

IN PUBLIC

NURSING & MIDWIFERY COUNCIL

PROCEEDINGS

at a

RESTORATION APPLICATION HEARING

of the

CONDUCT AND COMPETENCE COMMITTEE

held at

NMC, 61 ALDWYCH, LONDON, WC2B 4AE

on

11 APRIL 2017

Present:

Stephen Barker
Douglas Hogg
Neil Jeffs
Susan Curnow

In the Chair (Lay)
The Legal Assessor
The Case Presenter
The Panel Secretary

Committee Members:

Nalini Varma (Lay Member)

Simon Williams (Registrant Member)

Case of: Jumoke Olayinka Ige, PIN 05K0037E, Registered Nurse (Sub-Part 1) RNMH
Mental Health (5 April 2006)

The Registrant did attend, and was represented by Marc Walker

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IN PUBLIC

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IN PUBLIC

A | At 9.49 am:

THE CHAIR: Good morning everybody. My name is Stephen Barker. I'm a Lay member of the conduct and competence committee, the Chair of the panel today. Can I just confirm your name, please? Is it Mrs Ige?

B | THE REGISTRANT: Ige.

THE CHAIR: Ige.

THE REGISTRANT: Yes, please.

THE CHAIR: Thank you. And your PIN number is 05K0037E?

C | THE REGISTRANT: Yes, please.

THE CHAIR: Okay. So I'm the Chair of the panel. There are two other members of the panel. We've got Mrs Nalini Varma there, she's another Lay member of the panel. Lay member just means we're not nurses or midwives. And there's a registered nurse member of the panel Mr Simon Williams. We're the decision makers in the case but we are assisted in matters of law by a legal assessor.

D | THE LEGAL ASSESSOR: My name is Douglas Hogg.

THE CHAIR: And we're also assisted by our panel secretary I think you've probably met.

THE PANEL SECRETARY: Good morning. Susan Curnow.

E | THE CHAIR: The NMC is represented this morning by ...?

THE CASE PRESENTER: Neil Jeffs. Good morning, sir.

F | THE CHAIR: Morning, Mr Jeffs. And as you can see there's a shorthand writer, very usual in these cases. He's making a note of everything that's said and recording it. So this is -- are you represented, sorry, by Mr Walker?

MR WALKER: Marc Walker, yes.

THE CHAIR: Good morning, Mr Walker.

MR WALKER: Good morning, sir.

G | THE CHAIR: Well, normally we'd start with the case presenter but it's your application. So, happy for them to go first, Mr Jeffs?

THE CASE PRESENTER: Sir, I am indeed. I think it probably falls to me to introduce the background to the ...

H |

A THE CHAIR: Fine. With that in mind, just to reassure you, Mrs Ige, the panel have got a thick bundle here which is basically all the story of what happened when you were struck off. So we're very familiar with all that. So, Mr Jeffs may feel he doesn't need to go into too much detail about the background because we're all very aware of it. Indeed, over to you.

B THE CASE PRESENTER: Sir, I'm very grateful for that helpful indication. In which case, I do propose to be brief because as, sir, you've indicated the background facts to this matter are set out in the bundle. More particularly the transcript of the conduct and competence committee hearing. The background is that the striking off order was heard by the conduct and competence committee. It was alleged that the registrant's fitness to practise was impaired as a result of her convictions for two offences. That's one account of obtaining money transfers by deception and a separate count of furnishing false information relating to accounts. One sees in the documents that the applicant's admitted the facts but denied at the material time that her fitness to practise was impaired.

C
D The registrant was sentenced on 28 June 2007 to nine months imprisonment, suspended for two years and one sees that in page 3 of the bundle. The NMC provided further information regarding the details of the circumstances of the offences which appear at pages 4 - 5 inclusive of the bundle. And in view of your helpful comments, I don't propose to go into those matters into detail, save to say that the applicant was jointly charged with her husband in relation to those offences. The registrant's then husband pleaded guilty. The registrant pleaded not guilty but was convicted on 29 June 2007.

E The criminal charges confirm that between 11 March 2003 and 30 April 2004, the applicant obtained money from Halifax bank in the sum of £144,400 by stating that she was the owner of Ige Healthcare when applying for a mortgage over a property. And in order to facilitate this, the registrant submitted false accounts to Halifax in relation to that company for the years 2001, 2002 and 2003.

F Sir, if I may also flag up, the panel received a written statement from a Mr Tony Cheng, a representative from the applicant's former employer, which was read into the record at page 5 of the bundle. And that statement speaks at how the Trust where the registrant was then employed came to hear of the conviction and essentially, the issue of disclosure of the conviction to them. In fairness to the applicant, Mr Cheng who gave evidence did indicate that there were no concerns relating to the registrant's clinical competence.

The registrant did give evidence at the hearing before the conduct and competence committee. That evidence is recorded at pages 9 - 30 inclusive of the -- in the bundle and I don't propose to go into that evidence in any great detail.

G The panel's decision on impairment starts at page 36 of the bundle and the panel will see that there was some query or question mark over whether or not the registrant was fully accepting that she behaved in a dishonest manner. And the panel may feel that that's a relevant issue that needs to be explored today.

H Sir, I specifically flag up the judge's sentencing remarks referred to at page 37 of the bundle at paragraphs 4 - 15 inclusive. As well as the fact that the panel had regard to the registrant's not guilty plea, page 37 at paragraph 18. And the comments recorded by the panel on

A | page 37 at paragraphs 24 - 28 inclusive. And it's on that basis that the CCC found the registrant's fitness to practise to be impaired. It was on public interest grounds alone. As to the sanction, sir, the NMC submissions page 38, the registrant positions can be found at page 39 and the decision on sanction can be found at pages 40 - 42.

Sir, if I may just flag up the mitigating factors that were found by the panel --

B | (Mobile phone ringing)

THE REGISTRANT: I'm sorry. Sorry panel. I'm sorry.

THE CHAIR: They are always right at the very bottom of the bag when that happens, aren't they?

C | THE REGISTRANT: I'm sorry. I'm really sorry.

THE CHAIR: It's okay.

D | THE CASE PRESENTER: Sir, the mitigating factors start at page 41 of the bundle at paragraph 70. The panel considered that there had been no repetition of the behaviour that led to the conviction and the offences did not involve it says, "Professional conduct", and therefore no patients were put at risk of harm. I assume one has to read that as being clinical conduct because of course there was a professional conduct concern.

E | The aggravating factors at 41, there was no current information from the employer, no testimonies or references, no early admission of guilt or apology for the behaviour, little or no insight into the conduct and no appropriate steps that could address the dishonest behaviour. And it's on that basis that the panel settled on a sanction of a striking off order. And, sir, I would ask the panel and invite the panel to pay very careful attention to what was said on page 42 of the transcript at paragraphs 5 - 27 which really does set out the reasons for the panel imposing the striking off order.

F | And it's on that basis that it's probably appropriate that unless I can be of further assistance I hand over to my learned friend to introduce the basis of his appeal.

THE CHAIR: Thank you. So in the same way that I indicated to Mr Jeffs that we've read his bundle I can indicate to you, Mr Walker, that we've received and read very carefully the registrant's bundle which we've titled exhibit 1.

MR WALKER: Thank you, sir.

G | THE CHAIR: Obviously, we've got the statement there, we've got some certificates and some further information about the work that the registrant's been involved in. It's obviously a matter for you about how you want to introduce it and whether she's giving live evidence or not. If you want to give live evidence, perhaps it might be enough to formally attest to the truthfulness of the statement rather than have her read it.

H | MR WALKER: That was going to be approach, sir.

IN PUBLIC

A THE CHAIR: Perfect. Over to you anyway, Mr Walker.

MR WALKER: Thank you, sir. In that case then, I call Ms Ige.

THE CHAIR: Thank you.

B THE REGISTRANT: I swear by almighty God that the evidence I shall give today shall be the truth, the whole truth and nothing but the truth.

THE CHAIR: Thank you. So try and make yourself as comfortable as possible. And pull that microphone a little bit closer because you're probably going to look at Mr Walker each time he may ask a question. If you've got the microphone there we'll hear what you say. Mr Walker.

C **Jumoke Ige, Sworn**
Examined by THE REGISTRANT'S REPRESENTATIVE

Q. Thank you. Ms Ige, if you look at the bundle in front of you, you should have a bundle that says first statement of Jumoke Ige.

A. Yeah.

D Q. You have that? Great. If you flick to paragraph 31 of that statement.

A. Yeah.

Q. The following page, do you see a signature there?

A. Yes.

E Q. Is that your signature?

A. Yeah, it is my signature.

Q. And is this your statement?

A. Yes, this is my statement.

F Q. And are there -- you've declared in that statement that the contents of the statement are true, is that the case?

A. Yes.

Q. And would you like the panel to take your statement into consideration as part of your evidence?

A. Yes, please.

G THE CHAIR: So we will ask the shorthand writer to have it incorporated formally into the transcript. Note he will do that but it'll occur in the future.

Q. MR WALKER: Thank you, sir. Now, I want to ask you some questions. The first question I'd like to ask you is how, if it all, has your view on your dishonest conduct changed in the period between being struck off and today?

H A. It just changed a lot because initially I didn't really put deep thought into -- about being dishonest. I was trying to justify ...

- A THE PANEL SECRETARY: Sorry, I'll just move the microphone.
- THE REGISTRANT: I'll just get some -- because I want to ...
- THE CHAIR: You are free to use the NMC tissues.
- B THE REGISTRANT: Yes, sir.
- THE PANEL SECRETARY: They're just there.
- THE REGISTRANT: Thank you, yes.
- C A. THE REGISTRANT: I never realised what I've done was bad because I was thinking my actions was just initially -- that was about five years ago before I was being struck off. And it took me about a couple of days to realise that my profession that was very useful to me. I lost it overnight and I was really thinking and everything. So when I realised what I've done, then I realise there's no excuse to justify my action for what I have done.
- D Because I let my profession down which I was very proud of to be a nurse. I let myself down and I let my family down and I let the public down too. Because I'm supposed to be somebody that -- NMC you're supposed to be a great reputation in the public in work and outside work which I've really done badly. But today I've realised my fault and I'm more open and honest and deeper thought in whatever I do. And not to let my profession, myself, my family, my good character to let it down in any form again. So I was disappointed in myself.
- E Q. And what would you have done differently?
- A. All I've done different was I would have waited for my time. I was a working nurse and I would have been patient and I would have thought about my profession as a nurse. And because I have a standard to keep both in work and outside work. So this time around I'm open minded to whatever I do. And when I know that it's going to cause any form of dishonesty, I will not get myself involved in -- I'll not do it at all.
- F Q. How can this panel be sure that you would not do something similar if you were restored to the Register?
- A. I'm very open minded now. I realise my fault and I understand how my professional body means to me which I didn't see from that point of view. I didn't take it that seriously. But now I take it very, very serious now and I'm open minded in what I do. And I look deep into stuff before doing anything. And I don't think I can ever want to put myself in this type of situation again. Not my profession, not my family, not the public. So I don't see myself being -- because I have a better insight into what I did. And the consequence of the original -- the (Inaudible).
- G Q. You've said in your reflective piece that there's an effect on the banks when you behaved in such a way. Can you expand on that?
- A. My behaviour might make it very difficult for other nurses or other people that wants to go to the bank and get a mortgage, they might have tougher -- tougher work and it's going
- H

A to be more difficult for them to get a mortgage now because of my dishonest way. I didn't (Inaudible).

