



REDACTED

**Notice of Decision of the Northern Ireland Social Care Council's Fitness to Practise Committee**

**Name:** Linda Sale

**SCR No:** 6039822

**NOTICE IS HEREBY GIVEN THAT** the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **05 November 2025**, made the following decision about your registration with the Northern Ireland Social Care Council:

**The Committee found the facts proved;**

**The Committee found that your fitness to practise is impaired by reason of your conviction in the United Kingdom for a criminal offence;**

**The Committee decided to make an Order for removal of your registration from the Register ('a Removal Order').**

**Particulars of the Allegation:**

That, whilst being registered as a social care worker under the Health and Personal Social Services Act (Northern Ireland) 2001 (as amended), you were convicted on 18 September 2024 of the following offence at the Crown Court:

1. Count 1: Defendant [You] on dates between the 2nd day of June 2000 and the 2nd day of June 2004, attempted unlawfully to supply a controlled drug of Class A, namely MDMA, known as ecstasy, to another in contravention of section 4(1) of the Misuse of Drugs Act 1971, contrary to Article 3(1) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and section 4(3)(a) of the Misuse of Drugs Act 1971.

And your actions as set out above show that your fitness to practise is impaired by reason of your conviction in the United Kingdom for a criminal offence, as per Rule 4 (1) (d) of the Northern Ireland Social Care Council Fitness to Practise (Amendment) Rules 2019.

**Procedure:**

The hearing was held under the fitness to practise procedure.

**Preliminary Issues**

The fitness to practise hearing was held remotely by way of video-link. The Registrant was not in attendance and was not represented. The Northern Ireland Social Care Council ('the Council') was represented by Ms Sinead Owens, Solicitor, Directorate of Legal Services.

**Declarations of Conflict of Interest**

The Chair confirmed with the Committee that none of the Members had any conflict of interest with this case.

**Service**

Ms Owens told the Committee that the Notice of Hearing and the hearing bundle were emailed to the Registrant's registered email address on 22 September 2025, and that an electronic delivery receipt was received on the same day. The Registrant responded by way of email on 16 October 2025 to confirm that she would not be in attendance at the hearing. A further email was sent to the Registrant on 29 October 2025, confirming that the hearing would now be held remotely. The Registrant responded to this email on the same day to say that the Committee should proceed in her absence.

The Committee received legal advice from the Legal Adviser, and he referred the Committee to the requirements as set out in the Northern Ireland Social Care Council's ('the Council') Fitness to Practise (Amendment) Rules 2019 ('the Rules') and, in particular, Rule 3 which states that proof of service shall be treated as being effected on the day after it was properly sent. The Committee, in all of the circumstances of the case, was satisfied that the Notice of Hearing had been served in accordance with Rule 3 of the Rules, and the requirements of Paragraph 5 of Schedule 2 of the Rules.

**Proceeding in the Absence of the Registrant**

Ms Owens made an application to proceed in the absence of the Registrant under Paragraph 15 of Schedule 2 of the Rules, and submitted that the Committee should hear and determine the case in her absence. She said that the Registrant had confirmed that she would not be in attendance and that the Committee should proceed in her absence. Ms Owens said that the Council had made all reasonable efforts to make the Registrant aware of the hearing today, and of her right to attend. She noted that while the Registrant had outlined health issues, she had not made an application for a postponement based on her health, or provided any medical evidence. Ms Owens told the Committee that the Registrant had not indicated that she was seeking legal or union representation, and that there was no indication that an adjournment would secure the Registrant's attendance at a later date. Ms Owens also highlighted that there was no application for an adjournment in any event. Ms Owens submitted that any disadvantage to the Registrant in not attending was outweighed by the public interest, and that it would be appropriate and proportionate to proceed in the Registrant's absence today.

