 2317 (Admin), *R (on the application of Shiekh) v General Dental Council* [2007] EWHC 2972 (Admin), *Patel v General Medical Council* [2012] EWHC 3688, 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 Lewis' actions did fall significantly short of the standards expected of a registered nurse, and that Mr Lewis' actions amounted to a breach of the Code. Specifically:

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

*20.2 act with honesty and integrity at all times, treating people fairly and without discrimination, bullying or harassment*

*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*

*21.3 act with honesty and integrity in any financial dealings you have with everyone you have a professional relationship with, including people in your care'*

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. However, the panel was of the view that misappropriating funds due to a charity, for his personal benefit would be considered wholly deplorable by fellow practitioners.

The panel found that Mr Lewis' actions did fall seriously short of the conduct and standards expected of a nurse and that they amounted to misconduct.

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

The panel next went on to decide if as a result of the misconduct, Mr Lewis' 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. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. 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) has in the past acted dishonestly and/or is liable to act dishonestly in the future.'*

The panel finds that there was no closely related risk of harm as a result of Mr Lewis' misconduct. Mr Lewis' misconduct had breached the fundamental tenets of the nursing profession and therefore brought its reputation into disrepute. It was satisfied that confidence in the nursing profession would be undermined if its regulator did not find charges relating to dishonesty extremely serious.

Regarding insight, the panel considered that Mr Lewis has not submitted any reflection or insight demonstrating remorse, strengthening of practice, or understanding into the attitudinal concerns of his dishonesty. Therefore, the panel concluded that while this conduct could potentially be addressed by a registrant fully committed to doing so, albeit with difficulty, it has currently not been and there remains a risk of repetition.

The panel concluded that given the remoteness of the potential of harm, which was not directly to patients or people that Mr Lewis would necessarily have come into contact with, a finding of impairment is not necessary on public protection grounds.

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 a finding of impairment on public interest grounds is required because Mr Lewis' actions are a fundamental departure from the expected standards of behaviour that the ordinary member of the public would be shocked that a registered nurse would take money belonging to a charity for their personal use.

In addition, the panel concluded that public confidence in the profession would be undermined if a finding of impairment were not made in this case and therefore also finds Mr Lewis's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Mr Lewis' 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 Lewis off the register. The effect of this order is that the NMC register will show that Mr Lewis 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, the NMC had advised Mr Lewis that it would seek the imposition of a striking off order if it found Mr Lewis' fitness to practise currently impaired.

## **Decision and reasons on sanction**

Having found Mr Lewis' 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:

- Abuse of a position of trust
- Deliberate breaches of the Code

- Failure to engage in the Fitness to Practise (FtP) process, without good reason
- Absence of insight
- Premeditated behaviour
- Abuse of a position of power
- No evidence that the money has been repaid to the charity

The panel concluded that there are no mitigating circumstances 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 Lewis’ misconduct was not at the lower end of the spectrum, and determined that a sanction that does not restrict Mr Lewis’ practise would not protect the public interest. 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 Lewis’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). In light of the attitudinal nature of the concerns and absence of insight, 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 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 could be managed by Mr Lewis' 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 the total lack of engagement, absence of insight, lack of remorse, together with no evidence of training and development, the panel considered that there is no realistic possibility that Mr Lewis would address the concerns to such a level where he could return to practise in a way that would maintain public confidence in the profession.

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 all of 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 Mr Lewis' 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 Lewis' 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 Lewis' 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 Lewis 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 Lewis' 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 an interim suspension order of 18 months is necessary on the grounds of public protection and otherwise in the public interest to cover any potential appeal period.

### **Decision and reasons on interim order**

The panel was satisfied that an interim order is necessary to declare and uphold 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. Given its findings above regarding the public protection the panel did not impose an interim order on that ground. The panel therefore imposed an interim suspension order for a period of 18 months as being necessary on the ground of in the public interest to cover any potential appeal period.

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

That concludes this determination.