

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

**Substantive Hearing
Thursday, 20 November 2025 – Wednesday, 26 November 2025
Wednesday, 25 March 2026 – Thursday, 26 March 2026**

Virtual Hearing

Name of Registrant:	Susan Shuga
NMC PIN:	99K12130
Part(s) of the register:	Nurses part of the register Sub part 1 RN1: Adult nurse, level 1 (8 November 1999)
Relevant Location:	London
Type of case:	Misconduct
Panel members:	Andrew Macnamara (Chair, lay member) Wendy Hope (Registrant member) Kiran Bali (Lay member)
Legal Assessor:	Nigel Mitchell
Hearings Coordinator:	Fabbiha Ahmed
Nursing and Midwifery Council:	Represented by Rebecca Malczewski, Case Presenter (Thursday, 20 November 2025 – Wednesday, 26 November 2025) Represented by Iwona Boesche, Case Presenter (Wednesday, 25 March 2026 – Thursday, 26 March 2026)
Ms Shuga:	Not present and unrepresented at this hearing
Facts proved:	Charge 2 and Charge 4
Facts not proved:	Charge 1 and Charge 3
Fitness to practise:	Impaired

Sanction:

Striking off order

Interim order:

Interim Suspension Order (18 months)

Application to Adjourn

At the outset of the hearing, Ms Malczewski, on behalf of the Nursing and Midwifery Council (NMC), made an application to adjourn the proceedings for one day.

Ms Malczewski outlined the timeline of communications between the NMC and Ms Shuga's representative. She submitted that at 18:54 yesterday evening, the NMC sent Ms Shuga and her representative a three-page supplementary witness statement from Witness 1, which exhibited a letter sent by Ms Shuga. Ms Malczewski submitted that the NMC understands that although the email was delivered to Ms Shuga, it subsequently bounced back from the representative's email address.

Ms Malczewski told the panel that the NMC then received a response from Ms Shuga at 08:35 this morning stating that the evidence had been served at short notice, that her representative was not available today, and that she did not consider it appropriate for the hearing to proceed in her representative's absence. Ms Shuga requested that the hearing be adjourned to a future date.

Ms Malczewski submitted that the email correspondence indicates that Ms Shuga and her representative are in contact with one another. Accordingly, Ms Malczewski submitted that there is no obvious reason why Ms Shuga's representative did not request an adjournment on Ms Shuga's behalf or why her representative could not attend the hearing today.

Ms Malczewski referred the panel to the representative's first contact with the NMC on 5 August 2022, noting that the representative has been instructed for over three years. She reminded the panel that the Notice of Hearing had been sent to both Ms Shuga and her representative on 6 October 2025. Ms Malczewski submitted that the representative's last contact with the NMC appears to have been on 24 July 2024, where the NMC requested a response to a report which has not yet been provided.

Ms Malczewski also submitted that the NMC has received no communication to indicate that the representative has come off the record.

Ms Malczewski emphasised that Ms Shuga has otherwise engaged throughout the proceedings. She submitted that the application to adjourn is in the interests of fairness to allow Ms Shuga the opportunity to participate in the hearing with her representative.

Ms Malczewski invited the panel to grant an adjournment for one day. She informed the panel that, should Ms Shuga fail to attend tomorrow, the NMC will make an application to proceed in her absence.

Ms Malczewski submitted that a short adjournment is a proportionate step to ensure fairness, and to allow both Ms Shuga and her representative an opportunity to attend.

The panel heard and accepted legal advice.

Decision and Reasons to Adjourn

The panel decided to grant the application to adjourn the proceedings for one day.

The panel determined that a short adjournment is necessary to ensure a fair hearing.

The panel noted that the short single letter of supplementary evidence was served yesterday evening and acknowledged that Ms Shuga may not have had sufficient time to review it and obtain legal advice from her representative as mentioned in her email to the NMC.

The panel was aware that Ms Shuga had requested that the matter is adjourned to a future date when her representative was available and there had been a proper opportunity to consider and respond to new evidence, while Ms Malczewski invited the panel to consider adjourning for one day.