The next part of the hearing was held in private
Please see private transcript at page 4(A)

B Q. MR WALKER: Can you give the panel an example of a situation where you've been -
- a stressful life situation and you've been watchful to make that choice?

A. Yeah. At the moment I work as a carer but I told them I used to be a trained nurse before I was struck off because of my dishonesty. And most of the time they want me to carry more, kind of, nurse -- or they call me a nurse. And I always make it -- clarify that I am not a nurse, I have been struck off. I have to work as a carer and I'm afraid I can't carry out work as a nurse and everything (Inaudible). So I have to restrain myself because at the time we have -- because as I say, I'm not a nurse I'm a carer. So I can't do -- so I keep stressing it almost every day to different -- to my manager, to the deputy and my co-workers.

C Q. And you've carried out some work since you were struck off. Are you able to tell the panel some more about that?

D A. Yeah. Since I've been struck off I have -- I love working as a nurse and I like people. I like to do something that relates to people so I decided to have a shop that sells organic food. That's going to be relating to people. And I've done it in an honest way. I have an account and I just did accounting.

E And I joined the NDCA which is -- which empowers women, young adults that are ethnic minority to -- empower them to be a very -- self-worth and effective citizen. So we normally do workshop like -- like sewing, teaching young people how to sew, how to cook. And at times we did -- during the black history week, we did a competition called Ten-Ten that was -- it's like an exercise for the young people and it's like -- I was one of the -- one of the person that organised it.

F Then I help a lot with the elderly people. Like my mum, she's 80 and she has a lot of friends that are poorer and do the shopping for them. Because before I couldn't do that for them. But lately they will ask me, "Why are you not at work?" So I explained to them I was struck off because of what happened to me, because I was dishonest but, "If you want me to help you do the shopping I can". So I've helped with that aspect.

And now I work as a -- December last year I did work as a carer. And I've done a lot of online courses to update myself to know what is going on. So I'm ...

G Q. And in your work as a carer, how many hours a week have you been doing?

A. I do 40 hours.

Q. THE CHAIR: Four-zero, 40?

A. Yeah, 40.

Q. Forty?

H A. Yeah.

A Q. MR WALKER: If you were restored to the Register, what work would you seek to do?
A. I would love to go back and work as a mental health --

Q. THE LEGAL ASSESSOR: As a what, sorry, I didn't catch that?

A. No, I said I'd like to go back to mental health training because I was a mental health --

B Q. To mental health?

A. Yes. That's what -- so I can ...

Q. MR WALKER: And you've spoken about the reading that you've done to keep yourself up to date. Can you give us an example of what sort of things you've done?

C A. The one that I read recently that was very interesting, it's called the strategic planning. Because that was not in place before I was struck off so I tried to understand what it meant. And the way I understood it was that for example if somebody was supposed to take medication and you did a care plan for a client -- so you give them medication but for when they refuse that medication, people just signing, "Refused". But with a strategic planning you have this thing you call the complex that even though she refused, why did she refuse. We look more deeper into it, why did she refuse, what's the consequence if she refuse it.

D And the strategic planning means that now other carers can do what people might deem as effective and incorporate it into their own ways of working. Like this other -- we do things that we just see what is happening. For example, what is happening with their families, how are they actually (Inaudible). Friends can look into it and see where they are going so that's what I understand about strategic plan. It's more deeper than just looking after people. It's working in conjunction with each other to see what is working and what is not working and how we incorporate what is working into our own selves(?).

E **The next part of the hearing was held in private**
Please see private transcript at page 4(C)

Q. Is there anything further you would like to tell the panel?

F A. I really regret my actions. I'm really sorry I let my body, my family, myself down. And I will appreciate it if I'm given a second opportunity to prove I'm not (Inaudible). I swear on the world(?) that I will never repeat any form of dishonesty that's going to let the body, myself, my family or my children down again.

MR WALKER: Thank you. No further questions. Wait there a moment.

THE CHAIR: Mr Jeffs?

G THE CASE PRESENTER: Sir, I'm grateful. I just --

THE CHAIR: Just turn your microphone off, please, Mr Walker.

Jumoke Ige, Sworn
Cross-Examined by THE CASE PRESENTER

H Q. I do have a couple of questions, sir. I can see that you're upset, you're okay to continue?

- A A. Yeah, I can --
- Q. I'm sure if you need a break ...
- A. I'm okay. I'm okay, thank you.
- B Q. You've helpfully provided information in your statement about your reflection in relation to the incident and your current position. I'm just going to ask you just to expand upon some of the matters that you've put forward in support of your application for restoration because you provided several references. If I could ask you to have a look at the main bundle, please.
- A. Okay.
- C Q. It's the NMC bundle. If you open the bundle, any page will do. I'm referring to page numbering in the bottom right-hand corner of each page.
- A. Okay.
- Q. Okay. So if for example you could turn, please, to page 58 of the bundle. That's a reference from a Mrs Aku Pello, do you see that?
- A. Yeah.
- D **The next part of the hearing was held in private**
Please see private transcript at page 4(D)
- Q. THE CASE PRESENTER: Do you accept, and I make no criticism, that you sought to appeal against this decision from the conduct and competence committee?
- A. I didn't appeal.
- E Q. You didn't appeal?
- A. No. When I was struck off, I didn't appeal.
- Q. There was no appeal whatsoever?
- A. No, no, I didn't appeal it.
- F Q. The evidence that you gave about your daily work, you were asked by your representative if you were facing stressors how you would do different things differently. And you gave the example, you said, "Almost every day you're being asked to or being described as a nurse". And I don't want to misquote you, and you say, "No, I'm not a nurse, I've been struck off". Is it part of your role that you're asked to undertake nursing functions, is that what you were saying? Or is it that they described you as a nurse during the course of your appointment?
- A. No, what they -- my -- if the manager was to set an example, maybe some people are doing something wrong and she was saying, "You should know better, you're a nurse". I would say, "I'm sorry, I'm not a nurse, I'm a carer". Yeah, that kind of thing. Like, when we're doing handover maybe somebody that was supposed to be on one-to-one and somebody has left their place, so she'll be referring to me. And I always tell her, "I am not a nurse. So you should not refer to me as a nurse, I'm a carer. I've been struck off".
- G
- H Q. And is that person, your manager, one of the people that's given you a reference?
- A. Yes.

A

Q. If you could look at your witness statement, please. I think you've got two references, exhibit 3(1) and 3(2) if you look in the small bundle. Which person ...?

A. It's the manager that Mrs -- no, the manager, not the deputy.

Q. Right. It's -- which one is that in your witness statement?

A. I will just look.

B

Q. I think you may be looking at the main NMC bundle.

A. Okay. Yes, thank you. I think I don't have it there.

THE PANEL SECRETARY: If you just check in those papers.

THE REGISTRANT: Okay.

C

Q. THE CASE PRESENTER: It's one of your own references.

A. Yeah.

MS VARMA: It's got 3(1) at the top.

D

THE REGISTRANT: It's this one.

Q. THE CASE PRESENTER: And that's Mrs ...?

A. (Inaudible) this one.

Q. And she's somebody that you report to?

A. Yeah, I told her because she must know that I was struck off.

E

Q. Right. So, what did you tell her?

A. I told her about the dishonesty, that it -- I forged false information to get a mortgage and reason to get back and that was why I was struck off. And I did accept responsibility about what I've done.

Q. And when did you tell her that?

F

A. The first time I started working.

Q. And to be fair to you, you say that she still refers to you in the context of being a nurse then? "You should know better, you're a nurse?"

A. No, no, not -- when she set an example, like I say, somebody else does something wrong and she's referring that, "Look, you're a nurse. That you should know that --" she's telling people that I know the consequence of if you leave somebody on one-to-one observation and you don't stay -- because we have -- the clients they self-harm. People that are -- it's a -- like a mental health. So, what she's saying is that when somebody's on one-to-one, somebody needs to be observant with that person at all the time.

G

So, when they'd been -- somebody leaves her place and she'll be referring that, "You know what I'm talking about, the consequence. If this person was -- or something happens to somebody placed on one-to-one that as a nurse you know the --" and I always tell her, "I'm a carer, I'm not a nurse". Because I'm not supposed to justify or support what she's said.

H

A

Q. But is she not referring to accountability which is -- relates -- purveyed to the entire nursing practice? I thought you used this as a specific example of where you've corrected somebody. You were asked by your representative, "Can you give an example of what you would do differently if you were confronted by a stressful situation?" You know, something -- you told us that it was in effect stressful circumstances that led to your criminal conviction. What examples can you give us of --

B

A. Do you want me to give another example?

Q. Well, I -- it's probably best if you explained on this one because it's probably me and I haven't understood it correctly. But I didn't understand your reference to ...?

C

A. No, my reference is that on this day, even if people are referring to you I have to be open minded and say the truth the whole time. It doesn't matter what circumstances, I -- even if with other carers and everything I'm open and honest. That's all I'm trying to justify that just every time I am not -- I cannot confirm on what she's saying.

Q. And this Nessa Raja provides this reference which is dated last week 3 April.

D

A. Yeah. What happens is that anytime I -- what I'm trying to say that because I told her I used to be a nurse, I used to be a mental health trained nurse before I was struck off. So she always feels I should have that knowledge what's supposed to happen. So, when people do something wrong so I can support a judgement to say, "This is wrong". But I was opposed to it, "I'm sorry, I cannot intrude into that because I'm not a nurse. I'm not even allowed to talk as a nurse, I'm a carer". So that's ...

