

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

**Substantive Order Review Meeting
Tuesday, 17 March 2026**

Virtual Meeting

Name of Registrant: Gines Nsamba Mabonzo Younga

NMC PIN: 06A1231E

Part(s) of the register: Registered Nurse – Adult
RNA – 03 August 2006

Community Practitioner Nurse Prescriber
V100 – 28 August 2013

Registered Specialist Community Public Health Nurse
RHV – 06 September 2013

Relevant Location: Plymouth

Type of case: Misconduct

Panel members: Nilla Varsani (Chair, Lay member)
Corinne Foy (Registrant member)
Dora Waitt (Lay member)

Legal Assessor: Graeme Sampson

Hearings Coordinator: Hamizah Sukiman

Order being reviewed: Conditions of practice order (18 months)

Fitness to practise: Impaired

Outcome: **Striking-Off order to come into effect on 26 April 2026
in accordance with Article 30 (1)**

Decision and reasons on service of Notice of Meeting

The panel noted at the start of this meeting that the Notice of Meeting had been sent to Mrs Younga's preferred email address by secure email on 29 January 2026. The panel noted that this does not appear to be her registered email address. However, it had sight of the telephone call log between the NMC and Mrs Younga, where she informed the NMC of her new preferred email address. It was satisfied that the Notice of Meeting had therefore been sent to this new address.

Further, the panel also noted that the Notice of Meeting was sent to Mrs Younga's registered address by recorded delivery and by first class post on 29 January 2026. The panel had regard to the Royal Mail 'Track and trace' printout which showed the Notice of Meeting was delivered to Mrs Younga's registered address on 9 February 2026. In any event, the panel noted that the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 (as amended) (the Rules). do not require delivery and that it is the responsibility of any registrant to maintain an effective and up-to-date registered address.

The panel took into account that the Notice of Meeting provided details of the review that the review meeting would be held no sooner than 9 March 2026 and inviting Mrs Younga to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

In the light of all of the information available, the panel was satisfied that Mrs Younga has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the Rules.

Decision and reasons on review of the current order

The panel decided to replace the conditions of practice order with a striking-off order. This order will come into effect at the end of 26 April 2026 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the third review of a substantive conditions of practice order originally imposed for a period of six months by a Fitness to Practise Committee panel on 28 September 2022. This was reviewed on 12 April 2023 and the panel extended the conditions of practice order for a period of 18 months. This was then reviewed on 9 October 2024 and the panel extended the conditions of practice order for a further period of 18 months.

The current order is due to expire at the end of 26 April 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. Having been informed by the mother on the 28th November 2019 that Child A sustained an injury failed to: **[found proved]***

- (a) Investigate with the mother how the injury was sustained.*
- (b) Assess whether Child A was subject to possible neglect and/or abuse.*
- (c) Escalate the incident to Child Protection Services.*
- (d) Report the matter to social care.*
- (e) Contact a paediatrician to review Child A.*
- (f) Seek advice from a supervisor as to the appropriate steps to take.*
- (g) Accurately record the part of the body the injury was sustained.*

*2. Having examined Child A's growth was faltering failed to: **[found proved]***

- (a) Recognise that this was a safeguarding issue.*
- (b) Access clinical supervision and/or*
- (c) Access Child Protection Supervision and/or*
- (d) Flag Child A for supervision.*

*3. On the 1st October 2019 inaccurately recorded in Child B's notes that a piece of sponge was found in Child B's uterus. **[found proved]***

4. On one or more occasions between September and December 2019 failed to follow Livewell's Health and Corporate Policy by not;

(a) Completing records within 24-hours after the visit. [**proved by admission**]

(b) Documenting the reason why they were recorded more than 24-hours after the visit. [**proved by admission**]

(c) Documenting that the entry was written retrospectively. [**proved by admission**]

5. On one or more occasions between September and December 2019 failed to ensure that your electronic diary was compatible with your paper diary. [**found proved**]

6. [**no misconduct found**]

7.

8.

9. On or before the 10 December 2019 failed to note in Child F's records anything about; [**found proved**]

(a) A child in need meeting.

(b) A clinic meeting.

10.

11.'

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

'The panel considered whether you have been able to develop insight into your failings. The panel noted that the previous panel had found your insight into your actions to be insufficient. The panel noted that it was not provided with any new information which demonstrated sufficient insight on your behalf. The panel noted that you have not provided a written reflective piece and/or a testimonial from an employer as suggested by the previous panel. The panel took into account that you accepted a mistake committed by you in the past that led to the present

proceedings. The panel also noted that the present proceedings have impacted you both personally and professionally. However, the panel was of the view that your insight into your past misconduct is limited and self-focussed. The panel found that you failed to address how you would do things differently in the future.