Having considered both positions, the panel determined that a one-day adjournment is fair and appropriate in the circumstances to ensure both Ms Shuga and her

representative have the opportunity to consider the supplementary evidence and attend the hearing tomorrow.

Therefore, the panel decided to adjourn this matter until tomorrow, 21 November 2025.

Application to Hear Ms Shuga's Postponement Application Orally on 21 November 2025 (Day 2)

After the panel handed down its decision to adjourn this hearing until the morning of 21 November 2025, the NMC received an email from Ms Shuga on 20 November at 12:51 stating that she was informed that her representative can no longer act for her.

Ms Malczewski submitted that Ms Shuga's first email requesting a postponement suggested that she had recent contact with her representative in which they sought to prepare for this hearing. Ms Malczewski submitted that there is no reason as to why Ms Shuga cannot join the hearing link tomorrow, 21 November 2025, and make this application for a further adjournment of three months orally.

Ms Malczewski submitted that if Ms Shuga's application is to be heard now and based on the email received at 12:51 alone, it would be subject to criticism from the NMC. This would be based on the fact that Ms Shuga has not joined the hearing to make this application to provide further information necessary for the panel's decision making, including the opportunity to address the inconsistencies across the two emails.

Ms Malczewski submitted that it is in the interest of fairness to Ms Shuga that her application for adjourning for a further three months should be heard tomorrow morning, to ensure that the panel's decision is based on as much information as possible which Ms Shuga would be able to provide.

The panel heard and accepted legal advice.

Panel's Decision and Reason to Hear Ms Shuga's Postponement Application Orally on 21 November 2025 (Day 2)

The panel determined that it is in agreement with Ms Malczewski's proposal to invite Ms Shuga to make her application to adjourn for a further three months in person.

The panel were of the view that this was the fairest way of proceeding and in Ms Shuga's best interests, as it would allow her to address the reasons why her representative withdrew from the case at a late stage in the process.

The panel invited Ms Malczewski to arrange for Ms Shuga to be contacted by the NMC and requested to join the hearing on the morning of 21 November 2025 to make her application.

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing, 21 November 2025, that Ms Shuga was not in attendance and that the Notice of Hearing letter had been sent to her registered email address by secure email and her representative on 6 October 2025.

Ms Malczewski, 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 allegation, the time, dates and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Ms Shuga'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 Ms Shuga has been served with the Notice of Hearing in accordance with the requirements of Rules 11 and 34.

Ms Shuga's Request for 3-month Postponement and the NMC's Application to Proceed in Absence

In Ms Shuga's email dated 20 November 2025 at 12:51pm she acknowledged that the Notice of Hearing was served on her on 6 October 2025 however, her representative has informed her he cannot attend this hearing. Ms Shuga requested an adjournment to obtain legal advice, satisfy herself as to the authenticity of the document, refresh her memory as to the circumstances in which it was written and consider how best to explain its contents and its significance. Ms Shuga requested an adjournment of at least 3 months and said that she is not in a position to join the hearing today '*without causing serious prejudice to my case*'.

Ms Malczewski opposed Ms Shuga's application for an adjournment for 3 months and submitted that the hearing should proceed in her absence. She submitted there is a strong public interest in the efficient disposal of this case, which relates to charges relating to events from 2012 and 2015. She submitted that an adjournment would delay the hearing until late Autumn 2026, despite the referral to the NMC being in February 2020.

Ms Malczewski also submitted witness recollection may already be affected by time, particularly in a case involving dishonesty. Ms Malczewski submitted that inconvenience to all parties must be considered. She submitted that two witnesses were warned and ready to give evidence on Day 1 and would further be inconvenienced by any postponement.

Ms Malczewski submitted that Ms Shuga has a professional duty to cooperate with these proceedings. She submitted that the case management form was sent to Ms Shuga and her representative on 20 May 2025, followed by a reminder on 15 July 2025, yet no response was received. Ms Malczewski also submitted that a case conference invitation was sent on 29 September 2025, was also not responded to.

Ms Malczewski further submitted that the Notice of Hearing was sent on 6 October 2025, with information on requesting an adjournment, but no request was made until the day of the hearing.