The Committee was mindful that the discretion to proceed in the absence of the Registrant should only be exercised with the utmost care and caution. In considering the application, the Committee sought to satisfy itself that all reasonable efforts had been made to notify the Registrant of the hearing, and accepted the advice of the Legal Adviser. He referred the Committee to the cases of R v Jones, Adeogba and Visvardis v GMC. He reminded the Committee that in exercising its discretion to proceed in the Registrant's absence, it must have regard to all of the circumstances with fairness to the Registrant being of prime consideration, although fairness to the Council and the public interest must also be taken into account. He reminded the Committee to avoid reaching any improper conclusion about the Registrant's absence, and not to accept it as an admission in any way.

The Committee reminded itself that fairness to the Registrant should be a prime consideration. The Committee bore in mind the public interest in the expeditious disposal of the hearing. The Committee noted the two email responses from the Registrant, dated 16 October 2025 and 29 October 2025, confirming that she would not be in attendance at the fitness to practise hearing and that the Committee should proceed in her absence. Although a medical issue was raised by the Registrant, no medical evidence was provided. The Committee noted that the Registrant had not asked for an adjournment in any communication with the Council. Therefore, after careful consideration of all of the issues, the Committee decided to exercise its discretion to proceed in the absence of the Registrant, taking into account the serious nature of the Particulars of the Allegation, and striking a careful balance between fairness to the Registrant and the wider public interest. The Committee, in all of the circumstances, considered that the Registrant had voluntarily absented herself from the hearing. However, the Committee reminded itself that it must avoid reaching any improper conclusion about the Registrant's absence, nor treat the absence as an admission.

### **Application to Admit Hearing Bundle**

The Committee accepted the hearing bundle into evidence, and marked it as Exhibit 1.

### **Background**

Ms Owens confirmed that the Registrant has made no formal admissions.

The Registrant is registered on Part 2 of the Register.

Ms Owens referred the Committee to the background of the case, as set out in Exhibit 1. She said that the matter first came to the Council's attention following a self-referral form, which was received by the Council on 24 September 2024. The self-referral stated the following:

*'Was found guilty intent to supply a class a drug this is historical over 20 years ago, this was made by [REDACTED], awaiting sentencing 20th November.'*

Ms Owens informed the Committee that on 30 September 2024, the Council received an Employer Referral Form ('ERF') from the Belfast Health and Social Care Trust ('the Trust'), which stated the following:

*'Linda Sale telephoned the Deputy Manager at 342 Ormeau Road on 19.9.24 at 14:52hrs. Linda wished to inform her employer of an outcome from a court hearing on 18.9.24. Linda reported that she has been found guilty of an offence, which, she recalled as "intent to supply a class A drug to a minor". A sentencing hearing in court is reportedly expected to occur in November 2024, following probation reports and discussions of appeal. Linda reports she planning to self-report the above concerns to NISCC. Linda Sale works with vulnerable adults with Enduring Mental Illness.*

*Linda Sale is currently off on Long Term sick since February 2024 her sickness relates to [REDACTED]. Management are currently engaging with Linda Sale via the Attendance Management Procedures within the Belfast Health and Social Care Trust. There have been attempts made to engage with Linda Sale in this process however due to [REDACTED] she has been unable to meet with Management face to face. Given that Linda Sale is currently off on long term sick, HR have not implemented suspension at this stage, however this will be implemented should sickness status change. The Belfast Health and Social Care Trust were only advised of this situation on the 19.09.24 this had not been raised by Linda Sale during and throughout the Absence Management Process. Belfast Trust, Bank have been informed of offence and current situation.*

*Linda reports she has been found guilty of an offence, which, she recalled as "intent to supply a class A drug to a minor". I spoke with her via telephone call on the 24.09.24 she reported that a Pre-Sentence Report will be completed by Probation Services for sentencing at Court at the end of October 24 she could not remember the date. She informed me that a woman had made allegations toward both her and her husband relating to historical sexual assault, alongside the allegation that she had drugged her to facilitate this assault. Linda stated that the only charge against her is ' Intent to supply a class dug to a minor'. Linda could not remember when she was first arrested for this offence...' [sic]*

Ms Owens said that the Council spoke to the Registrant by telephone on 01 October 2024. During the call, the Registrant stated that approximately one or two years ago, she received a telephone call from [REDACTED], who indicated that [REDACTED] had had an affair with the Registrant's husband 20 years previously. [REDACTED] alleged that the Registrant had drugged her to bring her to the house. During the call with the Council, the Registrant indicated that she and her husband are innocent of all claims, but that she had been found guilty of attempting to supply a Class A drug.

