

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

**Substantive Order Review Hearing  
Wednesday, 24 June 2026**

Virtual Hearing

**Name of Registrant:** Rose Linda Chinwenma Nkemdirim

**NMC PIN:** 03109670

**Part(s) of the register:** Registered Nurse – Sub part 1  
Adult Nursing – 25 September 2003

**Relevant Location:** Hertfordshire

**Type of case:** Misconduct

**Panel members:** Vicki Wells (Chair, registrant member)  
Sharon Haggerty (Registrant member)  
Philippa Hardwick (Lay member)

**Legal Assessor:** Laura McGill

**Hearings Coordinator:** Mahee Vohra

**Nursing and Midwifery Council:** Represented by Nawazish Choudhury, Case Presenter

**Ms Nkemdirim:** Not present and unrepresented

**Order being reviewed:** Suspension order (6 months)

**Fitness to practise:** Impaired

**Outcome:** **Striking-Off order to come into effect on 8 August 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 Ms Nkemdirim was not in attendance and that the Notice of Hearing had been sent to Ms Nkemdirim's registered email address by secure email on 6 May 2026.

Mr Choudhury, 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 Ms Nkemdirim's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In light of all of the information available, the panel was satisfied that Ms Nkemdirim 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 Ms Nkemdirim**

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

Mr Choudhury submitted that there has been no engagement at all by Ms Nkemdirim with the NMC in relation to these review hearings and, as a consequence, there was no reason to believe that an adjournment would secure her attendance on some future occasion. He referred the panel to the multiple emails the NMC has sent to Ms Nkemdirim's registered email address as well as the phone calls made to Ms Nkemdirim's mobile and landline number to confirm her attendance, all of which went unanswered.

Mr Choudhury submitted that Ms Nkemdirim had voluntarily absented herself.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Ms Nkemdirim. In reaching this decision, the panel has considered the submissions of Mr Choudhury, the record of emails sent to Ms Nkemdirim's registered email address, the record of telephone calls made to Ms Nkemdirim's landline and mobile phone, 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 Ms Nkemdirim;
- Ms Nkemdirim has not engaged with the NMC since the substantive hearing and has not responded to any of the letters, emails sent to her, and telephone calls made to her about this hearing;
- Ms Nkemdirim has not provided a reason for her absence;
- 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 Ms Nkemdirim.

### **Decision and reasons on review of the substantive order**

The panel decided to replace the current suspension order with a striking off order.

This order will come into effect at the end of 8 August 2026 in accordance with Article 30(1)) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the second review of a suspension order originally imposed for a period of 9 months by a Fitness to Practise Committee panel on 9 April 2025. This was reviewed on 7

January 2026 and the first reviewing panel had imposed a further suspension order of 6 months.

The current order is due to expire at the end of 8 August 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.

- a) On or about 27 June 2022 disposed of Resident A’s 39 morphine tablets without obtaining a countersignature from a second nurse in the controlled drug book.
- b) On or about 7 July 2022 disposed of Resident A’s bottle of morphine liquid without recording it in the controlled drug book.
- c) On or about 23 July 2022 pre-signed a MAR chart indicating that medication had been administered when it had not.
- d) On or about 8 September 2023, inaccurately recorded a balance of oxycodone as 80 ml when it should have been 98 ml.
- e) On or about 19 September 2023, failed to sign on a MAR chart that you had administered medication.

2. On or about 30 June 2022 amended one or more recorded balance quantities of Resident B’s oxycodone

- a) Without recording that you had done so.
- b) Without recording a rationale for doing so.

...

