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28/01/2014

Case no: CO/17178/2013

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

BETWEEN:-



THE PROFESSIONAL STANDARDS AUTHORITY FOR HEALTH AND SOCIAL CARE

Appellant

and

(1) THE NURSING AND MIDWIFERY COUNCIL
(2) MRS JANICE HARRY

Respondents

CONSENT ORDER

UPON the First Respondent conceding that the decision under appeal was unduly lenient within the meaning of section 29 of the National Health Service Reform and Health Care Professions Act 2002.

AND UPON the Second Respondent agreeing to the substitution of an order for striking off from the register

AND UPON neither party being either a child or protected party and the appeal not being an appeal from the decision of the Court of Protection

BY CONSENT

IT IS ORDERED THAT


1. The appeal be allowed and the decision of the First Respondent's Conduct and Competence Committee ("the Committee") made on 7 November 2013, to impose a five-year caution order against the Second Respondent, former Director of Nursing and Quality Assurance and Nurse Board Member at Mid Staffordshire District General Hospitals NHS Trust, be substituted for an order for striking off from the register.


By the Court

2. The First Respondent shall pay £3,000 towards the costs of the Second Respondent.
3. The issue of costs as between the Appellant and First Respondent be determined by the Court upon written submissions from the Appellant and the First Respondent. The Appellant to file and serve its written submissions by 3 February 2014 and the First Respondent to file and serve its written submissions by 10 February 2014.
4. The appeal hearing listed for 29 January 2014 be removed from the Administrative Court list.

Dated this 28 day of January 2014

WE CONSENT TO AN ORDER IN THE ABOVE TERMS


Capsticks Solicitors LLP
1 St George's Road
Wimbledon
SW19 4DR


NMC
Regulatory Legal Team
1st Floor
1 Kemble Street
London
WC2B 4AN

Solicitors for the Appellant
Dated 28/01/2014

Solicitors for the First Respondent
Dated 28-01-2014


Thompsons Solicitors
The McLaren Building
46 The Priory Queensway
Birmingham
B4 74F

Solicitors for the Second Respondent
Dated 28.1.14