

## Introduction:

When we are told we can no longer practice or have restrictions on our practice there is a range of emotions we go through, much like a grieving process they are never linear, you will move between each stage and back again, sometimes experiencing many different stages all at the same time.

Everyone deals with this differently but the process can make you feel alone and very desperate. It's important to take a pause and step back, try to look at it from a neutral position as an onlooker rather than someone experiencing it first hand.

## Who can appeal?

A nurse, midwife or nursing associate can appeal against the outcome of a final “substantive order” hearing to the court. This can be a suspension or strike off order. You can also apply to appeal an interim order which can be interim conditions of practice or interim suspension outcome.

Depending where you live you have 3 options as to where you lodge your appeal – you need to go to the one that is closest to where you live, either:

- The High Court in England and Wales
- The High Court Justice in Northern Ireland
- Court of Session in Scotland.

More information can be found at: [www.justice.go.uk](http://www.justice.go.uk) – the Civil Procedure Rules gives details about the rules, procedure and practice for appeals, and information about the costs.

For Scottish cases visit: [www.scotcourts.gov.uk](http://www.scotcourts.gov.uk) for more information. The Court of Session Rules give details about the rules, procedure and practice for appeals in Scotland.

For an appeal of an interim order you have the right to apply to a court to revoke the interim order or replace it with a different kind of order. This is different from an appeal of the substantive decision. There is **no time limit** on making one of these applications.

If you're not sure about your rights, or you need more information or advice, please contact a solicitor, free law centre, Medical Defence Union or Citizens Advice Bureau.

## Can I appeal in the UK if I am not living in the UK?

Yes you can as long as you have an address in the UK and pay your taxes here.

## Do I have to have representation to appeal at the High Court?

No you can do an appeal without representation – this is called being a Litigant in Person. There is help at the courts available for LIP's – here is some further advice:

<https://www.rcjAdvice.org.uk> This office is only open at certain times and so contact them as early as possible to make the most of their support.

However, it is not an easy process and if you can manage to do the appeal with representation this may be better for you.

### **What is the time frame I have to appeal?**

For a substantive order you have 28 days in which to lodge the appeal, starting from (and inclusive of) the day on which the decision letter is e-mailed or received, to lodge your appeal documents. If the last day of the 28 day appeal period falls on a weekend or a bank holiday, the 28th day of the appeal period will be the next working day.

If you are appealing an interim order – there is no time limit set

You need to submit the necessary paperwork to the court within the 28 days – if it is even a few hours after this, the court likely will refuse it and the NMC certainly will challenge this.

Try to get the appeal lodged a few days before the deadline, therefore if issues arise you have time to rectify them. If the last of the 28 days falls on a day when the court office is closed, such as a weekend or bank holiday, then the court will consider that the next working day will be the last day of the appeal period, however we would recommend emailing the court well in advance and getting this confirmed in writing.

### **As well as sending in the paperwork to the court do I have to inform anyone else?**

You also have to serve notice of the appeal on the NMC within the 28 day period too. Go to the NMC offices in Portland Place, London if you are submitting the appeal at the Royal Courts of Justice, it's only down the road.

### **Does it cost a lot to appeal?**

Most people who do appeals in this way are LIP's.

You will be told, by the NMC, that it is a huge risk to appeal because if you lose you will be subject to paying the NMC's costs which can amount to thousands. This is correct, but in reality, the courts are generally sympathetic to self-litigant registrants as long as you have behaved appropriately and not wasted their time.

The courts have, in some cases before yours, already recognised that appellants (that's you!) have been financially compromised by NMC proceedings. So, there is rarely any necessity for the court to add to this financial hardship.

This was shown in the following cases: [Lusinga v NMC \(2017\)](#) and [Watters v NMC \(2017\)](#).

Despite these two cases, it is still important that you realise it is a risk and is up to the judge's discretion. You have to show a valid case and one that is not wasting the court's time, so think carefully about what grounds you think you have for appeal. Look at other cases that have gone through this process before you make your final decision.

### **What can I appeal?**

1. You can appeal an interim order and request that the High Court looks at a “provision for action” and in effect acts as a new panel and the court is the primary decision maker and does not have to remit the case back to the NMC. This is done by applying to the relevant court under Article 31
2. You can also appeal a final substantive order ( COP, Suspension or Strike off ) where the judge undertakes a judicial review and determines if the panel have erred in the eyes of the law. The judge can either;
  - quash the order,
  - replace it with a different one and / or
  - refer back to a new panel for consideration.