4. Entered into a Resident’s care plan words to the effect that they stayed awake at night watching pornography.’

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

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

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

*The panel noted that the original panel found that Mrs Nkemdirim had insufficient insight. At this hearing the panel has no information before it to suggest that Mrs Nkemdirim's insight has improved since the substantive hearing. This panel also noted that Mrs Nkemdirim did not take accountability for her actions at the substantive hearing, and so could not be satisfied that her levels of insight had altered given her lack of engagement.*

*Similarly, in its consideration of whether Mrs Nkemdirim has taken steps to strengthen her practice, the panel noted that Mrs Nkemdirim has not provided any evidence of additional training, and it has seen no indication from Mrs Nkemdirim of her intentions to return to practice.*

*The original panel determined that Mrs Nkemdirim was liable to repeat matters of the kind found proved. Today's panel has heard no new information to suggest that there has been any change in circumstances, and no evidence has been provided to suggest that the risk of repetition has been mitigated. In light of this, this panel determined that a finding of continuing impairment is necessary on the grounds of public protection.*

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

*For these reasons, the panel finds that Mrs Nkemdirim'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 Mrs Nkemdirim's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where 'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Mrs Nkemdirim's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

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

*The panel took into account the correspondence from the RCN on Mrs Nkemdirim's behalf on 29 October 2025 indicating that she wished to be removed from the register. The panel noted that the RCN no longer represents Mrs Nkemdirim, so cannot confirm this position at today's hearing. In view of this correspondence, and*

*Mrs Nkemdirim's lack of engagement, the panel considered that any conditions of practice order would not be workable and would serve no useful purpose.*

*The panel considered a further period of suspension. It was of the view that extending the suspension order would allow Mrs Nkemdirim further time to fully reflect on her previous failings, or to otherwise explicitly express her intention to be removed from the register. The panel bore in mind that this is the first instance of Mrs Nkemdirim not engaging with NMC proceedings. The panel therefore concluded that extending the suspension order by a further 6-months would be the appropriate and proportionate response and would afford Mrs Nkemdirim adequate time to indicate a desire to be removed from the register, or otherwise take steps towards remediating 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 that further 6-month period of suspension would provide Mrs Nkemdirim with an opportunity to engage with the NMC and make her future intentions regarding whether she intends to continue as a registered nurse clear. It considered this to be the most appropriate and proportionate sanction available.'*

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

The panel has considered carefully whether Ms Nkemdirim'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, 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 the NMC bundle and the submissions made by Mr Choudhury on behalf of the NMC. He took the panel through the background of the case and referred to the written decision of the original substantive panel and the

recommendations of the previous panel which were contained within the hearing bundle. He submitted that the previous panel had clearly identified the information that may assist a future reviewing panel in assessing Ms Nkemdirim's progress.

Mr Choudhury submitted that Ms Nkemdirim's fitness to practise remained impaired and invited the panel to make a finding of current impairment.

Mr Choudhury referred the panel to the decision in *Abrahaem v General Medical Council [2008] EWHC 183 (Admin)* and submitted that, at a review hearing, the persuasive burden rests upon the registrant to demonstrate that they have addressed the concerns previously identified, developed sufficient insight and taken adequate steps through reflection, education, supervision or other remediation to remedy the concerns which led to the finding of impairment.

Mr Choudhury submitted that Ms Nkemdirim was not in attendance and has had limited engagement with the NMC since the imposition of the substantive order. He submitted that Ms Nkemdirim had provided no evidence of compliance with the recommendations of the last panel, no reflective accounts, no testimonials, no evidence of training, and no information regarding her intentions to return to nursing practice.

Mr Choudhury referred to the decision of the last reviewing panel wherein it had referred to the correspondence from the Royal College of Nursing (RCN) on Ms Nkemdirim's behalf on 29 October 2025, indicating that she wished to be removed from the register. However, this information could not be confirmed as the RCN is no longer acting on Ms Nkemdirim's behalf and she has completely disengaged with the NMC.

In those circumstances, Mr Choudhury submitted that there had been no meaningful progress since the substantive order was imposed. He submitted that Ms Nkemdirim had failed to take the steps identified by the previous panel and had therefore failed to demonstrate that she was capable of practising safely.