Ms Malczewski submitted that Ms Shuga informed the NMC on the first day of the hearing that she was no longer represented, despite having been represented for over three years. Ms Malczewski submitted that correspondence from Ms Shuga indicated she claimed to have only learned of this on the day of the hearing.

Ms Malczewski submitted that Employment Rights, the representative's organisation, did not appear to be active online and emails to it were undelivered, raising questions as to why concerns were not raised sooner. She added that no correspondence has been received from the representative despite earlier confirmation in August 2022 that they had been instructed.

She further submitted that, Ms Shuga in an email to the NMC at 12:51pm stated that her representative had told her he could not act for her because he was '*engaged on an urgent project for the BMA relating to industrial actions for doctors*' leaving him without capacity to support her. Ms Malczewski submitted that such commitments would not arise at the last minute and could not reasonably explain a withdrawal on the first day of the hearing.

Ms Malczewski further referred to Ms Shuga's own email confirming she received the Notice of Hearing and that she was preparing for it with her representative, which does not align with the explanation offered.

Ms Malczewski submitted that Ms Shuga within her email told the NMC that she was [PRIVATE] but submitted that no evidence of this was provided. She noted that whilst these proceedings can [PRIVATE] , Ms Shuga had voluntarily absented herself.

Ms Malczewski addressed Ms Shuga's second ground for postponement in that she needed more time to consider the supplementary evidence served on her. She submitted that this consisted of a document of one page and ten lines long, with a

single exhibit consisting of a letter of six lines. She submitted that documents of greater length are served at a shorter notice including cases involving self-represented registrants.

Ms Malczewski therefore invited the panel to reject the application for postponement and proceed in Ms Shuga's absence.

Decision and Reasons on Ms Shuga's Application for an adjournment and on the NMC's Application to Proceeding in the Absence of Ms Shuga

The panel considered Ms Shuga's application for an adjournment. The panel noted that Ms Shuga has been aware of this hearing since at least July 2025 and had received further communication in respect of these dates subsequently. Ms Shuga was invited by the panel to attend the hearing today virtually and/or with her representative, but she did not attend. The panel determined that Ms Shuga has not provided evidence of reasons to adjourn the case at this late stage.

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

The panel accepted the advice of the legal assessor.

The panel noted that its discretionary power to proceed in the absence of a registrant under the provisions of Rule 21 is not absolute and is one that should be exercised '*with the utmost care and caution*' as referred to in the case of *R v Jones (Anthony William)*_(No.2) [2002] UKHL 5.

The panel has decided to proceed in the absence of Ms Shuga. In reaching this decision, the panel has considered the submissions of Ms Malczewski and the advice of the legal assessor. It has had particular regard to the factors set out in the decision of *R v Jones* and *General Medical Council v Adeogba* [2016] EWCA Civ 162 and had regard to the overall interests of justice and fairness to all parties. It noted that:

- There is no reason to suppose that adjourning would secure her attendance at some future date;
- Witnesses have been warned to give oral evidence on Day 2 of the proceedings;
- Not proceeding may inconvenience the witnesses, their employer(s) and, for those involved in clinical practice, the clients who rely on their professional services;
- The charges relate to events that occurred in 2012 and 2015;
- A further delay may have an adverse effect on the ability of witnesses accurately to recall events; and
- There is a strong public interest in the expeditious disposal of the case.

There is some disadvantage to Ms Shuga in proceeding in her absence. Although the evidence upon which the NMC relies will have been sent to her at her registered address, she will not be able to challenge the evidence relied upon by the NMC and will not be able to give evidence on her own behalf. However, in the panel's judgement, this can be mitigated. The panel can make allowance for the fact that the NMC's evidence will not be tested by cross-examination and, of its own volition, can explore any inconsistencies in the evidence which it identifies. Furthermore, the limited disadvantage is the consequence of Ms Shuga's decisions to absent herself from the hearing, waive her rights to attend, and/or be represented, and to not provide evidence or make submissions on her own behalf.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Ms Shuga. The panel will draw no adverse inference from Ms Shuga's absence in its findings of fact.