### **Is the judges decision final?**

If the judge changes the order, your case will still have to go back to the NMC for a for the NMC, in essence, agree with the judge’s outcomes. This is called a Substantive Order Review hearing. (SOR) The panel will be a different panel to that which heard your case and they will read the judge’s recommendations and comments on his judgement. It is rare for them to not put in place what the judge has suggested but on occasion they do and again this is a risk. However, the NMC will have to provide solid reasoning why they will not agree with the findings of a High Court Judge.

In the case of Kat El Karout V NMC ( 2019 ) Justice Spencer was highly critical of both the local trust investigation and the NMC conduct. He quashed sanctions relating to 4 patients. With the remaining sanctions relating to the remaining 3 patients, he recommended that these charges should be re-heard with a different panel with strong recommendations that these should also be quashed. The panel that reheard these charges put in place a 6month suspension order. Ms Karout went to the High Court again to appeal this decision, Justice Lang, disagreed with this panels’ findings and quashed a further charge replacing the sanction with a 4 1/2month suspension which lapsed before it was reviewed by the NMC. This shows that although the midwife “won” there was still a difficult journey ahead. She awaits a return to practice course.

### **How many actually appeal and how many win?**

It is difficult to find accurate information on this, but we have been able to ascertain the following:

- Since 2009 there have been 32 successful appeals through the High Courts.
- 2 of these have been settled without going to the High court, instead the NMC have conceded, requiring the case to be heard within the remits of the internal processes there. Whilst these avoided high court process, it still meant an elongated process for the registrant, one of which is still to be resolved, 5 years on from their original referral.
- 10 of these cases were representing themselves.

### **What if happens if I don't appeal?**

Appealing is all about understanding that you have options.

If you do not launch your appeal and let the 28-day period lapse you won't have this option open to you

You can withdraw your appeal after it has been lodged if you change your mind or if the NMC are open to mediation. There is no cost to withdrawing your appeal.

However, if you don't lodge it with the courts within the 28 days your options are over.

Following a strike off order, the only option to you is to wait until the 5year period is complete and then apply for restoration to the register.

So, as daunting as it may feel, and as much as you may want to forget it all, we advise you to get the appeal process started. You can always change your mind afterwards and retract the appeal later. If you never start the process your choices are limited later.

### **So where do I start?**

1. Speak to your union and see if they will support an appeal – unfortunately unless they can guarantee a 51% chance of winning they will not pursue this. Therefore, it is extremely unlikely that the union will provide you with legal representation for this purpose.
2. See if you are entitled to legal aid – this can sometimes be a lengthy process so start the appeal process whilst you are waiting to hear.
3. If you own your own house, you may have cover for insurance under your home contents insurance – explore this option
4. Apply to all parties under the Freedom of Information Act and Data Protection Act ( FOI ? SAR ) for all relevant information held on you about your case and the events leading up to it. There is a template letter on the website here.
5. FOI / SAR data can prove invaluable to your appeal as it can highlight poor process and bias by those in the organisations, or a failure to follow

good practices. It can take up to 40 days to be sent the information so the earlier you do this the better. Even if you don't proceed to appeal it can give you some useful information to understand what has happened.

6. Request immediately from the NMC a copy of the transcripts of your hearing. These are in addition to the written hearing notes that appear on the NMC website. The transcripts are word for word documentation of all that has discussed except what the panel have discussed when in chambers. It may take a couple of weeks to get these, so request them as soon as your hearing is over.
7. Find out which court you have to apply to, it will be one of these:
  1. The High Court of Justice in England and Wales
  2. High Court of Justice in Northern Ireland
  3. Court of Session in Scotland.
  4. There are regional offices of the Administrative Court in Leeds, Manchester, Birmingham, and Cardiff and you can issue the appeal in any of these, instead of travelling to the Royal Courts of Justice – whichever suits you. However, the court that you issue the appeal at is the court you will have to attend to undertake your appeal so make sure it is the closest to where you live.
8. The fee for launching your appeal is between £240 and £350. You can apply to the court for exemption from paying the court fee: <https://formfinder.hmctsformfinder.justice.gov.uk/ex160-eng.pdf> which you can take with you when you register your appeal.
9. In order to launch your appeal you need to ensure a few documents are provided. You will need to bring to the court 3 copies of each of these documents. 1 copy for yourself, 1 for the court and 1 to serve on the NMC:
  - N161 ( this is the application form to complete with your appeal \_
  - Fee exemption form
  - The hearing notice stating your strike off order, including the date of issue ( this is so the court can ensure you are within the 28 day period )
  - Your grounds of appeal