Q. I understand. And does Nessa Raja know you're here today?

A. Yes, she knows. That's why she gave me a day off.

E

Q. None of the referees, and there's five in total, have been asked or are here to give evidence. Did you ask any of them to come to give evidence?

A. No. What happened is that it take all day because of the workload they have been given of that day already.

Q. And that relates to all of your referees, does it?

A. Yeah, yeah.

F

Q. None of them can be available?

A. I don't think so. Because we'll need some help (Inaudible) when Mrs Raja is (Inaudible) . So ...

Q. So the health visitor I think we spoke about that, Ms Aki.

G

A. Yeah, that's right, yeah. But I'm sure if you called them, they'd ...

Q. Well, it's -- in fact that would be for you to call evidence. But we've got their written statements and if we could have a look perhaps at the following page, Letitia Williams. That's a reference dated 3 April 2017 also.

A. Yeah, she used to be the deputy manager but she left a few weeks after I worked in her home. But she still comes in to do the bank.

H

Q. So she's HC One-to-one --

- A A. She's left Pines House now so she works in this place now.
- Q. HC One-to-one?
A. Yeah, yeah.
- Q. And what is HC One-to-one?
A. I don't really know but she used to be my deputy manager when I first started there.
- B Q. So you contacted Ms Williams?
A. Letitia.
- Q. Letitia Williams.
A. No, she was aware of the reference before she left.
- C Q. But she's given this specific reference for the purpose of today's hearing?
A. Yeah, because she promised she was going to give it -- me a reference but I told her I was coming to NMC hearing.
- Q. And when did you tell her you were coming to the NMC?
A. At first, I was supposed to come here February but if I changed the date -- so they were aware -- if I changed the date to April and it was supposed to be 13 April but it was changed to the 11th. So ...
- D Q. So you told her that you were coming to the NMC. When did you work with Ms Williams?
A. I worked from January.
- E Q. January ...?
A. This year.
- Q. 2017?
A. Yeah, yeah, yeah.
- Q. To ...?
A. Up to date.
- F Q. And when did Ms Williams leave?
A. She left some time in last month. But she still comes and did bank.
- Q. And just to work through this, is she providing this reference do you know in a personal capacity or did you ever work for HC One-to-one?
A. No, I didn't work for HC One-to-one.
- G Q. You didn't, okay. Because this -- it may be me, I'm just looking at the way in which the letter's formatted.
A. No, I didn't work for --
- H Q. You didn't?

- A A. No, no, no. I worked for Pines House but she was the deputy manager when I was working for Pines House. But she's no longer there so ...
- Q. THE CHAIR: But she does come back there and work bank as a nurse?
- A. Yes, she does bank.
- B Q. She's not a supervisor, she's --
- A. Yeah, yeah.
- Q. When was the last time you worked with her?
- A. That was some time last week or so.
- C Q. THE CASE PRESENTER: You've spoken about the courses that you have undertaken and there's some relatively recent ones, effectively follow through the bundle chronologically. I think exhibits 4(1) through to 4(3). These are online courses, is that correct?
- A. Yes, it is.
- D Q. They were back in January. You've told us that your insight into the dishonesty developed very soon after the conduct and competence committee decision. Did you undertake any training or keep your clinical knowledge up to date?
- A. I do a lot of reading (Inaudible). So -- but when I knew I was going to start working as a carer, I needed to update myself so that was what I did. I had to take a course such as the online one. But I did a lot of reading.
- Q. And sorry, how long have you been working in -- as a carer or in a profession that's close to the nursing profession?
- E A. Since January.
- Q. Since January.
- A. Yeah. I've been working as a paid worker.
- Q. We've seen your voluntary work that you've done also. It's your intention if restored to the Register to do a return to practice course you've told us and I think that's mandatory.
- F A. Yeah.
- Q. But also to work in mental health nursing, is that correct?
- A. Yes, please.
- Q. Have you kept up to date with any specific areas in relation to mental health nursing?
- G A. Yeah, I just read general -- you understand, I read everything general nursing. And I know there's a lot in person-centred care and -- when I go through the internet, I just read anything that comes to knowledge.
- H Q. One of the things that the panel will need to look at is whether or not you're of a suitable character to be restored to the Register. And that involves an appraisal of your character and looking back at the reasons for your dishonesty and your role in that erasure from the Register. You told us I think quite candidly that the public would have been disappointed, the effect that your dishonesty could have had on yourself, others, the profession, patients

- A and the bank. Why do you think -- is there any way you can think that you can explain why you satisfy the high test of good character to be restored? Just in your own words.
A. Yeah. Ever since that has happened I've not had any criminal -- not before or after. I'm very open minded to what I've done wrong. I think I'm of good character and I don't have any criminal court proceeding or anything.
- B Q. And do you think that you're of sufficient character now to return to practice?
A. I am. I know it's not -- I decided to come to the panel.
- Q. THE CHAIR: If I could ask you -- I'm terribly sorry.
A. I'm sorry.
- C Q. Speak right into the microphone. Put it on the other side if you're facing them, that's fine.
A. Yeah. I said I am at the moment because I've really reflect on my bad character and there's no excuse or reason to justify the way I was feeling. And I've let a lot of people down, my children, myself, my profession, the public. And most of the time I feel ashamed of myself. But now I'm prepared -- if I'm given the opportunity to practice again, I will never do anything that's going to let my profession, myself down. I will not be able to be proud to come up.
- D And I mean, I did not appreciate what it is to belong to a body before. I did not appreciate what it is to be of a good character. But the five years that I lost -- I lost everything then I appreciate what I have. Because before, I didn't put any big thought or meaning into it. And when you have something wonderful to you and you lose it, you want to see how to keep it. And this is why I'm back here.
- E Just nothing is -- something that I'm not -- I don't see myself doing any -- I love people and I love talking. I like looking after people. I feel happy. Like the first six months when I woke up in the morning and there's nobody to talk to, there's no patient, that was very depressing for me to wake up and -- because I always look forward to going to work. I always look forward to changing somebody's -- talking to somebody, having a positive impact on somebody's life. And I destroyed that because of my relationship, my dishonest, by not being patient, by not being -- appreciate the professional body I joined. And -- but
- F I realise that now and I'm just hoping I'm given the second chance.
- Q. I know this is stressful for you and you'll be pleased to know I've only got one or two other questions.
A. No, it's all right.
- G Q. Because one of the matters that the panel that first imposed this order, that imposed the striking off order, were concerned about was your lack of remorse and insight. And I think that you've explained to us that you've reflected on this. But one of the concerns of the panel was that they said that you continually, in their view or their findings, attributed to blame others for your own fraudulent actions including holding yourself out as running a self-employed business. How do you feel about that now?
A. I feel bad because like I said earlier on, I didn't -- I thought -- I was thinking, "Yes, I have a problem, I need to drop that and I need to do that. I need to do that", and I was using
- H my excuse to justify my actions. And even though my husband has pleaded guilty -- you

A know, but I was thinking I have a good solid ground to justify what I'm doing because I used to start lectures at 9.00 and I need to drop the children. But that's no excuse to be dishonest. What is wrong is wrong. So that was -- but at that time, that was the way I see it. I didn't put a deep impact to what I was doing and I was being dishonest.

B Q. And is that the same -- is the same true of the decision of the bank to -- or the CPS to prosecute you? Do you remember one of the things that the panel said was that you were concerned that the CPS had prosecuted you -- it was unfortunate the decision had been made to prosecute you because the bank had decided not to take matters any further? Is that your same view?

C A. Not anymore. The view that I was -- because of -- I was justifying my excuse because I turned a blind eye to what I knew was the truth. And I was just finding an excuse that time that there's a reason; this is my house, I want to buy the place and everything that was going -- when I look deep into it, there's no excuse, what is wrong is wrong. I don't have the reason to justify my actions or doing my plans because I want to get a place and everything. It was against the law and what I did was bad.

D Q. And of course, one of the other things that was said -- the panel said you continued to attribute blame to others but you said that you'd understood that your solicitor had informed your former employer. Do you remember in your evidence?

E A. Yeah. My solicitor was -- that was part of regarding what was happening and everything too. And maybe the price for that time -- that's how my mind was that what I've done that -- because of the reason of the children. So, what my evidence was based on was based on the way I was thinking. So like I said, things was made on my mentality and the way I was feeling at that particular time. But I have a different view now so I do see - - so I mean, if you're going to ask me that -- because if I'm going to sit down today to go through, I'm not going to answer that the same (Inaudible).

F Q. I simply ask because if you look at paragraph 19 of your statement and of course, you're perfectly entitled to say this, you again accept -- and I have to make clear at the outset you accept that ultimately any decision (Inaudible) is your responsibility and that goes to your credit. But you do refer to the legal advice that you were again following. You say, "Looking back, his advice was clearly wrong".

A. Sorry, what page is it?

F Q. It's paragraph 19 of your statement?

A. Nineteen.

G Q. Have you asked for the -- sorry, of your witness statement, I do apologise. It's the statement you've prepared for these proceedings.

A. Yeah. Nineteen?

G Q. Yes.

A. Yeah. Another person at 39. Because all the same data was that because of the advice of the solicitor at that time. I accept that what she was saying.

H Q. Of course. And what was said between you and your solicitor is private and I understand but again, do you not consider that that seems to be following a similar pattern or concern that the previous panel had?

A A. Not anymore because I know now and I know what I want to do. So I have done a lot of counselling and have accepted my fault. Because at that time, I was listening -- because I believe I was on the right course which is not anymore. So I'm very open minded about what I do.

B Q. So at the time, the information that you told the panel was correct, you believed it right that you hadn't in fact been dishonest even though you'd been convicted. But now your position --

A. Yeah, at that time, yeah.

Q. That's your evidence now. I just wonder why you raise this concern about your solicitor in paragraph 19?

C A. Because why I was -- about my solicitor because when I was coming in, I've been found guilty so -- in the court. So nobody -- if I come -- I've been found guilty I'm guilty already. So the solicitor was supposed to advise me relating to that, not to tell me to challenge the panel. So because of the advice she was giving me, because I've been found guilty, I've done something wrong. And maybe if she had advised me, I would have taken a deeper thought into what I'm doing. So ...

