Nursing and Midwifery Council
Fitness to Practise Committee

Substantive Meeting

Wednesday, 28 October 2026

Nursing and Midwifery Council
2 Stratford Place, Montfichet Road, London, E20 1EJ

Name of Registrant:	Maripen Catayoc Seguan
NMC PIN:	02C1064O
Part(s) of the register:	Registered Nurse - Sub part 1 RNA: Adult nurse, level 1 (1 March 2002)
Relevant Location:	Jersey
Type of case:	Conviction
Panel members:	Paul O'Connor (Chair, lay member) Mandy Tyson (Registrant member) Clare Taggart (Lay member)
Legal Assessor:	Nicholas Baldock
Hearings Coordinator:	Isabella Payne
Facts proved:	Charge 1
Fitness to practise:	Impaired
Sanction:	**Suspension Order (nine months)**
Interim order:	**Interim suspension order (18 months)**

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this meeting that the Notice of Meeting had been sent to Mr Seguan's registered email address by secure email on 21 September 2026.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting provided details of the allegation, the time, date and the fact that this meeting was to be heard in person.

In light of all of the information available, the panel was satisfied that Mr Seguan has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004, as amended ('the Rules').

Details of charge

That you, a registered nurse:

1) On 20 March 2025 were convicted at Magistrate's Court of Jersey of three counts of: Importation of a Class A drug Methylamphetamine

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

Background

The NMC received a referral on 23 February 2025 from Jersey General Hospital ('the Hospital') that Mr Seguan had been arrested and cautioned by the police on suspicion of being concerned in the importation of a controlled drug.

On 21 January 2025 Jersey Postal Headquarters examined an envelope addressed to Mr Maripen Seguan that contained a substance that tested positive for Methylamphetamine. The envelope was seized by Jersey customs. On 11 February

2025 Mr Seuguan was arrested and cautioned by the police on suspicion of being concerned in the importation of a controlled drug.

The police investigation details that it is believed that the Class A drug was for personal use.

There was no internal investigation undertaken by the Hospital as Mr Seguan was on remand in La Moye prison, Jersey.

Health and Care Jersey originally suspended Mr Seguan without pay and he was subsequently dismissed from employment following a guilty plea.

Mr Seguan appeared before Jersey Magistrates' Court on 12th February 2025 and pleaded guilty to Count 1. He was remanded in custody and reappeared before the Court on 27th February 2025, where Count 2 and 3 were read and guilty pleas entered. All three counts related to the importation into Jersey of a Class A drug, namely Methylamphetamine. Mr Seguan appeared before Jersey Magistrates' Court on 20th March 2025 and was sentenced to 6 months imprisonment.

Mr Seguan was released from prison on 11 June 2025.

Decision and reasons on facts

The charge concerns Mr Seguan's conviction. Having been provided with a copy of the memorandum of conviction, the panel referred to Rule 31 (2) and (3). These state:

> *'**31.—** (2) Where a registrant has been convicted of a criminal offence—*
>
> *(a) a copy of the certificate of conviction, certified by a competent officer of a Court in the United Kingdom (or, in Scotland, an extract conviction) shall be conclusive proof of the conviction; and*

(b) the findings of fact upon which the conviction is based shall be admissible as proof of those facts.

(3) The only evidence which may be adduced by the registrant in rebuttal of a conviction certified or extracted in accordance with paragraph (2)(a) is evidence for the purpose of proving that she is not the person referred to in the certificate or extract.'

The facts of the conviction are therefore found proved by virtue of that certificate. The panel also took into account that Mr Seguan has admitted the conviction in writing to the NMC.

The panel proceeded to consider the matter of current impairment.

Fitness to practise

Having announced its findings on the facts, the panel then considered whether, on the basis of the facts found proved, Mr Seguan's fitness to practise is currently impaired by reason of his conviction. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's suitability to remain on the register unrestricted.

Decision and reasons on impairment

The panel then went on to consider whether Mr Seguan's fitness to practise is currently impaired by reason of his conviction pursuant of article 22 (1)(a)(iii) of the Nursing and Midwifery Council Order 2001. It noted that the importation of a Class A drug would equally be an offense if committed in England or Wales.

In coming to its decision, the panel had regard to the NMC Guidance on *'Impairment'* (Reference: DMA-1 Last Updated: 28 January 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.’