- Covering letter to the court outlining the documents included and giving time frames that you intend to submit final grounds of appeal, skeleton arguments and bundles.
10. Once the High Court has accepted your documents they will give you proof of receipt and something called an “appellant’s notice”. You will then need to take this to the NMC along with the grounds of appeal, and a copy of the decision letter. Ask the court staff for advice as they are there to help unrepresented people. When you issue it to the NMC ensure you ask for a proof of receipt.

### **If I win can I claim costs?**

As a “litigant in person” you are able to claim £19/hr costs for preparing your case for appeal – therefore start now and keep a good record of the time you spend on your case – it is amazing how the hours add up and if you have a clear record then you are more likely to get them awarded should you win your case. [A template is available for this.](#)

### **Can I take someone with me?**

Yes, you can take as many people as you want – it is an open court and as long as people are respectful and sit quietly they can come in and out of the court room to watch proceedings.

You can have one person sitting next to you to help take notes and find key bits of information for you. You can also have one person sitting behind to take further notes and assist if needed – even getting drinks for you if needed.

### **Can I bring witnesses if they didn’t come to my hearing?**

This is highly unlikely but may be allowed, if the judge feels it will enable better clarify over certain points of your grounds or case. However, you need to write to the judge in advance and ask permission to bring a witness. If you are told by the court administrator that this is not possible, then bring a copy of the correspondence to the court to show the judge you have tried.

Only a lawyer or the judge can authorise witnesses attending – court administrators can not make this decision.

### **If I have a protected characteristic should I use this in my Grounds?**

Only if you honestly believe this has led to unfairness in the panel hearing decision making. It will irritate the judge if you try to say bias in this area without being able to show evidence that this has happened.

For example, you may have a registered disability and have told the NMC about this. You need to show the judge; a) evidence of your disability ( GP letter ) b) evidence that you have told the NMC about your disability ( emails ) c) evidence that this disability has been ignored ( in the transcripts )

Supporting this with references for articles outlining other examples of bias in previous cases may add some benefit, but remember, this is about you and your case – just because the NMC have behaved badly in a previous case does not automatically mean they have done so in yours.

### **I am dyslexic, can I use this as one of my Grounds?**

The same applies as above. In addition to the points made above, you need to be aware that you need to show how you have asked the court for special assistance on this matter and also how you asked the NMC for the same. It is not enough to say this just wasn't considered – you have to prove it.

Look up the case of Golden V NMC (2023) where this point is discussed in detail.

### **What documents does the court require in addition to my initial lodging documents?**

**Grounds of appeal:** Grounds of appeal refer to the legal reasons or arguments that you are presenting to challenge the NMC's substantive decision. Grounds of appeal must be based on errors in the decision making process or unfairness in the hearing. Some examples of grounds of appeal may include:

1. Procedural errors: If you believe that the NMC did not follow the correct procedures during the investigation or hearing, you can argue that this affected the outcome of the decision.
2. Factual errors: If you believe that the NMC made factual errors in their decision, such as misinterpreting evidence or failing to consider important facts, you can argue that this affected the outcome.
3. Disproportionate decision: If you believe that the decision made by the NMC was disproportionate to the alleged breach of standards, you can argue that the punishment or outcome was unfair.
4. Bias or unfairness: If you believe that the NMC panel was biased or that you did not receive a fair hearing, you can argue that this affected the outcome.

It is fine to submit an "initial" grounds of appeal in order to comply with the 28 day submission requirement. In your covering letter state that you will aim to submit final grounds within 2 weeks as you require the transcripts from your hearing to finalise them.

Make sure you mark the final grounds of appeal as "Final" so the court knows which ones to rely on.

[A template is available here](#)

### **Why do I need a Grounds of Appeal?**

Your grounds of appeal are really important. If you prepare your grounds of appeal badly then the judge will not know what you are wanting to achieve and may not allow your appeal.

A good grounds of appeal also gives you a step by step guide to then lay out your evidence and arguments in a logical fashion. It's your job to persuade the judge that you have a good case.