Details of charge

That you, the Registered Manager of [PRIVATE] Agency,

- 1) On 24 July 2012, provided Anglia Ruskin University with a false reference for Person 1.
- 2) On 30 April 2015, provided Person 1 with a job offer letter that contained falsified information in it.
- 3) Your conduct in charge (1) was dishonest in that you deliberately sought to represent Person 1 as a highly experienced carer when you knew this was not true.
- 4) Your conduct in charge (2) was dishonest in that you deliberately sought to mislead any third party reading the letter into believing the information contained within it to be true, when you knew it was not.

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

Application to Admit Supplementary Evidence of Witness 2

Ms Malczewski made an application to admit supplementary evidence of Witness 2. She submitted that this additional evidence was already contained in the exhibit bundle but had not yet been formally exhibited as part of the evidence.

Ms Malczewski submitted that the supplementary evidence does not contain any evidence that is new, or which Ms Shuga is unaware of. Indeed, in her response bundle Ms Shuga accepts that she wrote the reference.

The panel heard and accepted legal advice.

Decision and Reason to Admit Supplementary Evidence of Witness 2

The panel accepted Ms Malczewski's application to submit supplementary evidence of Witness 2. It determined that this evidence is not new and has had sight of it in

other evidence before it. The panel determined that it is fair to admit the supplementary evidence.

It acknowledged that Ms Shuga is not present and cannot respond to these materials, but she has had sight of these documents prior to the hearing as the supplementary evidence was submitted by her.

The panel therefore accepted the application to admit the supplementary evidence of Witness 2.

Application to Admit the evidence of Witness 3 as hearsay evidence

Ms Malczewski made an application to admit the evidence of Witness 3 as hearsay. She submitted that Witness 3 exhibits the reference referred to in Charge 1 albeit it had already been provided in the exhibit bundle.

Ms Malczewski submitted that it is the fairest and most appropriate way for this to be formally admitted into evidence. She submitted that no unfairness will be caused to Ms Shuga as the statement had been written by Ms Shuga.

Decision and Reason to admit evidence from Witness 3 as hearsay evidence

The panel accepted Ms Malczewski's application to admit evidence from Witness 3 as hearsay evidence. It determined that this evidence is not new having had sight of it in the exhibit bundle.

The panel therefore admitted the evidence from Witness 3 as hearsay.

Background

Ms Shuga was referred to the NMC on 18 February 2020 by Witness 1.

Ms Shuga has been on the NMC register since 1999. In 2000, she was appointed as director of [PRIVATE] (the 'Agency'). Witness 1 alleges that Ms Shuga in her role as registered manager of the Agency provided Person 1 with a false reference in 2012 and a job offer letter in 2015 which contained falsified information.

Witness 1 alleged that Ms Shuga and Person 1 were friends.

It is alleged by Witness 1 that in 2012 Ms Shuga provided Person 1 with a reference to Anglia Ruskin University which stated that Person 1 had worked for the Agency and that the reference contained false information. Person 1's application form for the position of carer at the Agency was dated 14 November 2000.

On 7 March 2001, Person 1 appears to have undertaken carer training for two weeks. The training appears to have been held at the Agency, and the relevant certification had been signed by Ms Shuga.

The interview notes for Person 1 were dated 23 March 2001 and the reference in question is dated 24 July 2012. In this reference, it is alleged that Ms Shuga confirms that Person 1 has been undertaking ad hoc shifts as a carer with the Agency since 2000 and regularly fulfilled staffing needs in emergency situations.

Decision and reasons on facts

In reaching its decisions on the disputed facts, the panel took into account all the oral and documentary evidence in this case together with the submissions made by Ms Malczewski.

The panel also took into account a response bundle from Ms Shuga including her submissions to the charges, character references, her employment history and an index of appendices containing training certificates, job descriptions and interview records amongst others.

The panel has drawn no adverse inference from Ms Shuga's non-attendance.

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 heard oral evidence from the following witnesses called on behalf of the NMC:

- Witness 1: Senior Manager for NHS England, operating in a non-clinical role.
- Witness 2: Operations Manager employed by [PRIVATE].

The panel did not hear oral evidence from Witness 3 who is employed by Anglia Ruskin University as the Director of Quality but accepted her evidence as hearsay.

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

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

Charge 1

“That you, the Registered Manager of [PRIVATE] Agency,

- 1) On 24 July 2012, provided Anglia Ruskin University with a false reference for Person 1.”