Ms Owens told the Committee that the Council has obtained the Certificate of Conviction, which indicates that the Registrant pleaded not guilty to the offence of unlawful supply of a Class A drug on 27 June 2023. However, she was found guilty by a jury on 18 September 2024. On 20 March 2025, the Registrant was sentenced to a custodial sentence of one year, suspended for three years.

Ms Owens directed the Committee to the PSNI Case Summary within Exhibit 1 to give fuller context to the offence. She submitted that it highlights details of the victim, who was a minor at the time.

Ms Owens submitted to the Committee that the Certificate of Conviction is conclusive proof of the facts underpinning the Particulars of the Allegation.

## **Evidence**

Ms Owens directed the Committee to the evidence contained within the hearing bundle, and submitted that the Council sought to rely on this evidence to prove the case. Ms Owens submitted that the Certificate of Conviction, along with the self-referral form, the ERF and the Case Summary provided by the police, offer conclusive proof of the facts, and that the Council had discharged the burden of proof in establishing the facts in this case.

## **Findings of Fact**

The Committee took into account the submissions made on behalf of the Council, the Certificate of Conviction and the legal advice from the Legal Adviser. The Legal Adviser reminded the Committee that under Paragraph 12 (5) of Schedule 2 of the Rules, a certificate of conviction issued in any UK Criminal Court '*shall be conclusive proof of the facts or conviction so found*'. He advised the Committee that a registrant could challenge a certificate of conviction if it does not refer to the Registrant, or where the conviction has been challenged successfully on appeal. He informed the Committee that the Certificate of Conviction in this case was issued before a competent Court of jurisdiction and, in the absence of any other evidence, the Committee was entitled to rely on the Certificate of Conviction to establish conclusively that the Registrant was convicted of the offence as set out. He also advised the Committee that the Certificate could be relied upon to establish the facts underlying the convictions.

The Committee reminded itself that the burden is on the Council to prove the facts as set out in the Particulars of the Allegation, and that to find the facts proved the Committee must be satisfied on the balance of probabilities. This means that for any fact to be found proved, the Committee must be satisfied that it is more likely than not to have occurred.

The Committee had careful regard to all of the documentary evidence, including the self-referral form, the ERF and the PSNI case summary form. The Committee noted the facts contained in the Certificate of Conviction. The Committee accepted that the Certificate of Conviction refers to this Registrant, and is not subject to an appeal. The Committee, therefore, concluded that the Certificate of Conviction, relating to one count concerning the attempted unlawful supply of MDMA, was conclusive proof of the conviction and the underlying facts. The Committee found the facts proved.

## **Fitness to Practise**

The Committee proceeded to consider whether the Registrant's fitness to practise is currently impaired by reason of her conviction.

The Committee heard submissions from Ms Owens. She said that there was no admission from the Registrant as regards impairment of her fitness to practise, and that the Registrant's conviction calls into question her ability to work in social care services and to remain on the Register without restriction, or to be registered at all.

Ms Owens submitted that the Certificate of Conviction establishes the grounds for impairment in accordance with Rule 4 (1) (d) of the Rules.

Ms Owens referred the Committee to the Standards of Conduct and Practice for Social Care Workers, which she submitted the Registrant had breached by reason of her conviction, namely, Standard of Conduct 5 and, in particular, 5.8. Ms Owens submitted that the Registrant's actions fall far below the standards to be expected of a registered social care worker. Ms Owens submitted that the Registrant has not produced evidence of remediation to date, nor has there been any engagement with the Council. She said that in these circumstances, there remains an ongoing risk of repetition. She submitted that there has been no evidence of insight or remorse on the part of the Registrant, and that there is no evidence to show that the Registrant would act differently in the future. She noted that the Registrant pleaded not guilty at Court.