## **How do I start?**

1) **Start from the beginning.** Always write your grounds of appeal as if the person reading them knows nothing about your case. Explain your case from the very beginning.

2) **Make sure that your grounds are:** (a) as clear as possible, (b) as brief as possible, and (c) as persuasive as possible.

(a) *Be clear.* The [Plain English Guide](#) includes a number of helpful tips. For example:

- Keep sentences short (usually 15-20 words);
- Use lists where it helps (like this one!);
- Be professional, not emotional.

(b) *Be brief.* The Court of Appeal does not like grounds of appeal to be too long. Your grounds should be done in list format and not be more than 10 points.

(c) *Be persuasive.* The Court does not know your case or how you work professionally. It is there to decide if your hearing outcome was right or not.

It will assume that the panel were right and proper as they are a regulator and should behave properly.

Your job is to persuade it that you weren't. Make your best points loudly, but without emotion. If you are emotional it will get in the way of your arguments. Do not use capital letters. EVER

A good example: *"The panel did not consider properly the context around the allegations"* or *"The panel did not take proper consideration of my evidence"* or *"The panel's decision was excessive and disproportionate"*

The judge will want to know that you have considered there may have been other options available to the panel.

The judge will also want you to show that you understand why regulation is important and what the panel needed to achieve.

Remember this is about the panel's decision making and not a long history about everything that the NMC have done wrong along the way. The judge will only be able to access the panel's decision making and not re hear the case.



**IN THE COURT OF APPEAL CRIMINAL DIVISION**

**IN THE MATTER OF AN APPLICATION FOR LEAVE TO APPEAL  
AGAINST CONVICTION**

**IN THE MATTER OF:**

**REGINA**

**-v-**

**GREAT UNCLE BULGARIA**

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**NOTICE AND GROUNDS  
OF APPEAL**

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**A. Summary of the Application**

1. On 1 January 2010 at Wimbledon Common Crown Court (His Honour Judge Misery Guts), Uncle Bulgaria (“the applicant”) was convicted of depositing waste without a licence (“fly-tipping”). He was sentenced to 40 hours unpaid work. He seeks leave to appeal his conviction on the grounds that (i) the judge misdirected the jury on elements of “fly-tipping”, and (ii) the judge wrongly directed the jury that the statutory defence was not made out on the evidence.

**3. Skeleton argument:**

Now all you need to do is prepare your skeleton argument – you have 14 days but can request an extension to this if you are applying for further information under the FOI or DP Act as above – if you need an extension request this on the N161 form in the appropriate section.

A skeleton argument is a short overview of the areas of controversy in your case. It is up to you how you lay your skeleton argument out but the most important thing is that it is easy to follow, is logical and is in line with your grounds of appeal. It is intended to provide a clear and organized overview of the key legal issues, and to help the judge or panel understand the case and the arguments being made. It is important to note that a skeleton argument is not a substitute for a full legal brief or submission, which would provide a more detailed analysis of the legal issues and evidence. However, a well-crafted skeleton argument can be an effective tool for presenting a clear and persuasive case in a concise and accessible format.

It is useful to use a standard template as follows:

CASE enter PIN number  
IN THE COURT OF SESSION, High Court of England, Wales / Ireland

Your name

Appellant

Against

The Nursing and Midwifery Council

Respondent

Skeleton Argument

**Introduction:**

Briefly give an overview of the decision or order you are seeking from the court and your reasons for seeking it eg

1. I, the Registrant, was found to be (dishonest, unsafe, in error, fraudulent), and barred from practising as a Nurse / Midwife anywhere in the United Kingdom or in the European Union for a minimum of five years
2. The Fitness to Practice Committee ("the Panel") notified me on the xxxxx of its determination of a Striking Off order, with an eighteen-month interim suspension order, alleging misconduct that cannot be remediated.
3. I attended the full Fitness to Practice hearing with representation from the xxxx to the xxxx ( or enter the dates ). I am appealing the Panel's decision to the Court of Session and asking for
  - the Panel's decision to be quashed in its entirety for fundamental procedural breaches, or
  - alternatively that the Court substitute its own findings and or sanctions in relation to the established shortcomings in recording of notes
  - or that my case be remitted to a different panel for re-hearing

**The Issues & Grounds of Appeal.**

Summarise the issues in dispute, which need to be decided eg The grounds of my appeal and the relief I seek are that as there has been an abuse of process by the NMC that has led to a "wrong decision" by way of the Panel acting "unfairly, irrationally and unlawfully". The acts and omissions set out in my grounds of appeal and more fully adumbrated in this Skeleton argument have resulted in decisions which no reasonable panel, properly informed, properly legally advised and in

possession of the material facts provided by proper preparation of the case by the NMC, could have found as this Panel had done...