This charge is found not proved.

In reaching this decision, the panel noted that the reference was written in a *'personal'* capacity, as a friend, rather than as a professional endorsement. However, the panel did not deem this relevant to the charge. The panel noted that the reference was generic and similar in style to a standard character reference. Ms Shuga in her written submissions stated that the reference is *'factually correct'*.

The panel acknowledged that the contents of the reference were broad. However, it determined that the NMC has not proved to the required standard that any of the information contained within it was demonstrably false.

Accordingly, the panel found this charge not proved.

Charge 2)

"That you, the Registered Manager of [PRIVATE] Agency

2) On 30 April 2015, provided Person 1 with a job offer letter that contained falsified information in it."

This charge is found proved.

In reaching this decision, the panel took into account the offer letter dated 30 April 2015 and the interview notes between Person 1 and Ms Shuga dated 1 June 2015.

The offer of appointment letter included the following:

'Further to your recent interview, I am pleased to offer you the above mentioned role as a Community Liaison Nurse on the following terms detailed below:

- 1. Your start date 15th June, 2015;*
- 2. The salary is £28 000 per year;*
- 3. Your normal hours of work will be 37.5hrs per week;*

4. *Your employment probation will be for 6 months.'*

Ms Shuga accepts that she wrote and signed this letter but denies that it is a '*false letter of employment*'. However, the letter refers to an interview prior to being offered the job. The panel had copies of the interview notes comprising four pages signed and dated by Ms Shuga on 1 June 2015.

The panel determined that the words '*further to your recent interview*' were false as the interview had yet to take place. In the circumstances, the panel determined that the letter contained false information.

The panel found this charge proved. It therefore determined the offer letter dated 30 April 2015 provided Person 1 with a job offer that contained false information within it.

Charge 3)

"That you, the Registered Manager of [PRIVATE] Agency

- 3) Your conduct in charge (1) was dishonest in that you deliberately sought to represent Person 1 as a highly experienced carer when you knew this was not true."

This charge is found not proved.

On the basis that Charge 1 was not found proved and Charge 3 is dependent on the findings of Charge 1, the panel determined that Charge 3 could not be proved.

Accordingly, this charge is found not proved.

Charge 4)

"That you, the Registered Manager of [PRIVATE] Agency

- 4) Your conduct in charge (2) was dishonest in that you deliberately sought to mislead any third party reading the letter into believing the information contained within it to be true, when you knew it was not.”

This charge is found proved.

The panel determined that when Ms Shuga wrote the letter, she knew that there had not been a *‘recent interview’* and therefore to say so was untrue. Any third party reading the letter would be misled into believing that following an interview Person 1 was offered a job as a Community Liaison Nurse when this was not the case. By the standards of ordinary decent people such conduct would be deemed dishonest.

The panel therefore determined that the letter was capable of misleading any third party and that Ms Shuga’s conduct as set out in Charge 2 was dishonest.

Accordingly, the panel found this charged proved.

Decisions and reasons on interim order

On behalf of the NMC, Ms Malczewski made no application for an interim order.

The panel accepted the advice of the legal assessor.

The panel considered the issue of an interim order under Rule 32(5) and concluded that it was not satisfied that such an order was necessary to protect the public nor on the grounds of public interest nor in your own interests. Notwithstanding the panel’s findings, it determined that the ‘high bar’ necessary to impose an order based on grounds of public interest had not been met.

Decision and reasons on service of Notice of Resuming Hearing – Day 6

The panel was informed at the start of this hearing, 25 March 2026, that Ms Shuga was not in attendance and that the Notice of Hearing letter had been sent to her registered email address by secure email on 9 December 2025.

Ms Boesche, 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 allegation, the time, dates and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Ms Shuga'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 Ms Shuga has been served with the Notice of Hearing in accordance with the requirements of the Rules.

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 Ms Shuga's fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise safely and effectively without restriction.

The panel, in reaching its decision, has recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage and it has therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, Ms Shuga's fitness to practise is currently impaired as a result of that misconduct.

Submissions on misconduct

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

Ms Boesche 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.