The panel was mindful of your submission wherein you clarified that the present proceedings could have been avoided if your previous employer had given you a chance to address your misconduct rather than reporting it to the NMC. This led the panel to conclude that you have not developed insight into the potential impact of your actions on Child A and Child B. And the impact on the nursing profession in general. The panel noted that you referred to your past misconduct as ‘a mistake’ whereas you are under sanction for similar repeated incidents over a period of time. The panel also noted that you failed to address the most serious charges related to safeguarding found to have been proved against you.

The panel observed that in your submissions you were able to identify some of the barriers to gaining employment and that you also have a plan for overcoming them. The panel noted the voluntary work that you are currently doing with a charity to obtain a testimonial.

The panel noted that you failed to provide any evidence of self-reflection or continuing professional development. The panel observed that you could have undertaken learning or reading. This would have demonstrated your willingness to strengthen your practice and update your knowledge. The panel noted that you have failed to show any evidence of strengthening of practice or any actions taken by you to update your knowledge.

Following the above discussion, the panel determined that there remains a risk of repetition of your past misconduct. This coupled with a lack of insight led the panel to conclude that your fitness to practise remains impaired on public protection grounds.

The panel observed that the current conditions of practice do not pose a barrier in your journey to returning to safe practice. Rather the present conditions are workable and formulated to act as a guide helping you strengthen your practice and return to safe and unrestricted working.

The panel determined that there remains a likelihood of you failing to uphold proper professional standards and conduct. The panel determined that your limited insight into your failings, lack of evidence to demonstrate strengthening of practice, and seriousness of the charges found proved against you, shows that the public interest would be undermined if a finding of no impairment is made against you. Therefore, the panel concluded that, in your case, a finding of continuing impairment on public interest grounds is required.'

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

'The panel next considered whether imposing a further/varied conditions of practice order on your registration would still be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable.

The panel determined that it would be possible to formulate appropriate and practical conditions which would address the failings identified in this case. The panel disagreed with your submissions that the current conditions of practise are unworkable or are too restrictive. The panel concluded that the present conditions of practice are in-line with your future plans of returning to practise and that these conditions are formulated to support you in improving your clinical practice rather than limiting your scope of work. The panel had no evidence to support your submissions as you failed to provide the panel with copies of job rejections received by you or your application for further degree in psychology. The panel found the current conditions of practice relate to safeguarding and strengthening of practice and follow the charges found to have been proved against you.

The panel determined that the current conditions of practice will help you return to safe and unrestricted practice whilst at the same time address the issues of public interest and public protection that have arisen around your practise as a nurse. The panel noted that you have had a lifelong vocation for caring for people and you intend to return to nursing. The panel determined that the charges found proved against you are not so serious that a conditions of practice order will not be able to address them. Therefore, the panel concluded that the current conditions of practice

order will be extended by a further period of 18 months. The panel concluded that said order will allow you to develop insight into your actions, demonstrate strengthening of your practice, and remediate any risk of repetition of your past misconduct.

The panel was of the view that to impose a suspension order or a striking-off order would be wholly disproportionate and would not be a reasonable response in the circumstances of your case.'

Decision and reasons on current impairment

The panel has considered carefully whether Mrs Younga's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as a registrant's suitability to remain on the register without restriction. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel has had regard to all of the documentation before it, including the NMC bundle and the telephone log between Mrs Younga and the NMC on 19 June 2024. The log detailed Mrs Younga's personal circumstances, her view that '*the NMC process has been going on for too long*', and that she has been unable to secure employment due to the conditions of practice order. Mrs Younga did not provide any additional information for this panel's consideration.

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 Mrs Younga's fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Mrs Younga had insufficient insight, and did not demonstrate an understanding of the impact of her misconduct upon others. The last reviewing panel was unable to conclude that she had developed her insight, or taken any steps to strengthen her practice.

Today's panel has received no evidence to the contrary. The panel considered that Mrs Younga has not provided any evidence suggesting she has developed her insight or remediation. The panel bore in mind that the persuasive burden rests on Mrs Younga to demonstrate that her fitness to practise is no longer impaired, and it has no evidence before it suggesting that Mrs Younga has made any progress since the last review.

Further, today's panel bore in mind that there is no evidence from Mrs Younga of her strengthened practice or any information in respect of a demonstrable period of safe practice. The panel noted that, from the telephone log, Mrs Younga appears to not be currently working as a registered nurse, and that she was '*unable to find a nursing role because of the conditions*'. However, the panel considered that Mrs Younga has not provided it with any evidence of strengthened practice which are not contingent on employment, such as a reading log or reflective piece.

The last reviewing panel determined that Mrs Younga was liable to repeat matters of the kind found proved. In the absence of any information from her of her developed insight, remediation or strengthened practice, this panel determined that Mrs Younga remains liable to repeat matters of the kind found proved. This is particularly the case as Mrs Younga has not been in nursing practice for a number of years and has not provided any evidence of strengthening her practice in other ways (such as completing courses) in that time. The panel therefore decided that a finding of continuing impairment remains 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 the absence of any evidence of remediation or strengthened practice, a finding of continuing impairment on public interest grounds is also required.