List each grounds of appeal with a brief summary of how you feel the panel failed – keep as a short list

### **The Facts .**

- Present the key facts which support your case.
- Go to each Grounds of appeal and with each point find evidence in your bundles and transcripts to support the ground of appeal
- For example, if Ground 1 was..." the panel said I ate a sandwich at work, when I did not" , then give supporting information as follows " on page x of the transcripts paragraph y I explain that I had my lunch break at 12.30 for 30mins and on page x paragraph z, witness b explains they were sitting with me at lunch at 12.30 and witness a states she was shadowing me all shift and I never sat and ate a sandwich. On page x, paragraph y witness A describes events she observed and confirms that she was never asked for a signed statement from the NMC to corroborate this."

### **The law.**

- As a litigant in person you are not expected to bring in key cross referencing against case law, in the same way as a lawyer would be expected to.
- However you may have gained knowledge of other appeal outcomes that may help with relevance to your case.
- If quoting these cases you need to reference them properly and also be able to point to the part of the judgement where it states what you are saying it does, it is not enough to state the theme of how you interpret that piece of caselaw.
- The judge will ask you to show him where it supports your point, how it support it, which page and line that appears on.
- It is the lawyer for the NMC's responsibility to provide original copies of all case law quoted in either their submissions or yours as they have access to all the legal libraries and you don't. However you can help the quote by giving website locations etc

### **Submissions.**

- Now you have outlined your grounds, why you are putting forward your grounds and the points of law that support your grounds.
- You need to do submissions to support this. Submissions are statements which further support your grounds of appeal.
- They may include further information that we presented at the hearing such as testimonials from colleagues, but not given enough provenance by the NMC or panel.
- They may be a summary of where you feel the NMC and panel failed or perhaps what other options were available to the panel rather than the decisions they made.
- Try to cross reference this with examples from transcripts or supporting evidence or other literature.

### **Conclusion.**

- Here you need to briefly summarise, bringing back the reader ( the judge ) to what you are wanting to achieve and why you are bringing the appeal, what you have highlighted and why this is relevant and then finally what you are hoping for the judge to conclude.

All forms required by the court including template Skeleton argument forms can be found [on the UK Gov website](#).

1. Since the Covid – 19 pandemic the administrative courts can accept your forms via email. Please make sure you contact the admin office and ensure they have received them as if they are not received you will not be able to submit them after the 28 day period.
  1. Send emails
    - to: [generaloffice@administrativecourtoffice.justice.gov.uk](mailto:generaloffice@administrativecourtoffice.justice.gov.uk) and
    - to [immediates@administrativecourtoffice.justice.gov.uk](mailto:immediates@administrativecourtoffice.justice.gov.uk).
2. Once accepted you need to also email them to your case officer at the NMC cc'ing in the appeals dept

[This document](#) supplied by the courts is a useful read and has all contact details and numbers.

### Do's and Don't's

Don't	Do
Try to submit your appeal documents late	Stick to the 28 day deadline for submission – if possible put it in a few days early Make sure you update your grounds of appeal and skeleton arguments in a timely fashion Email the court to anticipate any problems and try to rectify them early
Turn up expecting to give new evidence that wasn't heard in the court	You can make an application to submit new evidence at the hearing – the judge will give the NMC the opportunity to object to this and they will! It is unlikely that you will be allowed to admit new evidence, unless it shows gaps in the case that can be enhanced by the new evidence
Bring witnesses with you without judges approval	The judge may allow you to bring witnesses to give evidence or give clarification about key aspects during their evidence in the case. However this is very rare.
Go in not knowing about the judge's background ( the judge will be listed the day before the court hearing )	Do some research on the judge to find out his knowledge and experience so you can tailor your approach to respect this. For example if the judge has previous experience in medical negligence, it won't hurt to state you are aware of this and thus understand he will understand the points you are making.
Criticise any previous judgements – if you	Make positive reference to any previous judgements –