Ms Boesche identified the specific, relevant standards where Ms Shuga's actions amounted to misconduct. She submitted that paragraphs 20.1, 20.3 and 20.8 of The Code are engaged in this case.

Ms Boesche referred the panel to a document contained within the title 'FTP-2a'. She submitted that Ms Shuga's actions are serious because they represent a departure from the obligation to promote professionalism and maintain trust in the nursing profession. Ms Boesche submitted that the standards expected of a registered nurse are clear, and that such conduct falls below those standards and has the potential to undermine confidence in the profession.

Ms Boesche further submitted that the conduct is serious because Ms Shuga's actions included dishonesty. She submitted that dishonesty is a significant departure from the fundamental principle of The Code and what would be expected of a registered nurse.

Submissions on impairment

Ms Boesche moved on to the issue of impairment and addressed the panel on the need to have regard to protecting 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. This included reference to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin).

Ms Boesche submitted that Ms Shuga's fitness to practise remains impaired. She referred the panel to the NMC Guidance contained within a document titled 'DMA-1'.

Ms Boesche submitted that limbs (b) – (d) are engaged in this case. She submitted that in relation to limb (b) that Ms Shuga's actions would shock a member of the public if they were to learn that she provided false information within a letter of employment. In relation to limb (c), Ms Boesche submitted that, Ms Shuga has breached the fundamental tenets of promoting professionalism and trust in the nursing profession. In relation to limb (d), Ms Boesche submitted that, Ms Shuga has acted dishonestly and deliberately sought to mislead within the letter of employment.

Ms Boesche submitted that it is clear Ms Shuga has been working for many years and that there have been no other referrals. Ms Boesche submitted that a finding of impairment is necessary on the ground of public interest to uphold proper standards of conduct of the nursing profession. She submitted that Ms Shuga presents a lack of insight into her conduct which damages and undermines public confidence in the profession and the NMC as a regulator. Ms Boesche also submitted that these factors suggest Ms Shuga presents a deep-seated attitudinal issue.

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, Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin) and *Cohen v General Medical Council* [2008] EWHC 581 (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 Ms Shuga's actions did fall significantly short of the standards expected of a registered nurse, and that Ms Shuga's actions amounted to a breach of the Code. Specifically:

10 Keep clear and accurate records relevant to your practice

This applies to the records that are relevant to your scope of practice. It includes but is not limited to patient records.

To achieve this, you must:

10.3 complete all records accurately and without any falsification, taking immediate and appropriate action if you become aware that someone has not kept to these requirements

19 Be aware of, and reduce as far as possible, any potential for harm associated with your practice

20 Uphold the reputation of your profession at all times

To achieve this, you must:

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

20.2 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

20.10 use all forms of spoken, written and digital communication (including social media and networking sites) responsibly, respecting the right to privacy of others at all times

23 Cooperate with all investigations and audits

This includes investigations or audits either against you or relating to others, whether individuals or organisations. It also includes cooperating with requests to act as a witness in any hearing that forms part of an investigation, even after you have left the register.

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 Ms Shuga breached fundamental tenets of the profession and that her actions fell seriously short of the conduct and standards that would be expected of a registered nurse.

The panel determined that Ms Shuga misused her professional status to falsify information within a letter of employment which was designed to mislead. The panel considered that, although no actual harm was identified as having occurred, there was a clear potential for significant harm. The panel determined that the provision of inaccurate information within a letter of employment may have enabled the individual to practise as a registered nurse, thereby placing patients at a risk and undermining regulatory safeguards.

The panel determined that providing false or misleading information in a professional capacity has the potential to compromise patient safety, undermine public trust in the nursing profession and in the NMC as a regulator.

In all the circumstances, the panel determined that Ms Shuga's conduct fell seriously below the standards expected of a registered nurse and that fellow practitioners would regard such conduct as deplorable. The panel therefore determined that the matters found proved amounted to misconduct.

Decision and reasons on impairment

The panel next went on to decide if as a result of the misconduct, Ms Shuga's fitness to practise is currently impaired.

In coming to its decision, the panel had regard to the NMC Guidance on '*Impairment*' (Reference: DMA-1 Last Updated:28/01/2026) in which the following is stated:

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

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional. 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/ fitness to practise is impaired in the sense that S/He:

- 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.'*

In applying the test as set out in *Grant*, the panel considered limbs (a) – (d) to be engaged in this case.