The panel had regard to The Code: Professional standards of practice and behaviour for nurses, midwives and nursing associates (2015).

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional and to maintain professional boundaries. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. 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* [2011] EWHC 927 (Admin) in reaching its decision having decided that it applied equally to a conviction as well as misconduct. In paragraph 74, she said:

‘In determining whether a practitioner’s fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.’

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's “test” which reads as follows:

‘Do our findings of fact in respect of the doctor’s misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her/their fitness to practise is impaired in the sense that S/He/They:

a) *has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*

b) *has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*

c) *has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*

d) *...'*

The panel considered that it had not seen any evidence to support the view that Mr Seguan had put patients at unwarranted risk of harm. However, it considered that there may be a current risk of harm if the matters that led to Mr Seguan's conviction and referral to the NMC have not been addressed. It noted that since June 2025 there has been no information about what Mr Seguan has done to address the concerns.

The panel considered that Mr Seguan did bring the reputation of the profession into disrepute, noting that the conviction was for the importation of Class A drugs on three occasions. The panel further considered that the conviction was not at the lower end of the spectrum of seriousness. The panel noted that by his own admission, Mr Seguan used Class A drugs on his 'days off'. In addition, he was found in possession of drugs paraphernalia. These were, therefore, not isolated incidents. The panel concluded that a member of the public would be concerned at this behaviour, and therefore Mr Seguan's actions brought the nursing profession into disrepute.

The panel also considered that Mr Seguan's behaviour breached fundamental tenets of the nursing profession, in particular, prioritising people and promoting professionalism and trust. It considered that Mr Seguan's conduct has not upheld professional standards

and that even though such conduct was not evident in the workplace, it nevertheless had the potential to put patients at risk of harm if the effects of his recreational use of a Class A drug started to affect his ability to practise safely and effectively.

The panel took into consideration that Mr Seguan had stated in his personal statement that he had provided a blood and urine sample upon entering prison, which had tested negative for illicit substances. Mr Seguan asserts that he did not have an addiction to illegal substances, and he did not want to jeopardise patients or the public. He also stated that he had attended a drug relapse prevention group on one occasion. The panel also took into consideration the remorse and regret expressed within the statement that Mr Seguan provided, referring to his career as the 'love of his life'. The panel also had sight of letters sent by work colleagues to Mr Seguan whilst in prison, positively attesting to Mr Seguan's good character and positive contributing to nursing.

However, the panel noted that there is no up to date evidence provided to show whether Mr Seguan is currently abstinent from the Class A drugs that lead to his conviction and referral to the NMC. The panel took into consideration that Mr Seguan has had limited engagement with the NMC since his conviction and has not provided the NMC with any updated information about his health or his place of work. The panel considered that in Mr Segaun's reflections, he does not appear to have fully developed insight or awareness into the seriousness of his conviction and the potential risk to patients in his care from his use of Class A drugs.

The panel was concerned that there is limited information about the frequency and duration of Mr Seguan's substance use, whether he was dependant, and to what extent if any, this had on his ability to practise safely and effectively, and therefore might have in future. The panel placed particular weight on the fact it had no up to date information or evidence of medical testing to suggest that Mr Seguan is not currently using Class A drugs. The panel considered it had no information about his employment since the incident, such that it may be able to assess the extent to which he has demonstrated safe and effective practise. It therefore determined that Mr Seguan may be liable to repeat matters in the future and poses a risk to public protection.

The panel concluded that limbs (a), (b) and (c) of the test in *Grant* are engaged in relation to Mr Seguan's past conduct which led to his conviction.

The panel next considered the issue of whether Mr Seguan is currently impaired.

The panel noted that it has no evidence before it demonstrating that the concern has been addressed. It had no evidence to reassure it that Mr Seguan has developed sufficient insight into the matters that lead to his conviction and referral to the NMC. It further noted that although there had been a degree of reflection, much of which was self-centred, and there had been no evidence of recent medical testing or evidence of abstinence from substance use, or steps taken to strengthen his practice. Based on this, the panel could not conclude that the conduct is unlikely to be repeated. The panel determined that there is an ongoing risk of potential harm to patients. The panel also determined that the risk of repetition remains. Therefore, the panel was of the view that limbs (a), (b) and (c) of the Grant test are engaged in respect of Mr Seguan's future conduct.

