

**Nursing and Midwifery Council
Investigating Committee**

Registration Appeal Meeting

Tuesday, 4 August 2026

Virtual Meeting

Name of Appellant:	Janette Murray
Type of case:	Registration appeal
Panel members:	Mahjabeen Agha (Chair, Lay member) Jane Hughes (Registrant member) Linda Hawkins (Lay member)
Legal Assessor:	Charlene Bernard
Hearings Coordinator:	Eyram Anka
Decision:	Appeal dismissed

Decision and reasons

The panel decided to dismiss Ms Murray's appeal against the decision of the Assistant Registrar (AR) of the Nursing and Midwifery Council (NMC).

This appeal is made under Article 37(1)(a) of the Nursing and Midwifery Order 2001 (the Order). Ms Murray appealed the decision of the AR, dated 8 January 2026, that Ms Murray did not meet the character requirements for registration to the NMC register. The AR made the decision to refuse the readmission application due to concerns around the Appellant's ability to practise safely and the impact on public trust and confidence in the profession.

In reaching its decision, the panel considered all of the evidence in this case, as well as Ms Murray's written submissions, and those of the NMC.

Background

Ms Murray first joined the register on 29 April 2018 as a Registered Nurse. Ms Murray's registration lapsed on 1 May 2025. After her registration lapsed, the NMC received a referral on 12 May 2025 from Warrington and Halton Teaching Hospitals NHS Foundation Trust ("the Trust"). Due to Ms Murray not holding effective registration, the NMC was unable to conduct an investigation into the concerns raised at that time.

On 14 May 2025, the Screening team closed the case, and a WBUI (Not currently registered but will be under investigation if readmitted to the register) flag was placed on the case.

The referral stated that Ms Murray was on a night shift on 16-17 September 2024 on a Gastroenterology Ward where it is alleged that she deliberately slapped a patient on his leg and shouted at the patient stating *"that's enough now"* while holding onto the patient's ankles. It is alleged that Ms Murray also entered the bay shouting *"you're a f***ing spoilt brat [or] you've p***ed me off all night"*. An investigation was then commissioned by the hospital on 18 October 2024, and a decision was taken to remove Ms Murray from clinical

areas rather than suspend her. However, Ms Murray submitted a sick note, and this was not actioned.

On 27 February 2025, a formal disciplinary hearing took place following an investigation and Ms Murray was dismissed for gross misconduct. On 24 April 2025, Ms Murray appealed her dismissal for gross misconduct, but this was not upheld by the Trust.

On 16 September 2025, Ms Murray submitted a readmission application.

In reaching their decision, the AR took into account the following information:

- The referral the NMC received dated 12 May 2025.
- The local investigation terms of reference
- The disciplinary investigation report
- The correspondence sent to Ms Murray regarding the investigation
- The correspondence sent to Ms Murray regarding the outcome of the investigation dated 29 January 2025
- Outcome of Ms Murray's appeal dated 2 May 2025
- Ms Murray's statement dated 8 December 2025.

On 8 January 2026 the AR refused Ms Murray's readmission application on the grounds that she did not meet the character requirements for registration to the NMC register. A letter was sent to Ms Murray advising her of the AR's decision.

On 3 February 2026, Ms Murray appealed the decision of the AR in a Notice of Appeal.

Submissions

The NMC's statement of case is as summarised below.

The NMC submitted that the appeal concerns only the AR's decision to refuse Ms Murray's application for readmission to the register on the basis that they were not satisfied she had demonstrated the character required for registration.

It was submitted that in reaching this decision, the AR considered the seriousness of the incident that gave rise to the referral, the concerns it raised about Ms Murray's ability to practise safely and the potential impact on public confidence in the profession. Particular weight was placed on Ms Murray's statement during the Trust's disciplinary proceedings that she would not have acted differently if faced with a similar situation again, together with what was considered to be showing little remorse.

The NMC submitted that Ms Murray's explanation that she made the statement on the advice of her UNISON representative does not constitute new information. It was noted that this explanation had previously been advanced during her appeal against dismissal and had been considered by the Trust's appeal panel, which did not attach weight to it. Accordingly, the AR had this information available when determining the readmission application.

The NMC further submitted that the AR was not satisfied that Ms Murray had demonstrated sufficient insight into the incident, acknowledged and reflected appropriately on what had occurred, or provided clear evidence of changes she had made or the learning she had gained as a result.

The AR considered that Ms Murray's conduct breached the fundamental requirements of The Code: Professional standards of practice and behaviour for nurses and midwives (2015) ("the Code"), specifically Standards 1, 4, 14 and 20, relating to treating people as individuals, acting in their best interests, being open and candid, and promoting professionalism and trust.

Whilst the NMC acknowledged the positive character references and testimonials submitted by Ms Murray, these do not address the concerns identified by the AR regarding her insight, remediation and character arising from the incident. It was submitted that the onus is on Ms Murray to satisfy the AR that she has met the character requirements for readmission. The AR was not satisfied that the evidence before them demonstrated this.