In respect of limb (a), the panel determined that falsifying information within a letter of employment has the potential to place patients at unwarranted risk of significant harm. It determined that the letter was capable of giving the impression that an individual was employed and practising as a nurse when they had not yet been registered on the NMC Register. The panel considered that, had the letter been relied upon, this could have enabled an unregistered person to undertake nursing duties for which they were not lawfully or professionally authorised, thereby exposing patients to a potential risk of significant harm.

The panel acknowledged that there was no evidence before it that such conduct affected any patients. However, the panel determined that falsifying information on a letter of employment was capable of placing patients at risk of harm.

In respect of limb (b), the panel determined that Ms Shuga's conduct has brought the profession into disrepute. It determined that the nature of such behaviour, presenting false information within a letter of employment, falls well below the standards expected of a registered nurse.

In respect of limb (c), the panel determined that Ms Shuga breached fundamental tenets of the nursing profession. The panel determined that Ms Shuga's conduct in providing an employment letter containing false information and misusing her

professional status demonstrated a failure to uphold professional standards and act with integrity. The panel was satisfied that this conduct constituted a breach of fundamental tenets of the nursing profession.

In respect of limb (d), the panel determined that providing an employment letter containing false information constituted a clear breach of the fundamental principle of honesty and that Ms Shuga has acted to deliberately mislead.

The panel was satisfied that limbs (a) – (d) of *Grant* were engaged with regard to the past.

In considering whether limbs (a) – (d) of *Grant* were engaged with regard to the future the panel began by considering insight. The panel considered that Ms Shuga has not provided any material demonstrating an understanding of how her actions fell below the standards expected of a registered, nor has she produced material demonstrating an understanding of why what she did was wrong and how this impacted negatively on the reputation of the nursing profession.

Ms Shuga has not meaningfully engaged with the NMC since July 2022 when she did provide submissions and character references. The only contact Ms Shuga has had with the NMC since that time was in respect of her application for an adjournment in November 2025. Accordingly, the panel had no up to date information as to her current employment and practice.

The panel determined that the misconduct in this case is capable of remediation, however it considered that there was no evidence before it of any remorse, insight, or steps taken by Ms Shuga to strengthen her practice. The panel has not had sight of any training certificates or reflective pieces by Ms Shuga demonstrating that she reflected upon her conduct, showing an understanding of the potential impact on patients or a clear change of attitude and behaviour for the future. The panel considered that as Ms Shuga has not recently engaged with the NMC nor has she addressed the misconduct identified, it cannot be satisfied that the risk of repetition, and subsequent risk of harm, is unlikely.

The panel determined that limbs (a) – (d) of *Grant* were engaged with regard to the future. Accordingly, the panel therefore decided that a finding of impairment was necessary on the grounds of public protection.

The panel bore in mind that the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

The panel determined that the public interest is also engaged in this case. A registered nurse falsifying a letter of employment is serious and that public confidence in the profession would be undermined if a finding of impairment were not made in this case. It therefore determined that Ms Shuga's fitness to practise is currently impaired on the grounds of public interest.

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

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Ms Shuga off the register. The effect of this order is that the NMC register will show that Ms Shuga 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.

Submissions on sanction

Ms Boesche invited the panel to consider imposing a strike off order.

Ms Boesche submitted the following aggravating factors:

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

Ms Boesche submitted that there are no mitigating factors in this case. She further submitted that taking no further action due to the seriousness of the concerns and the dishonesty found proved is not a suitable course of action. Ms Boesche further submitted that a caution order is not suitable and the concerns have not been addressed. She submitted that given the seriousness of this case a caution order would be insufficient.

Ms Boesche further submitted that a conditions of practise order is also not appropriate. She referred the panel the NMC Guidance contained within a title 'SAN-1' and submitted that it is unlikely conditions of practice would be appropriate as conditions are intended to allow the professional to strengthen their practice where there are clinical concerns.