D THE CASE PRESENTER: Ms Ige, I've got no further questions for you at this stage. So I know we probably will move onto panel questions. I don't know if the panel want to rise to consider those questions?

THE CHAIR: We'll just see if there's any re-examination by Mr Walker?

THE CASE PRESENTER: Quite, sir. I'm jumping -- however, I would ask for perhaps just ten minutes to clarify one matter if I may also.

E THE CHAIR: Yes. So any re-examination?

MR WALKER: No re-examination.

F THE CHAIR: Okay. We'll have a short break, maybe 10 - 15 minutes. Try and relax, have a cup of tea. Mr Walker understands that he can't talk to you while you're giving evidence so please don't embarrass him by trying to talk to him. But the (Inaudible). So if you go back to where you before and just try and relax and we'll call you back when we're ready.

**(The Committee went into camera at 10.39 am
and returned at 11.18 am)**

G THE CASE PRESENTER: I concluded my cross-examination but I did ask for the time before the panel took their questions to ensure the registrant was not released because I wanted to obtain instructions about a particular aspect of the registrant's evidence relating to essentially the time at which she started to develop her insight and the issue of whether or not the decision of the conduct and competence committee was appealed by her. I don't want to trespass into making submissions but I've made -- I've obtained those instructions and there are matters that if admitted that I would like to put to the registrant by way of clarification in relation to her evidence which I believe would assist the panel.

H

A | I can probably put it higher than that. I think it's essential that the panel does have this information and clarification regarding that issue. I don't know if my learned friend or the legal assessor has any comments.

B | THE LEGAL ASSESSOR: Well, I need to ask you -- I have in front of me a document which basically claimed there was an appeal as to the question of impairment. What was actually being argued was a point of law very substantially. Right, so may I ask what the relevance of your question is?

C | THE CASE PRESENTER: Well, sir, it's not so much whether or not this registrant perhaps understood what could well have been -- could well be said to be complex issues of law but she may have received advice upon -- subsequently from another solicitor as part of her appeal. But what we do have on record and which cannot be left unchallenged or clarified, is the fact that first of all this is a dishonesty case.

D | The registrant indicated that she started to develop insight almost immediately after the conduct and competence committee decision. That is what she said and certainly according to my notes she spoke to her mentors about that. And it was on that basis that I asked about the appeal and the registrant said that she did not appeal. We do have prima facie documentary evidence as part of the available transcript of an order that certainly some time later the registrant was still seeking to challenge.

Now, I fully accept what the learned legal assessor says. It may well have been on advice. The concept of a finding of both impairment it would seem, I've only skim-read the judgment, and a question of sanction. And again, I don't want to trespass into --

E | THE LEGAL ASSESSOR: Again, there was no proportionality.

F | THE CASE PRESENTER: Quite, sir. But as I say, I haven't read it in detail. I do think the panel does need clarification as to what the registrant was saying. Because again, without wishing to trespass into the area of making submissions, this is on one reading easily explainable or on another -- and I certainly don't make that submission to say the registrant's confused or on another an attempt to perhaps not be truthful in her dealings. I'm not sure I can put it in any other way.

G | It's also potentially another example of the registrant again changing legal representatives. There was criticism of the first legal representative at the CCC hearing about whether or not the former employer of the Trust was notified by them who's duty it was to follow an equivalent conviction. And we now see from the documents that were tabled this morning and seen by me for the first time today that there's some criticism of the former solicitor that represented the registrant before the CCC committee. And we now have another situation in which the registrant's changed legal representative again. I simply don't know. We don't know what her answer is but in my submissions -- or the panel does find out.

THE CHAIR: Mr Walker, any comment?

H | MR WALKER: Sir, simply the registrant did say that she hadn't appealed and I do think it's fair that she ought to be allowed to have an opportunity to clarify that.

A

THE CHAIR: It seems fairly unequivocal then that there's an agreement that she can be asked.

B

THE CASE PRESENTER: Sir, I do want to be fair to the registrant. I do stress this in the manner in which I ask her. What I'd be minded to do is to exhibit those documents. They are public documents. It's the order that was made and the transcript which is publicly available. I'm certainly not inviting that the registrant be given time to read them in advance but I don't think I could sensibly object. But I am going to ask her to clarify her evidence.

THE LEGAL ASSESSOR: I don't think she would gain a lot from reading the detailed relevance of the law.

C

THE CASE PRESENTER: No.

THE LEGAL ASSESSOR: Which runs to many, many pages.

THE CASE PRESENTER: Quite certainly. And candidly, I do apologise, sir, that I've not read it in detail I must confess and just been provided copies.

D

THE CHAIR: How much if anything do the panel need to know about it other than generally the fact that it has -- the legal assessor has helpfully indicated to do with impairment and question of proportionality on sanction?

E

THE CASE PRESENTER: I'm not sure that the panel needs to know much more. I certainly don't seek to criticise the registrant if at all for any legal propositions or arguments that may have been advanced on her behalf by a specialist counsel. Because it does involve complex issues of law, I certainly wouldn't seek to criticise her. I simply really want to explore the issue of when insight was developed and her answer as to whether or not she appealed and why she gave the answer she did.

F

THE CHAIR: Well, the question that's in my mind is -- what certainly needs to be clarified, did she know about it, what did she know about it, when did she know about it? Presumably, I mean, there's 28 days to lodge the appeal but then it would seem that the appeal has to continue -- may have continued for many months before it was resolved.

G

THE CASE PRESENTER: I think it was October 2011 and then there was a costs order that followed sometime after this. And again, it is important but perhaps I'll leave it to the submission stage. But -- well, I'll be candid, sir, the registrant must have known what was going on because she was legally aided and there's a process to go through. It's rather rare that legal aid is granted in these proceedings but it seems that she had a legal aid certificate rather than under the public law contract. And that's why I feel was the usual provision of the final page of the ordinance a separate document that's two-sided in which the enforcement of meeting costs were postponed pending an assessment.

THE CHAIR: It seems almost inconceivable that she wouldn't know that.

H

THE CASE PRESENTER: Right, sir. I know it's a matter, sir, I think that it's only fair that I put to the registrant.

- A THE CHAIR: You seem to be not objecting, Mr Walker, so we'd better get on with it.
- MR WALKER: Sir, before we do that, might I apply for Ms Ige to be released for her evidence so that I might take instructions on this document? I knew nothing about this prior to it having been brought up.
- B THE CHAIR: Mr Jeffs is shaking his head. Mr Jeffs?
- MR WALKER: Solely for the purpose of getting instructions on these documents that my friend has introduced.
- C THE CHAIR: Well, I can see there's an objection. It seems the fairest way to deal with it is -- because I think an element of allowance probably is needed. I think Mr Jeffs should be allowed to ask the question and then perhaps take instructions when he's done that would be the fairest way. Any objection to that?
- D THE LEGAL ASSESSOR: No, that a sensible way forward. But I do think Mr Walker should have the opportunity of taking instructions. But I take the point of the panel that you suggest for Mr Jeffs to put his cross-examination first and then for Mr Walker to take instructions.
- THE CASE PRESENTER: Sir, I am sympathetic to Mr Walker's position. I do understand. I think I need to put ...
- THE CHAIR: Okay, indeed. I think we're ready for her then. Ms Curnow.
- E THE CASE PRESENTER: Sir, I don't know if I need to formally exhibit these documents now before the registrant comes in?
- THE CHAIR: I think when she's here. Unless my panel colleagues are desperate to see them, I think make sure to exhibit them and then just carry on but wait for us to be given them. They've been described to us and that's probably ...
- F Okay, welcome back, Ms Ige. Turn your mic around then if you would. There's a few more questions from Mr Jeffs. Just got to remind you you're still under oath. So, press your microphone button on. That's it.

Jumoke Ige, Sworn
Cross-Examined by THE CASE PRESENTER

- G Q. Ms Ige, I do have one or two further questions for you. And in order to put those questions to you and ensure I do so as fairly as possible, I'm going to hand you some documents if I may? I'm also going to hand up copies to the panel. The first document is an order from the High Court of Justice. There are two orders in fact; the first is dated 13 October 2011 and the second is dated 19 October 2011. Perhaps if I could hand those up to the panel, sir, to be formally exhibited. The second document, Ms Ige, is a transcript of a decision of the High Court.
- H

A THE CHAIR: We'll call that exhibit 2, Mr Jeffs.

THE CASE PRESENTER: I'm grateful. And perhaps the transcript could be marked exhibit 3.

B Q. And this is a transcript and that's an order that you have in front of you of an appeal that appears to have been brought by you against the decision of the conduct and competence committee. Do you see that?

A. Yeah.

Q. Now, you may recall that I asked you when you gave evidence whether or not you had appealed against the decision of the conduct and competence committee striking you off and you said that you had not. Do you recall?

C A. Yes, I did.

Q. You did say that you had not appealed?

A. Yeah, I'm sorry, I couldn't remember that appeal.

D Q. Now, because you said leading up to that question about whether or not you had appealed that you were asked about when you started to develop your insight about your dishonesty. And I think you said it was almost immediately or several weeks and you said that you discussed this with one or more of your professional mentors. Do you remember?

A. Yes, I did.

Q. Is it correct then that you accept that the evidence you gave to this panel about not appealing the decision was wrong because you'd forgotten that you'd appealed?

E A. I'm really sorry. What happened was that, like I said, during that time, I didn't really have much insight to what I was doing because I didn't accept my dishonesty. So I'm sorry I could not recollect that I did appeal because I was only interested in ...

Q. Let's go through the stages then. And I want to be fair to you throughout, so you must tell me and it's important that this panel has the correct information. When the conduct and competence committee made its striking off order, you knew you had 28 days in which to appeal, didn't you?

F A. Yes, I knew it.

Q. And it must be correct that you went and instructed separate lawyers to lodge that appeal?

A. This was the -- this was -- so basically was the person I used but she wasn't my initial lawyer that was doing my case.

G Q. No. Mrs Beski represented you before the conduct and competence committee and then after that decision had been made, you instructed a firm of solicitors called Davies Gore Lomax to appeal, didn't you?

A. I'm sure it was Mrs Beski that -- because I can't even recollect, I'm sorry, this one. That's why I couldn't remember. If I can remember I would have told you I'd done it. To be honest, I do remember appealing against the decision.

H Q. Did you go to the hearing on 13 October 2011 in the High Court?