Ms Murray's submissions

Ms Murray submitted that her previous statement that she would not have acted differently in a similar situation had been made on the advice of her UNISON representative. She stated that, had she answered the question herself, she would have said that she would have moved away from the patient, put her hands around her head to protect herself and put her hands out to stop the patient's leg.

Ms Murray further accepts that she did not handle the situation to the best of her ability. She stated that she recognises the importance of situational awareness and assessing the risks to herself and the patient before intervening. She also submitted that she has reflected on the incident and would respond differently if faced with a similar situation in the future.

Ms Murray provided the panel with documentation to support this appeal including:

- Email from Lyndsey Crossley, former colleague
- Email from [PRIVATE], family member of a patient
- Email from [PRIVATE], a former patient's family members
- Copies of thank you cards and testimonials from previous patients and students

The panel accepted the advice of the legal assessor.

Panel's decision

The panel carefully considered all the documentary evidence before it contained in a bundle of 95 pages as well as the NMC's statement of case. The bundle consisted of the following:

- Ms Murray's Notice of Appeal dated 3 February 2026
- The supporting documents Ms Murray submitted
- The Trust disciplinary investigation and outcome
- The referral to the NMC dated 12 May 2025

The panel had regard to the NMC's Health and Character Guidance, last updated on 5 September 2024. The panel noted that the relevant issue in this case is whether, in light of the incident in May 2025, which resulted in a referral to the NMC, Ms Murray's character is such that she is capable of safe and effective practice as a nurse. The panel was mindful that the burden rests with Ms Murray to satisfy it that she meets the character requirements for readmission to the register.

The panel acknowledged that the incident giving rise to the referral was a single incident during what appears to have been an otherwise unblemished nursing career. It also recognised the positive testimonials and character references provided in support of the appeal and accepted that these reflected positively on Ms Murray's previous practice and the regard in which she was held by colleagues and patients.

However, the panel considered that the incident itself was serious. It involved a very vulnerable patient who was acutely unwell and may have resulted in actual harm to the patient. At the time of the incident, Ms Murray was an experienced Band 6 nurse in charge of the shift and the panel considered that a nurse of her experience would reasonably have been expected to exercise appropriate professional judgement, situational awareness and leadership.

In considering whether Ms Murray now meets the good character requirements for readmission, the panel had regard to the extent of her insight, reflection and remediation following the incident in September 2024 for which she was dismissed on the grounds of gross misconduct on 27 February 2025.

The panel noted that, during the Trust's disciplinary proceedings, Ms Murray repeatedly stated that she would not have acted differently if faced with a similar situation. Whilst the panel considered her subsequent explanation that this response had been given on the advice of her UNISON representative, it was not persuaded that this explanation, of itself, demonstrated meaningful insight and reflection into the seriousness of the incident and likely psychological and physical harm caused to the patient.

The panel accepted that, within her appeal, Ms Murray stated:

'I have acknowledged that I didn't handle the situation to the best of my ability on reflection and need to have more situational awareness and be mindful of potential danger of harm to me or the patient.'

However, the panel considered these representations to be limited and largely declaratory. They were not supported by any reflective evidence demonstrating what she had learned from the incident, how her professional judgement has developed, or the specific steps she has taken to ensure that a similar incident would not occur in the future and that she is a safe and effective practitioner.

The panel further considered the absence of evidence demonstrating remediation since the incident. In particular, there was no evidence of relevant training, continuing professional development or other steps taken to strengthen her practice following her dismissal. Whilst the panel accepted the positive testimonials submitted on Ms Murray's behalf, it considered that they spoke principally to her general character and work ethic rather than addressing the patient safety issues arising from the incident. Additionally, the panel considered that the copies of thank you notes and feedback forms pre-dated the incident by a considerable period. Consequently, the supporting evidence carried limited weight when determining whether Ms Murray currently satisfies the good character requirements for readmission.

The panel also had regard to *'The Code: Professional standards of practice and behaviour for nurses and midwives (2015)'* ("the Code"). The panel considered the Code and determined that Ms Murray's conduct fell short of the requirements of the standards outlined in the Code, particularly 1.1, 1.2, 1.5, 4.3, 14.1, 14.2, 14.3, 20.1, 20.2, 20.3, 20.5, 20.6, 20.8. The panel is not satisfied that Ms Murray has sufficiently reflected upon her failings or demonstrated that she now meets those professional standards.

Having considered all the evidence, and applying the NMC's Health and Character guidance, the panel determined that Ms Murray has not demonstrated she currently possesses the level of insight, reflection, and remediation necessary to satisfy the good character requirements for readmission to the register. Accordingly, the panel concluded

that Ms Murray has not discharged the burden of satisfying the panel she is a person of good character capable of practising safely and effectively.

The panel therefore decided to dismiss the appeal, to uphold the decision of the Assistant Registrar, thereby refusing Ms Murray's application to the NMC register.

This will be confirmed to Ms Murray in writing.

That concludes this determination.