Mr Choudhury submitted that Ms Nkemdirim's fitness to practise remains impaired on public protection and public interest grounds. He submitted that the charges against Ms Nkemdirim were of a serious nature, that there was a risk to vulnerable patients, a lack of

personal accountability and a tendency to place blame elsewhere. He submitted that in the absence of any evidence of remediation, insight or strengthened practice, this panel could properly conclude that Ms Nkemdirim remains unsafe to practise and that the risk of repetition remains unchanged.

With regard to sanction, Mr Choudhury submitted that the panel should consider the guidance relating to removal from the register when there is a substantive order in place (reference REV-2h), which specifies that while suspension orders can be varied or suspended, they are not intended to exist indefinitely. He submitted that a strike-off decision is the right method for removal from the register and only in specific circumstances can an order be allowed to lapse with impairment. Mr Choudhury submitted that these specific circumstances do not apply to Ms Nkemdirim.

Mr Choudhury submitted that the purpose of any sanction is to provide a route back to practice for a registrant and to comply with conditions, or to have proper reflection in the case of a suspension order. He stated that the purpose of a suspension order is to allow a registrant to come before a panel and to evidence that they have learnt from their mistakes, and make their desire to return to practice clear.

Mr Choudhury submitted that public confidence in the profession is more important than the fortunes of any individual professional. He submitted that whilst it is important to bear in mind the individual, the needs of the wider public and that of the profession will always outweigh those of an individual practitioner, and that there are advantages to all parties in setting time limits that indicates a purpose of finality.

Mr Choudhury further submitted that the mentioned Guidance also explicitly states that striking off a registrant from the register is the most appropriate means for them to leave the register if they remain impaired in respect of misconduct, which aligns with the present case. He submitted that a panel should only consider allowing a professional to lapse with impairment in cases where all the factors mentioned in the Guidance are present, which is not the case for Ms Nkemdirim.

Lastly, Mr Choudhury submitted that should Ms Nkemdirim wish to return to practice, she would be able to apply for restoration after a period of five years has elapsed.

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 Ms Nkemdirim's fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Ms Nkemdirim had insufficient insight and suggested that any future panel would be assisted by a clear indication from Ms Nkemdirim regarding whether she wished to be removed from the register, or to demonstrate her fitness to practice. At this hearing, Ms Nkemdirim has failed to attend, she has not made any written submissions or offered any reflective statement, and has completely disengaged from the current proceedings.

The panel noted that the previous panel had identified a range of information that would assist a future reviewing panel, including evidence of fully developed insight, remorse and accountability focusing on the impact of the particular actions found proved, reflective material, evidence of relevant training and strengthened practice.

The panel also took into account that there is no evidence from Ms Nkemdirim of insight, reflection, remediation, training, professional development or any steps taken to address the concerns which were identified by the last panel.

The panel considered that, in the absence of any engagement or evidence of remediation, it was unable to assess whether Ms Nkemdirim had developed insight into her misconduct or whether she had addressed the risk factors identified previously. The panel determined that there was no information before it to indicate that the risk of repetition in this case had reduced.

The panel therefore concluded that the concerns identified by both previous panels remain unresolved. In the absence of any evidence of reflection, remediation or strengthened practice, the panel determined that there remains a real risk of repetition of the misconduct

found proved and a consequent risk of harm to patients. 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 and remains necessary to uphold proper professional standards and maintain public confidence in the nursing profession and the regulatory process. The panel considered that a fully informed member of the public would be concerned if no finding of impairment were made in circumstances where there had been no engagement, no remediation and no evidence that the serious concerns had been addressed.

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

### **Decision and reasons on sanction**

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

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. It had found that Ms Nkemdirim has failed to demonstrate insight into the concerns nor strengthened her nursing practice. The panel therefore decided that it would neither protect the public nor be in the public interest to take no further action.

The panel 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 Ms Nkemdirim's nursing practice would not be appropriate in the

circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Ms Nkemdirim'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 a caution order would neither protect the public nor be in the public interest.