Ms Owens submitted that a failure to make a finding of current impairment of the Registrant's fitness to practise would undermine public trust and confidence, and would fail to uphold proper standards of conduct and behaviour. Ms Owens invited the Committee to make a finding of current impairment by reason of the Registrant's conviction.

The Committee considered the submission from Ms Owens and had regard to all of the evidence in the case. The Committee heard and accepted the advice of the Legal Adviser. He referred the Committee to Paragraph 24 (3) of Schedule 2 of the Rules, and the requirements as set out in the case of the GMC v Cohen, looking at the current competence and behaviour of the Registrant, along with the need to protect service users, members of the public, the upholding of proper standards of behaviour and maintaining of public confidence in the social care profession. He further referred the Committee to the findings of Dame Janet Smith in the fifth Shipman Report as regards the potential causes of impairment. He also referred the Committee to the cases of GMC v Meadow and CHRE v NMC & Grant.

The Committee considered whether the Registrant's fitness to practise is impaired by reason of her conviction as set out in the Particulars of the Allegation.

The Committee, in considering the issue of impairment of fitness to practise, took account of Paragraph 24 (3) of Schedule 2 of the Rules, which states that it should have regard to:

- (a) whether it is satisfied as to the reason for the alleged impairment of fitness to practise;
- (b) the Standards of Conduct and Practice issued by the Council under Section 9 of the Act;
- (c) whether the impairment is capable of remediation;
- (d) whether the impairment has been remediated;
- (e) the risk of repetition; and
- (f) the public interest.

The Committee had regard to Rule 4 (1) (d) of the Rules, which states that fitness to practise may be impaired by a conviction for a criminal offence. The Committee was satisfied that the Registrant's conviction for the Registrant's attempt to unlawfully supply MDMA to another was a ground for the alleged impairment of fitness to practise.

The Committee had regard to the Standards of Conduct and Practice for Social Care Workers. The Committee was satisfied that the Registrant's actions were in breach of the following Standards of Conduct:

**Standard 5: As a social care worker, you must uphold public trust and confidence in social care services. In particular you must not:**

5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services.

The Committee was of the view that the Registrant's criminal behaviour fell significantly below the standards of conduct expected of a registered social care worker, and was very serious.

The Committee had regard to Paragraph 2.5 of Making a Determination on Impairment: Guidance for Committees on Remediation, which identifies examples of conduct which are difficult to remediate, including criminal convictions which result in a custodial sentence.

The Committee addressed itself to the Registrant's insight and remediation. The Committee concluded that the events which led to the convictions are capable of remediation. However, there was no information or evidence from the Registrant to demonstrate that she has developed insight and has attempted to remediate her behaviour. The Committee noted that the Registrant pleaded not guilty to the offence of attempting to unlawfully supply a Class A drug, namely MDMA, to another. The Committee had no evidence as regards the Registrant demonstrating insight or remorse in relation to her criminal behaviour. The Committee considered that, in light of the absence of insight and remediation by the Registrant, there is a likelihood of repetition. Although these events occurred outside of the workplace, because of the very serious nature of the offence and the Registrant's conviction being in the public domain, the Committee concluded that a finding of current impairment is necessary to protect the public.

The Committee also concluded that a finding of current impairment of fitness to practise is necessary in the public interest. It was considered by the Committee that public confidence in the social care profession, and the Council as its regulator, would be undermined if a finding of impaired fitness to practise in these circumstances was not made.

Therefore, the Committee concluded that the Registrant's fitness to practise is currently impaired by reason of her criminal conviction.

## **Sanction**

Ms Owens confirmed that there have been no previous referrals to the Council.

