EDITORIAL

Slow justice is no justice

If ever proof were needed that nurses are dedicated professionals, then their regulation process and legal responsibilities should be enough to convince the most ardent detractor.

This week, Nursing Standard reports on the case of Karen Edwardson, a nurse who has faced prosecution under the Health and Safety at Work Act because a patient died accidentally as a result of an injection given by the student she was supervising. This heart-rending case has been terrible for all concerned.

It was a tragic accident that clearly should not have happened. But none of this excuses the way Ms Edwardson has been treated in the judicial process. For three and a half years she has been living with the threat of prosecution and an unlimited fine. More importantly, perhaps, she has been unable to nurse and has, instead, worked at the same hospital in a non-clinical role. Finally, on the eve of the planned court hearing last week, the Crown Prosecution Service decided to drop the case because of insufficient evidence. Ms Edwardson is now able to get on with her life, although the RCN will have to persuade the Nursing and Midwifery Council that she should go back on the register and resume her nursing career.

The case raises questions about who takes the blame in such cases and how lessons are best learned when things go wrong. Patients and their families must be assured that the people charged with their safety are held to account. But can it really take more than three years to investigate an incident such as this? It is in everyone’s interests that cases are dealt with fairly and, above all, quickly.

The same principle applies at the Nursing and Midwifery Council where, as we report this week, more than 300 nurses are awaiting hearings after allegations that they may no longer be fit to practise. Around half of them have waited longer than the six-month maximum before their case is heard. Only a minority of the allegations investigated go on to a full conduct committee hearing, but an increase in cases reported to the NMC has sent costs soaring and of course it is nurses themselves who foot the bill through their registration fees – likely to increase substantially next year.

Professional self-regulation is a good safeguard for nurses and patients. The laws governing healthcare delivery are also an important part of public protection. But both must be implemented justly, and justice ceases to be just if it is not carried out swiftly. Nurses invest a huge amount in their professional relationship with patients, knowing that it helps to create the trust that is essential in such an intimate relationship. But they pay a heavy price for it, both financially and in terms of their own accountability and vulnerability. Only truly dedicated professionals would be prepared to put themselves on the line in this way.

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This is the last issue of Nursing Standard for 2006. We will be back on January 3. Best wishes for the holiday season to all our readers.