

**IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION  
ADMINISTRATIVE COURT  
AND IN THE MATTER OF an appeal under section 29 of the National Health  
Service Reform and Health Care Professions Act 2002**

**Before: The Hon Mr Justice Julian Knowles**

**BETWEEN:**

**PROFESSIONAL STANDARDS AUTHORITY  
FOR HEALTH AND SOCIAL CARE**

**Appellant**

**v**

**(1) NURSING AND MIDWIFERY COUNCIL  
(2) DAVID LIMBO**

**Respondents**



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**ORDER**

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**UPON** the Appellant having lodged an appeal on 30 January 2023 against the decision by a panel of the First Respondent's fitness to practise committee on 24 November 2022 to suspend the Second Respondent from practising for a period of 9 months (the "**Decision**")

**AND UPON** the First Respondent conceding, prior to the hearing, that the appeal should be allowed on Ground 2 of the Appellant's grounds of appeal

**AND UPON** hearing counsel for the Appellant, David Hopkins, and counsel for the First Respondent, Christopher Scott

**AND UPON** the Second Respondent neither being present nor represented at the hearing, but the court being satisfied that he had been properly served with these proceedings and chosen not to attend

**IT IS ORDERED THAT:**

1 The appeal is allowed.

- 2 The Decision is quashed.
- 3 Pursuant to section 29(8)(c) of the National Health Service Reform and Health Care Professions Act 2002 and article 29(5)(a) of the Nursing and Midwifery Order 2001 (SI 2001/253), the Registrar of the First Respondent is directed to strike the Second Respondent off the register maintained by the First Respondent.
- 4 By 4 pm on 21 July 2023, the First and Second Respondents do pay the Appellant's costs of the appeal, summarily assessed on the standard basis in the sum of £14,828.00, subject to the following apportionment:
  - 4.1 The First Respondent is liable for two-thirds of the Appellant's costs set out in paragraph 4, such sum being £9,885.33; and
  - 4.2 The Second Respondent is liable for one-third of the Appellant's costs set out in paragraph 4, such sum being £4,942.67.

**Service of order**

The court has provided a sealed copy of this order to the serving party: Browne Jacobson LLP at 15th Floor, 6 Bevis Marks, London, EC3A 7BA (ref: 045833.00086)

Date order made: 4 July 2023

**BY ORDER OF THE COURT**