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

Decision and reasons on sanction

Having found Mrs Younga 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.

In reaching its decision, the panel had sight of the NMC Guidance, '*Removal from the register when there is a substantive order in place*' (Rev-2h), which stated:

'There is a persuasive burden on the professional at a substantive order review to demonstrate that they have fully acknowledged why past professional performance was deficient and through insight, application, education, supervision or other achievement sufficiently addressed the past impairments.'

'While Suspension Orders and Conditions of Practice Orders can be varied or extended, they are not intended to exist indefinitely. In time the professional must be allowed to practise without restriction or they must leave the register. It is neither in the interests of the public nor the professional's own interests that they are kept in limbo.'

'Professionals who are not subject to fitness to practise proceedings have to revalidate every three years to stay on the register. In many cases it will be more appropriate for a professional to leave the register if they have been on a substantive order for this period of time and remain impaired.'

The guidance further states, on determining whether to allow an order to lapse with a finding of impairment, or to impose a striking off order:

*'Cases where **striking off** is likely to be appropriate include when:*

- the professional has shown limited engagement and/or insight,*

- *the professional has breached a substantive order; or*
- *the professional has otherwise made no or negligible progress towards addressing issues with their fitness to practise.*

*Striking off will **not** usually be an appropriate outcome where:*

- *the professional has engaged with the fitness to practise process; **and***
- *the concerns relate solely to matters involving health or English language skills*

Our guidance on conditions of practice orders sets out that a nurse, midwife or nursing associate must comply with the conditions of a conditions of practice order. A deliberate failure to comply with a conditions of practice order could be proper grounds for making a striking off order.’ (emphasis as quoted)

The panel considered the above guidance. It determined that it would not be appropriate to allow the current conditions of practice order to lapse with a finding of impairment, given Mrs Younga’s limited engagement thus far and that this case relates to misconduct, as opposed to health or a lack of knowledge of English.

Bearing the above in mind, the panel then considered what sanction, if any, to impose.

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 Younga’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 Younga’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 Younga's registration would still be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable.

The panel bore in mind that Mrs Younga has not engaged with this process since 2024 (since the telephone call), and it determined that the imposition of a further conditions of practice order would not serve any purpose at this stage. The panel accepted that Mrs Younga is not currently employed as a registered nurse, and consequently, she has not been able to comply with all the conditions. However, the panel also considered that Mrs Younga has not complied with any of the other conditions imposed upon her practice which are not contingent on her employment (such as training).

The panel noted that, pursuant to the above guidance, the imposition of a conditions of practice order is not designed to run indefinitely. It bore in mind that if further restrictions were imposed upon Mrs Younga's practice, it would be unlikely to result in renewed engagement. It noted that the last engagement from Mrs Younga was in 2024. The panel concluded that a conditions of practice order is only workable if Mrs Younga continues to engage with the conditions. In these circumstances, a further conditions of practice order would not be workable at this stage.

The panel next considered imposing a suspension order. The panel determined that the imposition of a suspension order would not serve any purpose in the circumstances. The panel concluded that this would prevent Mrs Younga from being able to practise as a nurse, and would not assist her in demonstrating a period of remediation of the concerns through safe and strengthened practice. The panel concluded that to impose such an order would delay the conclusion of these proceedings.

Finally, in respect of a striking-off order, the panel considered the following paragraphs of the SG:

- 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 considered the above in turn.

The panel took into account that the charges found proved relate to Mrs Younga's clinical practice, and do not, in themselves, raise questions of her professionalism. However, the panel determined that the findings are nonetheless serious, and Mrs Younga's lack of meaningful engagement with the regulator, save for a telephone call in 2024, does now raise questions of her professionalism.

The panel next considered that the allegations are serious and carry a risk of harm to patients, and public confidence in the profession could not be maintained if Mrs Younga remained on the register despite the lack of progress she has demonstrated in respect of her insight and remediation since the imposition of the order in 2022.

On whether there is a realistic prospect that Mrs Younga will have gained insight, the panel noted that, save for the telephone call in 2024, she has not meaningfully engaged with the NMC. Further, the panel bore in mind that her insight has not developed since the imposition of the substantive order, and she has not considered the greater impact of her actions upon patients, colleagues or the wider nursing profession. The panel noted that the allegations date from 2019, and no significant progress has been made in respect of her insight. Accordingly, the panel determined that there is no realistic prospect that Mrs Younga will have gained insight following the conclusion of another substantive order, given she has not demonstrated sufficient insight or remediation thus far.

In all the circumstances, the panel concluded that the only sanction that would adequately protect the public and serve the public interest was a striking-off order. The panel therefore directs the registrar to strike Mrs Younga's name off the register.

This striking-off order will take effect upon the expiry of the current conditions of practice order, namely the end of 26 April 2026 in accordance with Article 30(1).

This will be confirmed to Mrs Younga in writing.

That concludes this determination.