

Edinburgh, 22 November 2017

The Lords, on the first named respondents' motion, of consent, having considered the Joint Minute, No. 11 of process, and accompanying Joint Note of Argument, No. 12 of process, in terms and in respect of the said Joint Minute and Note of Argument: (i) allow the appeal, (ii) quash the decision of the Nursing and Midwifery Council's Conduct and Competence Committee dated 12 June 2017 in the case of Elizabeth Farmer, (iii) remit the matter to a differently constituted Fitness to Practise Committee for reconsideration anew with the charge against the second named respondent to include the dishonesty allegations referred to by the first named respondent's Case Examiner, including that the second named respondent acted dishonestly in making retrospective entries without recording that they were retrospective entries in respect of the Resident's Personal Plan dated 10 July 2010 and/or 11 December 2013 and in the Resident's Falls Risk Assessment and (iv) find the first named respondents liable to the appellants in the expenses of the appeal; remit the account thereof, when lodged, to the Auditor of Court to tax.

Edinburgh, 22 November 2017

The Lords, decern against the first named respondents for payment to the appellants of the expenses referred to in the foregoing interlocutor, of even date, as the same shall be taxed by the Auditor of Court.