The panel next considered whether a conditions of practice on Ms Nkemdirim'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 substantive hearing. Given the seriousness of the concerns which Ms Nkemdirim has failed to address, her lack of engagement with the NMC and her lack of insight into her misconduct, the panel was not satisfied that any workable, measurable and proportionate conditions could be formulated which would sufficiently address the public protection and public interest risks in this case. It therefore concluded that a conditions of practice order would not adequately protect the public nor satisfy the public interest.

The panel next considered imposing a further suspension order. The panel was mindful of the previous decision which was made to give additional time to Ms Nkemdirim to undertake some training, further reflect and fully develop insight and accountability. The panel was of the view that Ms Nkemdirim has had a period of fourteen months since the imposition of the suspension order to demonstrate steps taken to strengthen her nursing practice and reflect on her failings, but she has failed to provide any evidence in this regard.

The panel considered the Guidance for deciding between a suspension and strike off order (reference SAN-3) and noted:

- The relevant aggravating and mitigating circumstances as outlined in the original substantive order;
- That public confidence in the NMC would not be protected if Ms Nkemdirim is allowed to return to practice. This is due to the fact that Ms Nkemdirim has disengaged from the NMC and has repeatedly omitted to demonstrate any insight, reflection, training undertaken or steps for strengthening her practice;

- That due to the limited engagement, there is unlikely to be a positive change during a further suspension period;
- That it would not be appropriate to use a further suspension order as a means of giving Ms Nkendirim a last chance to engage, reflect or show insight. The panel further noted that the last reviewing panel had been sympathetic and extended the suspension period. However, it appears that Ms Nkendirim has intentionally not utilised this opportunity.

In these circumstances, the panel noted that a further period of suspension would serve no purpose nor satisfy the public interest. The panel determined that a further suspension order was neither appropriate, nor proportionate in the circumstances.

The panel therefore considered allowing a lapse with impairment. It noted that Ms Nkendirim's registration was only now valid due to the existence of the current order. It had regard to the NMC's SG 'Removal from the register when there is a substantive order in place' (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 noted that it should only consider allowing an order to lapse with impairment in cases where all factors are present and noted that these factors are not applicable in the

case of Ms Nkemdirim. The panel therefore considered that allowing a lapse with impairment was not appropriate in the circumstances.

The panel then considered a striking off order and had regard to Guidance relating to striking off orders (reference SAN-2e) where the factors for striking off are considered:

- *'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?'*

In addition, the panel once again referred to NMC's SG 'Removal from the register when there is a substantive order in place' (Rev-2h):

*'When imposing a suspension order a panel might set a number of expectations it has, or actions the nurse, midwife or nursing associate could take that would help a future Committee reviewing the order before it expires. It is appropriate for a reviewing panel to look at those requirements and consider whether they have been met when determining what action to take in future. As with conditions of practice, where there has been a failure to satisfy those expectations or a lack of meaningful engagement, then strike off is likely to be the appropriate sanction.'*

The panel decided that the serious breach of fundamental tenets of the profession, evidenced by Ms Nkemdirim's actions raises serious and significant questions about her professionalism. It determined that Ms Nkemdirim's behaviour and actions represented a serious departure from the standards expected from a registered nurse and that the public interest would not be served if the current order was extended.

The panel noted that Ms Nkemdirim has not engaged with the NMC in relation to these proceedings since the original substantive hearing in April 2025. The panel considered there has been no new information, since the imposition of the suspension order, to indicate any steps that Ms Nkemdirim has taken to strengthen her nursing practice nor any evidence of her developing further insight. The panel therefore determined that there was no evidence to demonstrate that Ms Nkemdirim has made any progress towards addressing the concerns about her fitness to practise.

The panel therefore decided that it was necessary to take action to prevent Ms Nkemdirim from practising in the future and concluded that the only sanction that would adequately protect the public and serve the public interest is a striking-off order. The panel therefore directs the registrar to strike Ms Nkemdirim's name off the register.

This striking-off order will take effect upon the expiry of the current suspension order, namely the end of 8 August 2026 in accordance with Article 30(1).

This decision will be confirmed to Ms Nkemdirim in writing.

That concludes this determination.