Ms Boesche submitted that a suspension would not be appropriate in this case due to a lack of insight, risk of repetition and evidence of deep-seated attitudinal concerns. Ms Boesche submitted that a striking off order is the only appropriate sanction in this case. She submitted that Ms Shuga's actions raise fundamental questions about her professionalism which make it incompatible with her remaining on the Register. She further submitted that public confidence in the nursing profession cannot be maintained if a nurse who has breached fundamental tenets of the nursing profession, such as these, and a sanction of strike off is not applied.

Ms Boesche also referred the panel to the NMC Guidance set out in 'DMA-8 Making decisions on dishonesty charges and the professional duty of candour' and 'SAN-4 Sanctions for highest risk cases'. She submitted that honesty is of central importance

to a professional's practice as the public place large degrees of trust in them. Ms Boesche submitted that, allegations of dishonesty will almost always put the public at risk of the professional not being trusted to work with integrity.

Ms Boesche submitted that, in such circumstances, Ms Shuga should be struck off the Register.

The panel heard and accepted legal advice.

Decision and reasons on sanction

Having found Ms Shuga's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose. The panel has borne in mind that any sanction imposed must be appropriate and proportionate and, although not intended to be punitive in its effect, may have such consequences. The 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 and multiple breaches of the Code
- Failure to engage in the Fitness to Practise (FtP) process since 2022
- Absence of Insight
- Absence of remorse

The panel determined that there were no identifiable mitigating factors in this case.

The panel first considered the lower sanctions available to it but concluded that it would be inappropriate in view of the seriousness of the case to take no action.

The panel 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 Ms Shuga’s actions were not at the lower end of the spectrum, and it found that there is a risk to patient and public safety. The panel therefore determined that a sanction that does not restrict Ms Shuga’s practice would not protect the public. The panel also determined that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether to place a conditions of practice order on Ms Shuga’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). The panel considered that there are no relevant, proportionate, workable or measurable conditions that could be formulated to protect patients and to uphold professional standards or conditions that can address dishonesty concerns unrelated to clinical practice.

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 Ms Shuga 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 the nature of the facts found proved. Given Ms Shuga’s lack of engagement, lack of insight and remorse, together with no evidence of training and development, the panel considered that there is no realistic possibility that she would address the concerns in the future. The panel determined that there was no reason to think that Ms Shuga’s position would be any different at the end of a period of suspension.

In these circumstances, the panel could not be satisfied that there was a clear purpose in imposing a suspension order with review.

Therefore, the panel determined that in such circumstances, of cases involving dishonesty or a breach of the professional duty of candour, a suspension order would not be appropriate, sufficient or the 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 determined that Ms Shuga’s conduct was included on the NMC list of ‘Highest risk cases’, as set out in the Sanction Guidance (SG), and were particularly mindful that this includes cases involving dishonesty.

The panel also considered that the SG states that ‘*where professionals have failed to engage with the fitness to practise process, it won’t usually be appropriate to use a suspension order as a means of giving them a ‘last chance’ to engage, reflect or show insight.*’

The panel was of the view that since Ms Shuga’s conduct falls within the Guidance relating to ‘High risk cases’ and that she has failed to engage with the fitness to practise process, it would be inappropriate to allow her to remain on the NMC Register as it had no material or evidence before it to suggest she would be capable of safe practice in the future. Any order, other than a striking off order, 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 effect of Ms Shuga's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered nurse should conduct herself, 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.

Submissions on interim order

The panel took account of the submissions made by Ms Boesche.

Ms Boesche invited the panel to impose an interim suspension order for a period of 18 months to cover the appeal period.

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 Ms Shuga's own interests until the striking off order takes effect.

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

Decision and reasons on interim order

The panel was satisfied that an interim order is necessary for the protection of the public and is otherwise in the public interest. The panel had regard to the

seriousness of the facts found proved and the reasons set out in its decision for the substantive order in reaching the decision to impose an interim order.

The panel concluded that an interim conditions of practice order would not be appropriate or proportionate in this case, due to the reasons already identified in the panel's determination for imposing the substantive order. The panel therefore imposed an interim suspension order for a period of 18 months to protect the public and the public interest until the striking off order comes into effect.

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

This will be confirmed to Ms Shuga in writing.

That concludes this determination.