Given the seriousness of the conviction, and the ongoing risk of harm and repetition, the panel determined that a finding of current impairment is required on the ground of public protection.

The panel bore in mind that the overarching objectives of the NMC are to protect, promote and maintain the health safety and well-being of the public and patients, and to uphold/protect the wider public interest, which 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 noted the seriousness of the conviction, Mr Seguan's limited insight or remediation and the ongoing risk of harm and risk of repetition. In light of this, the panel was of the view that a member of the public would be extremely concerned if a finding of impairment is not made. The panel was of the view that a finding of impairment is necessary to uphold professional standards and to maintain public confidence in the

profession and the NMC as its regulator. The panel determined that, in this case, a finding of impairment on the public interest ground was also required.

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

Sanction

The panel has considered this case very carefully and has decided to make a nine-month suspension order.

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 January 2026).

The panel accepted the advice of the legal assessor.

Decision and reasons on sanction

Having found Mr Seguan'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 panel had regard to the NMC Guidance on *'The sanctions available'* (Reference: SAN-2 Last Updated: 28 January 2026). The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating factors:

- There was pattern of behaviour over a period of time resulting in a conviction;
- Deliberate breaches of the code;
- There appears to be limited or meaningful insight into the risks associated with his conduct;

- Mr Seguan's behaviour was premediated
- There is currently limited information regarding his current health and drug use
- There has been a period of non-engagement with the NMC

The panel took into account the following mitigating factors

- The positive letters to Mr Seguan from his friends and colleagues, in which they speak of his good character and positive contribution to nursing;
- The early admission to the facts during the police investigation;
- Mr Seguan has expressed deep remorse and regret within his statements;
- Mr Seguan attended a substance use relapse prevention session.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action.

The panel next considered a caution order and had regard to the NMC Guidance on *'Caution order'* (Reference: SAN-2b Last Updated: 28 January 2026) in which the following is stated:

> *'A caution is only appropriate if the Committee has decided there's no risk to the public or to people using services that requires the professional's practice to be restricted. This means the case is at the lower end of the spectrum of impaired fitness to practise, but the Committee wants to mark that what happened was unacceptable and must not happen again.'*

The panel considered that Mr Seguan's conduct leading to his conviction was 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 Mr Seguan'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 Mr Seguan'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 January 2026).

Having regard to the nature and seriousness of Mr Seguan's conduct, the panel determined that a conditions of practice order would not be appropriate in the circumstances. The panel considered that due to Mr Seguan's lack of engagement, the potential risk his conduct may pose to the public, there are no relevant, proportionate, workable or measurable conditions that could be formulated to protect patients and to uphold professional standards.

The panel went on to consider whether a suspension order is appropriate in this case. The panel had regard to the NMC Guidance on *'Suspension order'* (Reference: SAN-2d Last Updated: 28 January 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'*

The panel determined therefore that a suspension order is the appropriate sanction which would both protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for a period of nine months, which would provide Mr Seguan with sufficient time to re-engage with the NMC, provide evidence showing how he has strengthened his insight and demonstrate understanding of how his behaviour could impact patients, colleagues and the reputation of the professions. It would also provide him with an opportunity to show how he has maintained his knowledge and skills, strengthened his practice in the context of his conviction and managed his substance use in this time. The panel considered this to be the most appropriate and proportionate sanction available.

Before the end of the period of suspension, another panel will review the order. At the review hearing the panel may revoke the order, or it may confirm the order, or it may replace the order with another order, that may be a striking-off order.

Any future panel reviewing this case would be assisted by:

- Mr Seguan's engagement with the fitness to practise process;
- Evidence of abstinence from substance use that may be in the form of medical testing and/ or information from another appropriate source;
- A clear indication from Mr Seguan as to his intentions for the future and whether he wishes to return to nursing;
- Evidence of professional development, including documentary evidence of completion of any relevant courses
- A further detailed reflection from Mr Seguan into the misconduct underpinning the charges.

This will be confirmed to Mr Seguan in writing.

That concludes the determination.

Interim order

As the suspension order cannot take effect until the end of the 28-day appeal period, the panel has considered whether an interim order is required in the specific circumstances of this case. It may only make an interim order if it is satisfied that it is necessary for the protection of the public, is otherwise in the public interest or in Mr Seguan's own interests until the suspension 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 conviction 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 meet the public interest during any potential period of appeal.

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

That concludes this determination.