

Covid denier and anti-vaxxer nurse struck off

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Those of us within this discipline have had a keen eye on how the challenges associated with the pandemic would affect the nature of cases being brought before regulators and the decision-making process which follows. However, I do not think that many of us would have expected to see a case where the very existence of the pandemic had been denied.

Kay Allison Shemirani's case before a panel of the Nursing and Midwifery Council's Fitness to Practise Committee ("the Panel") addressed this contentious issue.

The Background

Mrs Shemirani joined the NMC register in 1986. She had previously worked in the NHS but at the time complaints regarding her conduct arose she was working as an "aesthetic nurse practitioner".

Mrs Shemirani became recognised for her view that the global Covid-19 pandemic is "a scam" and for her strong views against vaccines. She had also encouraged the public not to follow advice from healthcare professionals, the medical community and UK Government on how to respond to and treat ill health caused by Covid19.

Amongst Mrs Shemirani's many comments, she described nurses as being "complicit in murder and...criminals and liars", described healthcare professionals and vaccination teams as "needing to be renamed death squads", suggested that the National Institute for Clinical Excellence ("NICE") had given healthcare professionals a "license to kill", stated that "9 out of every 10 nurses are crap", described the NMC as being "lying liars of lies" who were "complicit in murder", "corrupt" and "complicit in genocide" and stated that the NHS, the NMC, the GMC, Public Health England, and the Government were "...liars and conspiracy theorists, and should not be trusted".

She communicated her opinions by way of social media, the internet, radio, TV interviews and at public events, including at a large protest in Trafalgar Square in London. When promoting

her views and advice, Mrs Shemirani described herself as either a ‘*natural nurse*’, ‘*registered nurse*’, ‘*independent nurse prescriber*’, or as a ‘*nurse*’. On occasions she also wore a nurse’s uniform in her videos.

The complaint

From March 2020 the NMC received a “*significant number*” of referrals from members of the public, nurses and other healthcare professionals about Mrs Shemirani’s fitness to practise concerning the spread of misinformation about the Covid-19 pandemic and vaccines. Concerns were also raised publicly by national media outlets and experts with calls for the Government and others to ‘*step in*’.

The NMC accepted that Mrs Shemirani was entitled to personally hold these views. The concern was that by advising the public contrary to official health and medical advice, Mrs Shemirani was placing members of the public and others they came into contact with at risk of contracting Covid-19 and therefore placing them at risk of serious harm.

Furthermore, it was alleged that by using her status as a nurse and independent nurse prescriber to promulgate and support her views, Mrs Shemirani had sought to give her opinions credibility, medical authority and imply relevant expertise on such matters that she did not possess. Consequently, it was also alleged that Mrs Shemirani had abused her position of trust as a nurse as well as undermined trust in the reputation of healthcare professionals and bodies through her inflammatory and derogatory remarks.

The Substantive Hearing

The case was determined at a substantive meeting as Mrs Shemirani had not requested an oral hearing. In correspondence with the NMC she had also indicated that she had “*resigned from the corrupt NMC*” and had requested that her name be removed from the NMC register.

In terms of the findings of fact, the Panel was satisfied that Mrs Shemirani had been encouraging members of the public to act contrary to official health advice through her posts on social networking sites, in her videos, at public protests and/or events, as well as in her interviews for radio and television networks.

The Panel also found that her actions were inflammatory and derogatory. In particular, in relation to accusing healthcare professionals of intending to “*murder*” patients and allying this with the holocaust and genocide. The Panel considered Mrs Shemirani’s comments to be

highly offensive towards registered nurses and/or healthcare professionals. The Panel found that she had used scaremongering tactics to convince other members of the general public to accept her views.

Findings that Mrs Shemirani's actions amounted to misconduct swiftly followed. The Panel concluded that her actions fell significantly short of the standards expected of a registered nurse and breached several parts of the Code (including practising effectively, preserving safety, promoting professionalism and trust, upholding the reputation of the profession at all times and upholding her position as a registered nurse).

The Panel found the misconduct to be serious and to be inextricably linked to healthcare, albeit having occurred outside of the nursing environment. The Panel was of the view that Mrs Shemirani had been *"using her status as a registered nurse as a way of promoting her own distorted version of the truth... She has repeatedly and intentionally spread misinformation, and has put the general public at a significant risk of harm in doing so"*. The Panel also found that *"...she had made derogatory and inflammatory statements that damage and undermine providers of healthcare and advisory bodies. She has attempted to cause distrust in both non-pharmacological interventions and vaccinations, further undermining epidemiological advice adopted by the UK government, and by international organisations such as the WHO."*

The Panel stated that there was a higher expectation on Mrs Shemirani to act appropriately given that she was a qualified registered nurse. The Panel was of the view that she should have known better than to present *"misinformation as the truth"* and was *"... in no doubt that other members of the nursing profession, and indeed, the general public, would find Mrs Shemirani's behaviour utterly distasteful, deeply chilling and deplorable."*

The Panel concluded that Mrs Shemirani was *"not a safe and effective registered nurse"* and found her fitness to practise to be impaired on both public protection and public interest grounds.

Mrs Shemirani was found to have exposed patients to an unwarranted risk of harm, breached fundamental tenets of the nursing profession, namely, to protect and promote health and wellbeing and had also brought the reputation of the nursing profession into disrepute. The Panel considered that it had no evidence of insight and concluded that there remained a significant risk of repetition of the misconduct.

The Panel found there to be a continuing risk of unwarranted harm to the general public should she be permitted to practise as a registered nurse without some form of restriction. The Panel was clear that Mrs Shemirani had no appreciation of the consequences of her actions, which

“...clearly had the potential to adversely impact upon the health and wellbeing of the general public, significantly undermined official health advice and which were deeply offensive to other healthcare professionals working tirelessly to help save lives during the Covid-19 pandemic”.

In contrast it was stated that Mrs Shemirani was using her nursing status as a way of endorsing her own *“distorted propaganda”*. The Panel concluded that public confidence in the nursing profession would be seriously undermined if a finding of impairment were not made in this case.

In determining a sanction, the Panel considered that *“nothing short of a striking off order would be sufficient in this case”* and stated:

“Mrs Shemirani’s misconduct was of the utmost seriousness and was not a one-off incident. In the panel’s view, she has embarked upon a calculated course of conduct, intending to cause distress, panic and alarm amongst the general population, as well as being offensive to the nursing and healthcare profession. Mrs Shemirani has used her platform to promote her own propaganda and encourage people to act contrary to public health guidance during the Covid-19 pandemic. The panel was satisfied that Mrs Shemirani has deep-seated attitudinal issues. Taking account of the above, the panel determined that Mrs Shemirani’s misconduct was not merely a serious departure from the standards expected of a registered nurse and a serious breach of professional standards, it was fundamentally incompatible with her remaining on the NMC register. In the panel’s judgment, to allow someone who had behaved in this way to maintain her NMC registration would undoubtedly undermine public confidence in the nursing profession and in the NMC as a regulatory body...a striking-off order would send a clear message to the public and the nursing profession that behaviour of this kind will not be tolerated. Mrs Shemirani’s actions were completely contrary to the standards expected of a registered nurse”.

In interviews which took place after this hearing Mrs Shemirani indicated that she would not be appealing against the decision but will continue to use her title as a trained and qualified nurse, noting that it is *“registered nurse”* that is a protected title and not simply *“nurse”*.

You can find the decision here:

<https://www.nmc.org.uk/globalassets/sitedocuments/ftpoutcomes/2021/may-2021/reasons-shemirani-ftpcsm-76998-20210528.pdf>

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