In reaching its decision on sanction, the Committee considered the submission of Ms Owens on behalf of the Council, and had regard to all of the evidence in this case. Ms Owens referred the Committee to mitigating factors, and advised that the only matter of potential relevance was the absence of any regulatory history with the Council. In considering aggravating factors, Ms Owens submitted that the conviction is very serious, that the behaviour amounted to a very serious departure from the Standards, that the Registrant had pleaded not guilty at

Court, and that she has failed to engage meaningfully with the Council. She said that the Registrant had not provided any evidence of insight, remediation or remorse. She also noted that the Registrant is subject to a suspended custodial sentence until March 2028.

Ms Owens submitted that whilst sanction was entirely a matter for the Committee, it was the view of the Council that it would be inappropriate to take no action or to impose a Warning in this case, due to the serious nature of the criminal offence. She submitted that a Warning would not provide adequate protection for service users, nor address the risk of repetition.

Ms Owens referred the Committee to the NISCC Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance') and submitted that conditions of practice would be difficult to formulate as these are usually directed to an area of particular performance at work. She submitted that appropriate and relevant conditions would be difficult to impose which would meet the concerns arising from the Registrant's criminal behaviour. In addition, the Registrant's lack of engagement would suggest that conditions would be unworkable. In considering the sanction of suspension, she noted that the Registrant has not acknowledged any of her failings, that there was no evidence of insight or remorse, and the Committee could not be satisfied that there was no risk of repetition. Ms Owens submitted that this sanction would, therefore, be inappropriate. As regards the sanction of a removal, she reminded the Committee that this would be appropriate where a registrant's behaviour was fundamentally incompatible with remaining as a registered social care worker, and where there was no other way to protect the public. She submitted that public confidence would be undermined by a failure to remove the Registrant from the Register.

The Committee accepted advice from the Legal Adviser. He referred the Committee to the Guidance, and reminded the Committee to consider the question of sanction in ascending order of severity, paying particular attention to the issue of proportionality.

He referred the Committee to Paragraph 26 of Schedule 2 of the Rules which provides that, upon a finding of impairment of fitness to practise, the Committee may:

- (a) impose no sanction; or
- (b) warn the Registrant and direct that a record of the warning should be placed on the Registrant's entry in the Register for a specified period of up to 5 years; or
- (c) make a Conditions of Practice Order for a specified period not exceeding 3 years; or
- (d) make an Order suspending the Registrant's registration for a specified period not exceeding 2 years (a 'Suspension Order'); or
- (e) make an Order for removal of the Registrant's registration from the Register ('a Removal Order').

He further reminded the Committee that in deciding which sanction to impose, the Committee should take into account:

- (a) the seriousness of the Particulars of the Allegation;

- (b) the degree to which the Registrant has fallen short of any expected standards;
- (c) the protection of the public;
- (d) the public interest in maintaining confidence in social care services; and
- (e) the issue of proportionality.

The Committee applied the principles of fairness, reasonableness and proportionality, weighing the public interest with the Registrant's interests. The public interest includes the protection of members of the public, including service users, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and behaviour within the profession. The Committee took into account its powers under Paragraph 26 of Schedule 2 of the Rules in relation to the sanctions available to it, and also had regard to the Council's Guidance, bearing in mind that the decision on sanction was one for its own independent judgement.

The Committee recognised that the purpose of sanction is not to be punitive, although a sanction may have a punitive effect. The Committee considered the aggravating and mitigating factors in this case.

The Committee considered the mitigating factors to be:

- the historic nature of the offending.

The Committee considered the aggravating factors to be:

- the seriousness of the offending;
- lack of insight;
- lack of remorse;
- the disregard for the Standards;
- the failure to bring the criminal proceedings to the attention of her employer at an earlier stage;
- the victim was a minor; and
- the lack of any remediation.

Having balanced the aggravating and mitigating factors, and taking into account the interests of public protection and the public interest, the Committee was satisfied that a sanction was necessary, and proceeded to consider which sanction to apply in this case. The Committee had regard to paragraphs 2.17 to 2.23 of the Guidance, which address cases involving a conviction.