- A A. I can't remember, I'm sorry. I can't remember 13 October.
- Q. I'm going to suggest to you that it's incredible that you would not recall bringing proceedings in the High Court of Justice against this decision.
- A. I remember now, I'm sorry. I'm sorry, I do remember now.
- B Q. Do you want to direct your answer to the panel?
- A. I'm sorry, I'm sorry. I remember what happened. Yes, I did take a train to -- what's the name now, outside London. I'm sorry, it just -- I remember now, it's just come to me. After being struck off, you know -- I just remembered now, I'm sorry. Yes, I remember I took the train to outside London for about two or three days. Yeah, in some way -- is it Kent? I can't remember.
- C Q. And you instructed a solicitor to appeal against the decision?
- A. Yes, yes, I remember now. I remember, I remember. I'm sorry.
- Q. And you may not fully know the reasons why or the basis on which the appeal was made but do you accept or do you understand that one of the grounds in which the appeal was lodged was because you didn't accept that your fitness to practise was impaired?
- A. That was when I appealed, they gave the decision. Because during that period, I did not feel what I've done was wrong.
- D Q. And we know that the appeal --
- A. I remember now, yeah.
- Q. -- was not concluded until 13 October 2011?
- A. Yeah.
- E Q. So when you told the panel that you started to develop your understanding and insight to your dishonesty almost straight after the hearing when you were struck off, that's not correct, is it?
- A. Actually, it took longer maybe. I didn't even have recollection that I did appeal against the decision because I was trying to justify it. Because I believed what I've done at that particular time was right.
- F Q. Because appeals don't just happen. So you recollect now but going to see a solicitor I think your evidence is and appealing, do you recollect approving the grounds of appeal or any evidence that was filed in support?
- A. I remember now I went to see a solicitor after that because the solicitor that came with me basically told --
- G THE LEGAL ASSESSOR: I think you should note that the appeal notice is dated 26 May. That is very shortly after the substantive hearing.
- THE CASE PRESENTER: Quite, sir. And it would have to be served of course because one would be outside of the appeal time limit. I do have that in mind.
- H Q. Because we were discussing the chronology, you went to see a solicitor sometime after and you lodged your appeal in time.

- A | A. I could have. To be honest, I didn't remember.
- Q. And you had to get funding for that appeal, didn't you? Did you apply for legal aid?
A. Yes, I did.
- B | Q. And that takes some time, doesn't it?
A. No, because I was on legal aid already because of my -- during the course of proceedings --
- Q. During the --
A. During the mortgage, you know, I'd been on -- so I wasn't --
- C | Q. Well, that would be separate legal aid. You filled out new forms for legal aid, did you not, for these proceedings?
A. Yeah, of course. I did. I don't -- yeah.
- Q. Yes, you did. And then you knew that the case was coming up in October 2011. You didn't tell your solicitors to stop it at any time before, did you?
A. What happened was that, like I said earlier on, I was thinking that what I did was right until I start thinking otherwise and realise what I've done. When I've started talking to people, my mentor and that, that was probably because I was going into depression after I was struck off totally.
- D | Q. I understand but on 13 October your appeal was dismissed, do you recall? That's a copy of the order.
A. I recall probably but I couldn't remember half of what happened.
- E | Q. Were you in court on the day of the hearing?
A. Was I? I think I was.
- Q. So you recall being in the court room with a judge and with your barrister Ms Maudsley?
A. It wasn't a woman, it was a man.
- F | Q. And you were ordered to pay the costs of the appeal, weren't you?
A. Yeah, I think I only --
- Q. I know you haven't -- may not have physically paid them --
A. Yeah, the only thing I --
- G | Q. -- but you were ordered by the judge to pay them?
A. Yeah, I didn't -- I didn't pay anything. They paid for the transport and things like that. I didn't pay any money.
- Q. And bearing in mind what you've told us about the fact that you've appealed, I'll ask you again, when did you appreciate and start developing insight into your dishonesty?
A. A couple of weeks after the -- after the -- after I was struck off.
- H | Q. But yet you still appealed?

A A. The only reason I appealed at that time was that I didn't have a deep insight into what I've done.

The next part of the hearing was held in private
Please see private transcript at page 6(A)

B Q. THE CASE PRESENTER: So I just have two questions arising out of that. When did you conclude that what you'd done was totally out of character?

A. I think a couple of weeks. It took me some time to digest because as -- yeah, a couple of weeks.

C Q. And just following on from that, when did you -- as you tell us now, I understand you must -- as I understand you just now, when did you accept the findings of the conduct and competence panel's decision?

A. A couple of weeks after.

Q. But yet you still appealed it?

A. The reason I appealed was that I was just -- it takes -- you know, things take to process before you digest it. So a couple of weeks.

D Q. And when did you fully digest it?

A. A couple of months after that. When I went to the -- when I say couple of months that - - when -- nothing happened because I was still with my partner and he -- you know, we were still together. And when he finally left, that was when I was thinking I was by myself and the children and that was when I was getting another deeper thought into my actions and things like that.

E Q. And I understand this may be difficult, when did you separate?

A. We separated some time about -- after this -- well, sometime in 2012, something like that. I can't really recall that.

Q. So are you saying that was when you started to develop your insight?

A. No, because he was sentenced to prison, so I stopped visiting him and -- so I didn't ...

F THE CASE PRESENTER: Sir, I've got no further questions. Thank you.

THE CHAIR: Mr Walker, do you need to take instructions or are you happy to just ask your questions?

MR WALKER: Sir, I would -- can I take just a few moments to take some instructions?

G THE LEGAL ASSESSOR: Sure, yes. Provided, Mr Walker, that I'm sure you will confine yourself exclusively to the questions that have just arisen with regards to the appeal.

THE CASE PRESENTER: Sir, I do wish to be fair to the registrant but perhaps what follows probably suggests that -- are not appealing to me. I am slightly concerned but we have an account of record. So I just ...

H

A THE CHAIR: Well, I'm sure Mr Walker fully understands that he's not to coach the witness and he wouldn't dream of doing so.

THE CASE PRESENTER: Well, certainly. There was absolutely no suggestion that would happen. I would like to put that on record, yes.

B THE CHAIR: No, but equally I'm sure he wants to know the answer to questions before he asks them.

THE CASE PRESENTER: That may -- well, quite so. Sir, I think all I can do is mention motivation that that -- but I ...

C THE CHAIR: But the legal assessor appears unperturbed by the prospect of the consideration so ...

THE LEGAL ASSESSOR: Yes, and I'm expecting that in the sense that Mr Walker was unaware of the appeal. And I think it would be right to let him take instructions provided he confines himself very closely to the issue that has arisen. And of course, in any sense in (Inaudible).

D THE CHAIR: I'm sure he will of course.

THE CASE PRESENTER: And I again say for the benefit of -- there's no doubt that you wouldn't do anything that --

THE CHAIR: Well, ten minutes.

E MR WALKER: Thank you, sir.

**(The Committee went into camera at 11.42 am
and returned at 11.56 am)**

THE CHAIR: Mr Walker.

F MR WALKER: Thank you, sir.

**Jumoke Ige, Sworn
Re-Examined by THE REGISTRANT'S REPRESENTATIVE**

G Q. Ms Ige, you told the panel about when you started developing insight and you said a few weeks after the hearing of the conduct and competence panel.

A. Yes.

Q. You told the panel that you then fully digested after your husband left in 2012?

A. Yeah, he was in prison in 2012. He was in prison.

H Q. And are you able to clarify for the panel how your insight developed after the conduct and competence panel?

A. Well, I couldn't -- I didn't remember appealing which is bad on my own insight. Like I said earlier on, I'm open minded and that's the honest truth, I didn't remember I did appeal. What happened was that after the incident that I left -- if I can recall because I wasn't really interested in anything that was happening. So my solicitor, if I can recall, was the one that said, "This is not --" NMC wasn't a speciality if I recall, that she introduced me to the appeal that she said she couldn't handle it. I just remember signing the form and going somewhere outside London that time.

The next part of the hearing was held in private
Please see private transcript at page 6(C)

Q. MR WALKER: And you've talked about your solicitor saying that the NMC wasn't her speciality?

A. Yes, because what happened was that when we left the -- the time, that 28 days, she was -- because she knows about the children and everything, that how was I going to cope, I can still appeal against the decision. And I didn't know anyone so she advised me that this is not her speciality that she deals with immigration mostly not with NMC and things like that. So she was the one that introduced me to that as well. And I didn't go to the office, we were communicating on the phone. But I remember going to Leeds. Yeah, I think it's Leeds.

Q. And whose idea was it to appeal?

A. It was my solicitor. But I agreed with her because it was my solicitor to appeal. Because I was not -- during the appeal, I felt what I was doing was right, that I was still justifying my reasons. So it was my solicitor when we left and I said, "It's okay". She said, "Would you like to appeal?" I said, "Yes". But I couldn't even recollect appealing. But that period when I left, I was -- I still believe in myself to justify my dishonesty.

MR WALKER: No further questions.

THE CHAIR: Thank you. Mr Williams, do you have any questions? About anything?

MR WILLIAMS: About anything, because you didn't want to -- sorry, you've been over there?

THE CHAIR: Well, it's -- do you want ask any more questions?

THE CASE PRESENTER: Sir, no.

THE CHAIR: Sorry.

THE CASE PRESENTER: No, you're quite right. I suppose technically it was over to me. No questions, thank you.

THE CHAIR: I'm not sure it was. We had examination, cross-examination now it's re-examination.

THE LEGAL ASSESSOR: I think it's re-examination.

A THE CASE PRESENTER: I do stand corrected, I do apologise.

THE CHAIR: Yes. I mean, in the circumstances --

THE CASE PRESENTER: Yes, absolutely, quite so, sir. It was re-examination, yes, indeed. I'm grateful.

B THE CHAIR: There may be something around panel questions if you need to get back in. Mr Williams.

MR WILLIAMS: Thank you, Chair.

Jumoke Ige, Sworn
Examined by THE COMMITTEE

C Q. Thank you. I'm going to ask you some questions about your work in the Pines. So I'm not going to ask you questions about what we've been talking about there.

A. Okay, yeah.

D Q. Okay. You said -- I'd just like to clarify the point I think -- I think it's important for you -- the bit about you saying that the manager would say to you, "And you're not a nurse". Okay. You described an incident about the one-to-one. Was the manager talking to you or was she using you as an example as a nurse?