have appealed against other orders such as interim orders or extension hearings.	pull out any positive aspects that the judge has highlighted
Rely on the NMC to provide this – they can assist you in providing a spare bundle but it is your responsibility to ensure this is complete and you can follow it properly	Ensure you have a bundle ready with all documents you will rely on
Don't assume the judge or NMC lawyer will be able to follow your thought processes. Keep everything in its own numbered section	Ensure your bundle is clearly paginated with all sections you will need clearly labelled. Number each section so you can lead the judge through easily and go back to aspects easily and quickly
Argue with the judge	Offer clarity if the judge doesn't seem to understand a point you are making, bring the judge back to your bundle and show clearly what you are trying to address
Refuse to answer questions put to you by the judge	The judge will expect you to be respectful and this may include answering difficult questions. If it is about something you are anxious not to disclose in open court, ask to speak to the judge in private and explain why eg " I am worried to mention this in open court, may I address you privately?"
Expect the judge to do the work for you	As a litigant in person the judge and the lawyer for the NMC will be required to help you but this does not include presenting your case – you have to do this. They can however direct you to pages in the bundle if you are struggling to find them, or offer you time so you can find an answer to something
Expect the judge and court to wait for you	If you are running late contact the court and tell them why with apologies. Ensure you leave plenty of time – get to court early and if possible do a pre run so you know where you are going.
Be rude or disrespectful to either the court or the NMC – no matter how frustrated you are.	Be polite, ask for a break if you feel you are getting angry and find a way of explaining your frustration without overtly criticising the process
Assume you understand the law – you will always be out witted!	Say "in my opinion", "it's my understanding that..." – the judge can then give further guidance or advice.

### Things to take to court with you

- 1 or 2 people to take notes and help you find things in your bundles
- Pen, paper & post its (mark key pages so you can find them easily when stressed)
- Copy of your bundle and any supporting documents
- A drink – but not too much as you don't want to have to break for the loo!!
- Tissues – in case you get tearful

### Things to remember on the day of your hearing

- Try to stay close by to the court the night before so that you are not rushed or delayed

- If you can't afford to do the above then make sure you leave more time than you think to travel to the court
- The court has security checks when you arrive so you need to allow extra time for this too
- Remind yourself of your key points – have 5 key points that you want to get across written down in front of you
- Take your time – don't rush when you speak
- Write an opening submission – this should give an introduction to your case and why you are there today, what you want the court to do for you
- Write a closing submission – key points for the judge to remember when you finish, answer any key points that the NMC lawyer has raised in his submissions.
- Prepare for costs if you win: Have to hand your document which outlines the costs you have incurred for the preparation of the appeal. The judge will not look at this positively if you make it clear that your real reason for pushing the appeal is financial, so this aspect is done as an end point and not raised during your submissions. A costs document can be handed to the court and include:
  - Postage of documents to the court
  - Telephone costs on following up issues, receipt of documents etc
  - Payment of court costs, if you are not exempt
  - Hours spent on preparation of lodging documents, grounds, skeleton, research etc – this can be charged at £19/hr
  - Hotel accommodation and travel costs to attend the hearing
- Prepare for costs should you lose: you must show the court that you respect this aspect of the process and understand that costs can be awarded to the NMC should you lose the appeal. There have been 2 other recent cases where the judge has not awarded costs to either side – Lusinga V NMC ( 2017 ) & Watters V NMC ( 2017) On this, explain to the court that you understand the risk associated with costs should you lose the appeal and give a brief overview to the judge that explains your financial position. This could include:
  - Bank statements to show financial hardship
  - Evidence of benefits claiming to show low income
  - A copy of the fee exemption form, which is done when hardship is in confirmed
  - Testimonials from family members or friends to confirm hardship
  - Evidence of support to pay rent etc

Remember preparation is key

The NMC will likely try to put you off appealing. They will tell you there is little hope of you winning, that the courts rarely overturn their decisions and if you lose there will be high costs awarded. Having read this you now know the answers... However if the NMC are trying to put you off, it may be that you have a reasonable chance of success – see if they will discuss an agreed outcome to avoid going to court. BUT make sure this is in writing and not just a potential offer. It is better to go to a SOR hearing after the court appeal with the judge's comments behind you, The NMC barristers can only give recommendations as to what they think the agreed

outcome should be. It would still have to go to a panel to decide and as before with your hearing, the panel is independent and independent to make their own decision regardless of what the NMC barrister may suggest.

Remember the panels are NOT the NMC , they are an independent of each other.

You only get one chance to appeal – use it wisely