**No sanction** – in relation to no sanction, the Committee considered that this would be wholly inappropriate given its findings in respect of impairment, and having regard to the serious nature of the proven allegations.

**Warning** – in relation to a Warning, the Committee also considered that this would be wholly inappropriate given its findings in respect of impairment, and having regard to the serious nature of the proven allegations. The Committee considered that a Warning would fail to address the risk of repetition and to sufficiently protect the

public interest by upholding and declaring Standards of Conduct. In considering whether a Warning would be appropriate, the Committee had regard to Paragraph 4.12 of the Guidance, which identifies when a Warning might be appropriate, but considered that most of the factors identified were not present in this case.

**Conditions of Practice Order** – the Committee considered that a Conditions of Practice Order would not sufficiently address the finding of impairment and the serious nature of the proven allegations. Furthermore, given the nature of the offence and the fact that the Committee had found a lack of insight, remorse or remediation, it was considered that it would not be possible to draft workable, verifiable and meaningful conditions which would address the proven allegations. In considering whether a Conditions of Practice Order would be appropriate, the Committee had regard to Paragraph 4.16 of the Guidance, which identifies when a Conditions of Practice Order might be appropriate, but considered that most of the factors identified were not present in this case.

**Suspension Order** – the Committee considered the Guidance in relation to when a Suspension Order may be appropriate, but noted that the Registrant had not acknowledged her failings, nor had she demonstrated any insight. Her engagement with the Council was limited, and there did not appear to be any basis to suggest the Registrant was going to be able to remediate her impaired fitness to practise. In considering whether a Suspension Order would be appropriate, the Committee had regard to Paragraph 4.20 of the Guidance, which identifies when a Suspension Order might be appropriate, but considered that most of the factors identified were not present in this case.

**Removal Order** –. the Committee decided to make a Removal Order in this case. It considers that such an Order is necessary to protect the public, to maintain standards and to uphold the reputation of the profession. The Committee noted that the Registrant is subject to a suspended custodial sentence until March 2028 and, in those circumstances, public confidence in the profession would be severely undermined by a failure to remove the Registrant from the Register. In considering whether a Removal Order would be appropriate, the Committee had regard to Paragraph 4.27 of the Guidance, which identifies when a Removal Order might be appropriate, and noted that removal may be appropriate where there is an abuse of trust, persistent lack of insight into actions or consequences, and a serious departure from the relevant professional standards.

The Committee was mindful of the impact which this Order would have on the Registrant, but concluded that the Order was nonetheless necessary, and that the public interest outweighed the individual interests of the Registrant in all of the circumstances.

In addition, the Committee decided, with immediate effect, to revoke the Interim Suspension Order.

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**You have the right to appeal this decision to the Care Tribunal. Any appeal must be lodged in writing within 28 days from the date of this Notice of Decision.**

**You should note that the Fitness to Practise Committee's decision takes effect from the date upon which it was made.**

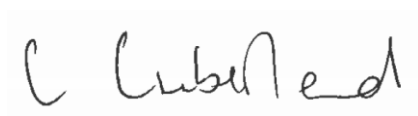
The effect of this decision is that your entry in the Register has been removed.

You are prohibited from working as a social care worker in any of the following positions:

1. A member of care staff at a:
  - a.) Children's home;
  - b.) Residential care home;
  - c.) Nursing home;
  - d.) Day care setting;
  - e.) Residential family centre.
2. A person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
3. A manager of a:
  - a.) Residential care home;
  - b.) Day care setting;
  - c.) Residential family care centre; or
  - d.) Domiciliary care agency.

It is **compulsory** for the above social care workers to be registered with the Northern Ireland Social Care Council in order to work. This is pursuant to the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013 and the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise Rules, you may not apply to be restored to the Register within five years from the date of removal. This does not affect your right to appeal the Committee's decision to the Care Tribunal. You are prohibited from working in a social care role until a successful application for restoration onto the Register has been made to the Council.



**Head of Adjudication and Compliance**

06 November 2025

**Date**