A. She's using me as an example. When we were sitting down doing handover, "You're a nurse, you know". But I would say, "No, I am not".

E Q. Right. So, she's not telling you off in a way, she's just --

A. No, no, no, she's using --

Q. Right, I think that's what I needed to clarify.

A. Yeah, she's using an example for the carers and myself.

F Q. Okay, that's useful, thank you. I just wonder if you can tell me a bit more about your duties at the Pines, what sort of things you do at the Pines?

A. The Pines has about nine residents, different age. They have some with brain damage, they have some self-harm. So, what we normally do is that when we get there is just to make their breakfast, get them up, do one-to-one with them. Then I'll sit down talk with the clients. And at times when we -- I work nights just to monitor the clients in that time. And during the day for work we have to do total care. Like, cooking of the food, getting them ready for breakfast. And just the note-keeping for the day, writing notes. And doing handover when necessary.

G Q. Thank you. And my final question. You said that you want to work in mental health. I just wondered what sort of area did you want to work in?

A. I've always worked with elderly dementia, elderly people. And I think I would like to work with elderly dementia.

H MR WILLIAMS: Okay. Thank you very much. Thank you, Chair.

- A Q. In answer to your question from Mr Walker, you said, "I was treated unfairly and had to pay back £3,000". What were you referring to?
A. No, when -- because the mortgage I did -- the mortgage fraud I did that time -- so they said I get £18,000 from the fraud so I had to pay the £18,000 back to the government that time. And that was when I was telling my solicitor that I paid £18,000 back. That was what I was talking about there. Because as I said, between that period and the time I was convicted that it was fraud or something like that, I made a gain of £18,000 so which I had to pay it back. But I still have my property -- I still have the property today and I'm paying the mortgage back.
- B Q. Did I mishear you then? I thought you said, "I was treated unfairly and had to pay back £3,000", did I mishear that?
A. No, it was £18,000. It was £18,000.
- C Q. So that's the figure, £18,000 but in what way were you treated unfairly?
A. No, no, I was telling the -- my solicitor when we were going that I had to pay some money back that time, that I've paid money back, that I've lost that -- that was the way I was looking at myself that time.
- D Q. So you felt you were being punished twice, is that what you're saying?
A. Yeah, kind of. I really -- I deserve it but at that time I didn't see it that way. What I was doing was I thought it was too much putting on me that I had to pay £18,000, that my account was frozen, all my money was paid to them.
Q. Okay. Because you --
A. I lost my job.
- E Q. Yes. Because your conviction was in June 2007 and the NMC hearing was four years later?
A. Yeah, but I still have to pay the money. I wasn't -- yeah, I still had to pay the money.
Q. You were still paying it off, were you?
A. Yeah, £18,000. Yeah.
- F Q. Okay. Okay, so you say you -- in answer to the question from Mr Jeffs originally, you said you couldn't remember the appeal?
A. Honestly, I didn't remember. I didn't -- if I remember then I would have told my solicitor and included it to the -- I didn't remember. It was not done intentionally, I didn't remember.
- G Q. Yes. It's just that you -- since saying that, you've given us some detail. You've said that the appeal was instigated by your lawyer, that she said she couldn't handle it and was going to refer it to somebody else?
A. The reason why I couldn't remember I wasn't really interested anymore to be honest with you, I didn't remember. Because if it's something that I remember, I will have told my solicitor immediately, "This is something -- it's something --"
- H Q. Told which solicitor, Mr Walker?
A. Yeah. I didn't even recollect going to Leeds. I didn't recollect going.

A

Q. Well, the panel are more concerned with what you told them on oath of course.

A. Yeah, it was when he brought this -- when he -- I remember going to Leeds or to Kent. I couldn't recollect. I'm being honest, I couldn't.

Q. Where were you living at the time?

B

A. I was still living in Cricklewood, my address.

Q. In London?

A. Yeah.

Q. So you got the train to Leeds?

A. Yeah.

C

Q. And did you actually go into a big court building in Leeds?

A. Yeah, it was like a big train station with so many ...

Q. Platforms?

A. Yeah, and I had to walk and there was a lot of flowers. I had to walk toward the -- I had to cross to -- it was when he mentioned that it came back to my memory I didn't remember. I didn't.

D

Q. And was this a trip to see a lawyer in his office or was it to see a judge in a court?

A. It just -- it's just to go inside the court. It was -- that was -- I didn't go to see -- I never -- I only see the judge and your lawyer -- it was to go to the court. That was when I went to Leeds, it's not to see a lawyer in their office. I never went to the lawyer's office. So it (Inaudible).

E

Q. That just seems a big event to not remember.

A. I understand that but I couldn't remember.

Q. Okay. Just with regards to your work experience as a nurse. You qualified in November 2006?

A. Yeah.

F

Q. And then you went to work for Mr Cheng?

A. Yeah.

Q. How long did you work for him? Did you work for that Trust until you were struck off in 2011 or ...?

A. Yeah, I did work for them most of that -- at that time.

G

Q. Okay. So five years?

A. Yeah.

THE CHAIR: All right, thank you. Mr Jeffs, this is -- unless Mrs Varma's got any questions?

H

MS VARMA: No, thank you.

A

THE CHAIR: Mr Jeffs, anything arising out of the panel questions before we finally go to Mr Walker?

THE CASE PRESENTER: Sir, no, thank you.

B

THE CHAIR: Mr Walker, any examination from --

MR WALKER: Nothing from me, sir.

THE CHAIR: Okay, thank you. Well, you can turn your microphone off then, Ms Ige, and go and sit back next to Mr Walker. Submissions, are you ready?

C

THE CASE PRESENTER: Certainly from this side. I think it's probably my learned friend that goes first but I'm happy to take it out of turn.

THE CHAIR: If Mr Walker's ready he can go if it's for him to go.

D

MR WALKER: Although you're not deciding today on the issue of impairment, your decisions on whether Ms Ige is capable of safe and effective practise and whether she is a fit and proper person to be a registered nurse, that may be informed by the factors referred to in the cases of Grant and Cohen. You will have in mind the public's interest in this case and the principle of proportionality.

E

As a matter of principle, people should be able to move on from past criminal offending where they can demonstrate their rehabilitation from that criminal behaviour. It's accepted that Ms Ige's behaviour involved serious offences of dishonesty which was such as to undermine public confidence in the integrity of the profession. Her behaviour at the time, particularly bearing in mind she was a registered nurse, showed a lack of judgement and insight into the choices she was making and the effects of her behaviour.

F

Since then, Ms Ige has developed a judgement and insight. She told you about -- something about how that insight had developed. A few weeks after the hearing, her insight started to develop and she went on to tell you that she had fully digested those matters back in 2012 on separating from her husband. In my submission, her evidence about that is credible. You had the opportunity to hear her give evidence and question her yourselves.

G

She told you in relation to the appeal that she had no recollection of that. Of course, that is, one might think, a notable event to have taken place. But again, you have had the fortune of being able to perturb her demeanour when she gave her answer to those questions. In my submission, she was telling the truth. She did not think -- she told you that at that time, she was "like a zombie", under all sorts of pressures from all directions. In my submission, clear and credible evidence.

H

Since those events, Ms Ige has committed no further offences or criminal acts and those offences took place a significant time ago. The passage of time can and has provided the opportunity for the concerns as to her fitness to practise and her propriety to be addressed as set out in her evidence. Ms Ige was, you may feel, significantly under the influence of her husband. You will note that her evidence is that she closed her eyes to the fraud. And

A | in my submission, in terms of her level of involvement in the criminality involved, that is credible evidence. She does --

THE CHAIR: You seem to be -- sorry, Mr Walker, you seem to be revisiting the conviction now and almost going behind it. What we're interested in is what's occurred since, obviously, not going back all the way to the conviction. You might be better to focus on that.

B | MR WALKER: I wasn't going to take that any further than that.

THE CHAIR: Right.

C | MR WALKER: Other than to say that (Inaudible). She's accepted the lack of judgement she showed in getting involved and in her end that she demonstrates the full insight she has reached on the effect of her actions on the profession, on the public and on herself and those involved with her. She appreciates what she could and should have done differently and she tells you why you can be sure she would behave differently now.

D | You will have read the references obtained by the NMC in relation to her application. They state that her behaviour was totally out of character. Sir, looking at page 64, "They were totally out of character", and that she has spent the last few years trying to rehabilitate herself. You will have also read the references from her -- both from her current employer and from the former deputy manager who still works for her employer.

E | The manager of the home Ms Nessa Raja states that she has, and I'm looking at appendix 3, "No reason to doubt Ms Ige's integrity, probity and honesty", in the period she has known her. She unreservedly believes that Ms Ige will strive to be a good and honest nurse if restored. Ms Williams states that Ms Ige has demonstrated honesty, integrity and trustworthiness in the period that she has known her. In my submission, you can rely on those references to support the conclusion that Ms Ige is a fit and proper person to be restored to the Register.

F | Ms Ige has given evidence of her efforts to keep her skills updated. You will have seen the course certificates and examples of online articles submitted to demonstrate her self-learning in that regard. She has formulated a clear plan for her to return to practise. She has made enquiries as to the arrangements for taking on a return to practice course and waits for the result of this hearing to proceed with those arrangements if permitted.

G | Come back again to Ms Ige's evidence. She has talked at length about her insight and about her conduct. As I said, you had the benefit of hearing from her in person. I would submit that she was a credible witness. She was clear in what she said and you can believe her so as to conclude that she is fit and proper to be restored to the Register.

Unless I can assist you any further, those are my submissions.

THE CHAIR: Thank you. Mr Jeffs?

H | THE CASE PRESENTER: Sir, I propose to be quite brief because the panel have read the documents and heard quite a bit of evidence. The panel will of course be aware that under

A | article 33(5) of the 2001 order, "The committee must not grant an application for registration that is satisfied not only that the applicant satisfies the requirement of article 9(2)(a), that is to say is qualified, but also satisfies the requirements of article 9(2)(b) that is that they are capable of safe and effective practice".

B | There's also having regard to the circumstances leading to the original striking off order that the applicant is a fit and proper person to practise the relevant profession. And it's pausing there that I invite the panel to respectively have specific regard to the reasons provided by the conduct and competence committee for imposing the original striking off order which appears at page 42 of the bundle, paragraphs 5 - 27 inclusive of the transcript. And that's the context which the panel in my respectful submission needs to consider this application.

