

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION  
ADMINISTRATIVE COURT



CO/2477/2021

BETWEEN:

THE PROFESSIONAL STANDARDS AUTHORITY  
FOR HEALTH AND SOCIAL CARE

Appellant

- and -

(1) THE NURSING AND MIDWIFERY COUNCIL  
(2) MELANIE JANE HAYES

Respondents

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ORDER BY CONSENT

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**BEFORE Ms Margaret Obi** (sitting as a Deputy High Court Judge)

**UPON** the parties having agreed to the terms of this Order, in particular that it is just and convenient for the Court to make the Order set out below

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

**AND UPON** the Second Respondent being a nurse on the register established and maintained by the First Respondent under Article 5 of the Nursing and Midwifery Order 2001 ('the register')

**AND UPON** a panel of the Fitness to Practise Committee of the First Respondent having found on 10 May 2021 that the fitness to practise of the Second Respondent was impaired

by reason of misconduct, and having decided to impose a six month suspension order with review upon the Second Respondent ('the decision')

**AND UPON** the Appellant having lodged an appeal on 15 July 2021 against the decision of the Fitness to Practise Committee pursuant to Section 29 of the National Health Service Reform and Health Care Professions Act 2002

**AND UPON** the First and Second Respondent conceding the appeal and agreeing that the decision of the Fitness to Practise Committee was not sufficient for the protection of the public within the meaning of Section 29 of the National Health Service Reform and Health Care Professions Act 2002

**BY CONSENT IT IS ORDERED THAT:-**

1. The appeal is allowed.
2. The decision of the First Respondent's Fitness to Practise Committee to impose a six month suspension order with review upon the Second Respondent is quashed, and substituted with an order directing the Registrar of the First Respondent to strike the Second Respondent's name from the register.
3. The First Respondent is to pay the Appellant's reasonable costs of the appeal, subject to detailed assessment in default of agreement.

Signed: **Margaret Obi**

**BY THE COURT**