C | The panel will of course be aware that the burden of proof is on the applicant and to summarise those provisions to show the following. Firstly, not only is she properly qualified, not a matter which will no doubt take the -- up too much of the panel's time but also, she's capable of safe and effective practise. And that of course, sir, is not limited to the issue of clinical competence, this is a matter in which the public interest should in my respectful submission be at the forefront of the panel's mind.

D | As in regard to the factors which led to the striking off order, the panel should in my respectful submission pay careful attention to the evidence that it's heard from the registrant today. It's been urged upon you that the registrant gave clear and consistent evidence and at all times accepting that giving credible -- I do apologise, credible evidence. It's also accepted that giving evidence before this panel is no doubt stressful in the circumstances. In my respectful submission, the panel may feel that such evidence was confused and, in the circumstances, not particularly credible.

E | And I simply raise the issue by way of example of the registrant's response to the question of when she started to develop insight and the question of her appealing. I don't propose to go into that issue in any great detail, the panel's heard a considerable amount about it. Nonetheless, it's the registrant's evidence that she first of all did not appeal. She then qualified that by saying that she did not recall appealing and the issue of this being such a monumental step in the circumstances was explored. And the panel may feel that her answers in relation to that are simply not credible.

F | Sir, the responses to those questions are important in the context of what the registrant -- I do apologise, the appellant had told you in respect of when she started developing her insight. She told you consistently that she started to do so within a short period after the conduct and competence committee's decision. She said a matter of weeks.

G | She then gave evidence you may think which was a variance of that because she tells you at the time she was confused. She didn't really understand what was going on, she couldn't recall lodging an appeal but she can remember quite clearly starting to develop insight in relation to such matters. And these are all factors when one weighs up the circumstances behind the reasons that the panel felt that they were required to impose a striking off order that the panel should weigh up when considering this registrant's evidence.

H |

- A Sir, whether this registrant or appellant is capable of safe and effective practise is a matter for the panel's own professional judgement. And I would simply invite the panel when considering that question to have at the forefront of its mind the need to take into account that the test of one's character is necessarily a high test, that nobody has the right to registration. And also that honesty and integrity as is clear from the code and from the various cases of which the panel will be familiar, Parkinson, Bolton, The Law Society, is a matter of upmost importance. So it is a matter for the panel's own professional judgement.
- B Unless I can be of further assistance.
- THE CHAIR: Is it possible that the registrant started to develop insight at some stage into her dishonesty but nevertheless on the instructions of lawyers would have been able to challenge the decision of the panel on misconduct -- sorry, under sanction?
- C THE CASE PRESENTER: Sir, I suppose that would be for the registrant to answer but it's possible. I suppose clearly you can envisage a circumstance which a lawyer said, "This is flawed; as a matter of law it's wrong, you've got an appeal".
- D THE CHAIR: Because I believe her evidence was specifically about the dishonesty not the appeal. Of course, is that something different? Well, it's a matter for the panel ultimately. (Overspeaking)
- E THE CASE PRESENTER: It is a matter for the panel and I think it's best that the panel does exercise its professional judgement when weighing those matters up. I must confess, I haven't looked at the decision, the judgment of the High Court in any great detail to see the basis upon which the registrant was appealing the decision. And of course, taking into account what was said previously that it may well be that these were matters that were left to the lawyers, and the registrant may not have had any direct input as to the way in which the legal submissions that were put or framed. But one does act on instructions and there was certainly a challenge as far as I can see.
- F Again, the caveat I haven't read them in any great detail to the actual finding of impairment which was denied throughout. But of course, there has been a considerable passage of time not only since the appeal was dismissed but -- sorry, there was a passage of time not only since the conduct and competence committee imposed the striking order but since the appeal was dismissed in which the registrant could have developed her insight (Inaudible).
- But again, it really is back to the question of the information that's provided to this panel in the context of what the original conduct and competence committee found. In effect, all factors to weigh in the balance. And of course, it's not an easy question.
- G THE CHAIR: Of course, one of the questions the panel may have to -- well, we'll have to wrestle with is whether the -- there was a genuine mistake about whether she'd forgotten or whether it was an attempt to mislead. You refer to the need to exercise professional judgement. On that question, is that a matter we need to use professional judgement or balance of probabilities? I know we're going to get advice from the legal assessor but we'll come to you first.
- H

- A THE CASE PRESENTER: It's not strictly a fact in issue as such that requires determination I suppose on the balance of probabilities. I think it's a matter -- I certainly couldn't and didn't suggest or go so far as to suggest that she was specifically lying or misleading the panel. So I suppose it's a matter that would be weighed in the panel's professional judgement. But what I do submit is that her evidence in that regard was simply not credible.
- B I don't know if that answers the questions. And it's not an easy decision perhaps for the panel to make. But I don't resign(?) from my submission that the evidence certainly was confused, contradictory and certainly was not clear. And the panel may feel it is incredible that such a big step so shortly after this monumental decision in relation to her career was something that she'd forgotten about. And that goes to credibility and whether she's a fit and proper person and capable of practising safely and effectively.
- C THE CHAIR: Okay. Mr Walker, anything further from you before we hear from the legal assessor?
- MR WALKER: No, sir.
- THE CHAIR: Thank you.
- D THE LEGAL ASSESSOR: Chair, I can be very brief as you had clear submissions from both counsel. This is of course an application under article 33 of the ordinance and it has been said by both parties the burden of proof rests on the registrant in fact Ms Ige. And the standard of proof is the balance of probabilities. And you do get guidance as to what has to be established on the paragraphs within the article particularly paragraph 5.
- E What this (Inaudible) establish on the balance of probabilities is that she is now a fit and proper person to be on the Register. (Inaudible) but in substance that is (Inaudible). And what that actually means in the context of this case is that she can practise safely and effectively. And what they're talking about is a test which relates to her future competency.
- F You have three options before you. You can grant her application unconditionally, you can grant it subject to conditions and you can of course refuse it. As a matter of fact, conditions haven't played a very prominent part in these proceedings and I suspect that the issue really before you is an unconditional acceptance or a refusal.
- G You've got a lot of evidence here and in particular the evidence of the registrant herself, considerable evidence given at some length and (Inaudible) a written statement which clearly addresses many of the issues that have been raised and require to be addressed. And of course, five references. And in the end, it boils down to this is whether the registrant has satisfied you that she would in the future act in an honest and proper manner and would not put the reputation of the profession at risk. And that in summary is the issue before you.
- H Now, what has become important of course is the question of this appeal which you've seen the documents and you've heard the evidence. Now, clearly, if thought that she was dishonest in her evidence to you in this regard to aspects of concerning the appeal, you could rely on that to dishonesty in coming to a conclusion that she might indeed put the

A | profession at risk in the future and therefore she wasn't a fit and proper person. But clearly again, you need to be a bit cautious about concluding that she was dishonest in her evidence.

B | You may think it is not (Inaudible) the registrant when she talks that she's not the most sophisticated of people. There's no doubt that the appeal itself was an appeal on law. In the sense what was being argued is whether she was impaired and if she was impaired whether the sanction was proportionate. And the truth is although it's fairly uncommon, you can get cases where people are found guilty of dishonesty but are not found to be impaired. And if they are found to be impaired, are not struck off.

C | And I could well understand that any lawyer might come to a conclusion that you have another (Inaudible) and off it goes. In this case, it's clear that the nature of appeals, and quite should be after a substantive hearing, and then it's under way. And the involvement of this lady in the process of the appeal once it's started is not hugely great bearing in mind that the arguments are of essentially a technical kind.

D | And the other thing to keep in mind very much is insight. Well, insight into what? There's been an awful lot of discussion and she may very well have taken some time you'll appreciate firstly on the question of dishonesty and then come to terms with whether or not (Inaudible) that amounts to impairment. And yes, taking your point, Chairman, the point you raised specifically, I think I've already -- you could get a finding of dishonesty which did not automatically involve a finding of impairment and/or (Inaudible) sanction.

E | Now, one can see and acknowledge that usually a finding of dishonesty would amount to a finding of impairment. So I think you want to address very carefully this question of whether she's dishonest in her evidence to you. But if you conclude as a matter of judgement that she has been, that is clearly a relevant factor but not the only relevant factor in concluding as to whether or not in the future she would act the same (Inaudible).

Now, Chairman, I hope that's been helpful but if I can help you in any way or your colleagues, I'm at your disposal. And of course, either counsel have a right to comment on what I've said.

F | THE CHAIR: Mr Jeffs?

THE CASE PRESENTER: Sir, no, thank you.

THE CHAIR: Mr Walker?

MR WALKER: No, thank you.

G | THE CHAIR: Okay, thank you very much. Well, we'll retire. (Inaudible) the panel secretary and you and we've got to consider it, write it all up. So I think it's safe to say we can at least release you until 3.00 pm and if it's any earlier than that then we'll call you back.

THE CASE PRESENTER: Thank you, sir.

H | **(The Committee went into camera at 12.34 pm
and returned at 4.26 pm)**

A

THE CHAIR: Okay, welcome back everybody. Well, Ms Ige, after careful consideration the panel have decided to grant your application. We'll hand that decision down rather than read it out. The -- counsel will want to read it. We'll give them the opportunity to read it while we sit here for a few minutes in case there's any issues. I don't think there will be. There are no more submissions to be made but if there is anything then we need to deal with it now.

B

THE CASE PRESENTER: Thank you, sir.

THE CHAIR: Okay. We'll see the shorthand writer's firm has this adopted into the transcript in the normal way.

C

Decision

Determination for application to be restored to the register:

D

This is a hearing of your application for restoration to the Nursing and Midwifery Council (NMC) Register. A panel of the Conduct and Competence Committee directed on 18 April 2011 that your name be removed from the Register on the grounds of your conviction. This application is made by you in accordance with Article 33 of the Nursing and Midwifery Order 2001, as at least five years have now elapsed since the date of your strike-off.

E

The panel had regard to the submissions of Mr Jeffs, on behalf of the NMC, the submissions of Mr Walker on your behalf and also to your own evidence under oath. It also had regard to the documentation provided by the NMC as well as the contents of your bundle dated 11 April 2017, which included your reflective statement, evidence of your voluntary work, two written references, evidence of training you have undertaken and evidence of your intention to undertake a return to practice programme.

F

The panel accepted the advice of the legal assessor. He referred the panel to the test, as provided in Article 33(5) of the Nursing and Midwifery Order, 2001. A registrant wishing to be restored to the register must first satisfy the panel that he/she satisfy the requirements of Article 9(2)(a) (approved qualification and prescribed education, training and experience) and Article 9(2)(b) (capable of safe and effective practice). Secondly, he/she must satisfy the panel whether, having regard to the circumstances which led to the making of the striking-off order, the registrant is a "*fit and proper person to practise as a registered nurse*".

G

Mr Jeffs outlined the background to the case. On 16 May 2007 you appeared before Harrow Crown Court and were convicted of one count of obtaining a money transfer by deception and one count of furnishing false information relating to accounts. You had been jointly charged with your husband in relation to those offences; your husband pleaded guilty and you did not. You were sentenced on 28 June 2007 to nine months imprisonment suspended for two years, concurrent on both counts. At the time you were employed by Hertfordshire Partnership NHS Foundation Trust as a Band 5 nurse and had been in that role since 6 November 2006.

H

A At a substantive hearing of the Conduct and Competence Committee on 18 April 2011, a panel determined that you had breached specific parts of the Code and concluded that your fitness to practise at the time was impaired on public interest grounds alone. You attended that hearing and admitted the facts but did not admit that your fitness to practice was impaired. In regard to sanction that panel found:

B *“There had been no repetition of the behaviour and the offences did not involve the Registrant’s professional conduct and, therefore, no patients were put at risk of harm. There was no current information from the Registrant’s current employer and no testimonials or references from friends, family or professional colleagues. There had been no early admission of guilt or apology for her behaviour. There had been little or no insight into the impact of her conduct. ... It was stated that the public interest was damaged by her dishonest behaviour. The Registrant had perpetrated a deliberate and very serious mortgage fraud and one which would have warranted a custodial sentence, save for the exceptional personal circumstances at the time of sentencing. The Panel have particular concerns about the Registrant’s lack of remorse or insight into her actions and the Panel considers that this impacts significantly on her reputation and on that of the professions. Moreover, the Registrant has continually attributed blame to others for her own fraudulent actions ... Panel consider that the Registrant has demonstrated an alarming lack of insight and remorse in this case. The Panel, therefore, came to the conclusion that the Registrant’s actions were fundamentally at variance with remaining on the register ...”*

C

D

E In oral evidence you informed this panel of your personal circumstances at the time of the incidents. You said that at the time you had little insight into your behaviour and did not accept your guilt or dishonesty. You have since accepted that the substantive panel had made the correct decision in removing you from the register. You accepted that you initially justified your actions by using the excuse that you were looking out for your children. You told the panel that your view of that behaviour today is different; what you did was against the law: you said you gained insight following the decision of the substantive panel and that there is no excuse to justify your actions at the time of the offence.

[PRIVATE]

F You told the panel that your life is now not as stressful as it used to be; your other children are grown up. Having lived through the experience and the consequences, repeating your error *“would be simply inexcusable”*. You were disappointed in yourself. You said you let your profession down, the public, yourself, your family and that you are deeply ashamed. You said that you have reflected upon that time and are now more open and honest about what you do. You told the panel you are a person of good character; there have been no further criminal proceedings. You said that you had *‘done a bad thing’* and that you would welcome a second opportunity to prove that you are capable of honesty and upholding the standards of the profession.

G

H You told the panel you are very sorry and regretful about your actions. You did not reflect upon your behaviour at the time and did not accept responsibility for your actions. Nor did you appreciate what it meant to be a person of good character or realise how important your PIN was to you.

- A | You are currently working as a carer for 40 hours a week, and informed your employer that you had been a trained nurse and have been struck off the register as a result of your conviction, and findings of dishonesty.
- B | You told the panel you love helping people. You would like to return to mental health nursing in the future and are looking to retrain in order to do that. You did not appreciate how important working as nurse had been to you until you lost that opportunity. It is important to you to have a positive impact on a patient's life. You told the panel that you have learnt from the experience and would not do anything to let your profession or yourself down again.
- C | During cross examination you initially told the panel that you had not appealed the decision of the substantive panel regarding its findings. The appeal was made and notice of the appeal was given on 26 May 2011 shortly after the substantive hearing. When prompted you said that the appeal was made on the advice of your solicitors; you did recall some details but very few due to the state of your health at the time and the many pressures upon you. You said at the time you could not remember what was happening to you. You wondered how you were going to cope. Your solicitor was not a specialist in regulatory proceedings. It was your solicitor's proposal that you appeal the outcome. At that time you were still trying to justify yourself and the decisions you made. You accepted the legal advice you followed at the time was wrong and said that had you remembered that you appealed you would have informed Mr Walker your representative.
- D | You maintained that you started developing insight soon after you were struck off and that it took some time to "*digest the decision*". You confirmed that you had paid back the money that had been fraudulently acquired.
- E | Mr Jeffs submitted that it was a matter for the panel today to decide whether it was satisfied that you were capable of safe and effective practice and whether you are now a fit and proper person to practise as a Registered Nurse. However, it may be of concern to the panel that you could not initially confirm when asked that you had appealed the NMC decision, as this may go to your credibility.
- F | Mr Walker submitted that although it took you some time to fully understand the significance of your actions, your insight is now fully realised. He said at the time of the NMC proceedings and appeal you were, in your own words "*like a zombie*" [PRIVATE]. At that time you were still trying to justify yourself and the decisions you made. It took time and the impact of your dishonesty and losing your PIN as a consequence grew on you. He urged the panel to accept that your demeanour today demonstrates your honesty and integrity. The passage of time has provided you with an opportunity to address your propriety and accept your lack of judgment at the time. You have since developed full insight and demonstrated remorse for your actions, and the impact it had on the profession.
- G | You have sought to rehabilitate yourself by undertaking voluntary work and working as a carer in a home for people with learning disabilities. You appreciate you should have acted differently at the time and have taken steps to prove your commitment to nursing and to return to the profession as an honest and proper person fit to be restored to the Register.
- H | The panel accepted the advice of the legal assessor. He referred the panel to the test, as provided in Article 33(5) of the Nursing and Midwifery Order, 2001.

A 33.—(1) *Where a person who has been struck off the register by virtue of an order made by a Practice Committee or the court wishes to be restored to the register, he shall make an application for restoration to the Registrar...*

(5) *The Committee shall not grant an application for restoration unless it is satisfied, on such evidence as it may require, that the applicant not only satisfies the requirements of article 9(2)(a) and (b) but, having regard in particular to the circumstances which led to the making of the order ...is also a fit and proper person to practise the relevant profession.*

B The panel has decided to grant your application.

C The panel was satisfied from your evidence that you have reflected, that you have appreciated the serious nature of what you did and as a result have, over a period of time, developed full insight. Whilst there were some inconsistencies in your evidence regarding the appeal of the substantive decision, the panel accepted that you had no motive for not disclosing that appeal and that you had not tried to deliberately mislead the panel. It accepted that you made a mistake in initially denying there had been an appeal and may not have been clear about those events of over five years ago without being prompted. The panel recalled Mr Jeff asking you about the appeal and were struck by your demeanour when answering in the negative. You did not appear to be untruthful and any attempt to be untruthful would very obviously have been pointless since the NMC would clearly know that an appeal had been made.

D The panel found your responses in evidence to be credible and honest and was persuaded that your expressions of remorse were genuine. You have over time accepted the findings of the substantive panel that directed your name to be struck off the register and this panel accepts that public interest matters in this case have been served and the risk of repetition is low.

E The panel first considered whether you are a fit and proper person to practise as a nurse. Nearly six years have passed since the striking off order was imposed and there has been no repetition of your misconduct. The panel noted that apart from this incident you had an unblemished career working as a nurse for a period of five years. Furthermore, you have undertaken voluntary work with a not for profit association set up *“to empower young adults and women from black and ethnic minorities in the United Kingdom, developing and African Countries, to develop self-worth [and] become effective citizens.”*

F Based on all the above evidence the panel is now satisfied that you are a fit and proper person to be restored to the register.

G The panel next considered whether you are capable of safe and effective practice. It had regard to the reference from your employer at the time: *“I am still satisfied with her professional performance and have no concerns with her NMC registration.”* It also had regard to the reference from your current employer, the Manager at the care home for people with learning difficulties dated 3 April 2017 where you have been working since January 2017.

H *“In the period that I have known her, I have found Miss Ige to be competent, dependable, committed, professional and knowledgeable. She is a very caring person and shows good attitude and motivation to listen and learn.*

A | *I have no reason to doubt Miss Ige's integrity, probity and honesty in the period that I have known her. She has always been of good character and conduct. She is pleasant, polite, humble and respectful.*
I unreservedly believe that she will strive to be a good and honest Nurse if she is considered for reinstatement on the NMC register."

B | An additional reference was provided by the former Deputy Manager at the Home, who now works there as a bank nurse:

"I understand that she admitted to being dishonest on that occasion but has since maintained good character in all her dealings. ... I have found her to be a respectful, hardworking and reliable person. She has good relationships with colleagues and clients and is always committed to the wellbeing of our clients.
C | *Mrs Ige is knowledgeable, skilled and competent as a carer and had demonstrated consistent honesty, integrity and trustworthiness..."*

D | The panel noted that at the time of the incidents there were no clinical concerns about your practice. However, in order to practise again as a registered nurse you will need to meet the NMC registration requirements. These requirements include, but are not restricted to, completing a return to practice course which will bring your skills and knowledge up to date. Further, when you have completed that course and are looking for employment, you will have to declare the fact that you had been the subject of a striking off order to any potential employer. This will alert any employer of the need to be vigilant when you begin work. The panel was satisfied that in these circumstances it can be confident that you will be able to practise safely and effectively, and that you do not pose a risk to the public.

E | The panel then considered whether public confidence in the profession and in the NMC as regulator would be maintained if you were restored to the register. The panel concluded that given the lapse of time since the incidents, your remorse, reflection and insight, public confidence would not be undermined if you were allowed to return to practice.

F | The panel is satisfied that you have demonstrated that, subject to the need to satisfy the requirements of the registration process, you are fit to return to the register. In reaching its conclusion, the panel has taken into account the need to maintain public confidence in the profession.

In view of all the above the panel has decided to grant your application for restoration to the register.

G | The panel therefore directs the Registrar to restore Jumoke Olayinka Ige's name to the register.

Otherwise, that concludes the proceedings. Thank you very much.

(The hearing was adjourned at 4.29 pm)

H |