

**Nursing and Midwifery Council  
Fitness to Practise Committee**

**Substantive Meeting  
Tuesday, 10 June – Wednesday, 11 June 2025**

Virtual Meeting

<b>Name of Registrant:</b>	<b>Paulo Edora</b>
<b>NMC PIN:</b>	19C0287O
<b>Part(s) of the register:</b>	Nurses part of the register Sub part 1 RN1: Adult nurse, level 1 (15 March 2019)
<b>Relevant Location:</b>	Hampshire
<b>Type of case:</b>	Misconduct
<b>Panel members:</b>	Anthony Mole (Chair, Lay member) Colin Allison (Lay member) Angela Horsley (Registrant member)
<b>Legal Assessor:</b>	Graeme Dalglish
<b>Hearings Coordinator:</b>	John Kennedy
<b>Facts proved:</b>	Charges 1, 2a, and 2b
<b>Fitness to practise:</b>	Impaired
<b>Sanction:</b>	<b>Striking-off order</b>
<b>Interim order:</b>	<b>Interim suspension order (18 months)</b>

## **Decision and reasons on service of Notice of Meeting**

The panel noted at the start of this meeting that the Notice of Meeting had been sent to Mr Edora's registered email address by secure email on 6 May 2025. The panel noted that Mr Edora had previously engaged with the NMC.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting provided details of the allegation, and that the meeting would not be heard before 10 June 2025.

In the light of all of the information available, the panel was satisfied that Mr Edora has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

## **Details of charge**

That you, a registered nurse:

1. On and before 5 May 2021 had in your possession indecent images of children.
2. Your actions at charge 1 were:
  - a. sexual in nature;
  - b. motivated by your desire for sexual gratification.

AND in light of the above your fitness to practise is impaired by reason of your misconduct

## **Background**

The charges arose whilst Mr Edora was employed as a registered nurse by Portsmouth NHS Trust. The allegations arose outside Mr Edora's clinical practice when Hampshire

Constabulary arrested and investigated Mr Edora for possession of around 83 indecent images of children, including Category A, Category B, and Category C images.

The Crown Prosecution Service did not proceed to a criminal charge due to concerns with the jurisdiction of Mr Edora at the alleged time of obtaining the images in that they were unable to ascertain if the conduct took place within the UK.

### **Decision and reasons on facts**

In reaching its decisions on the disputed facts, the panel took into account all the documentary evidence in this case together with the written representations made by the NMC.

The panel was aware that the burden of proof rests on the NMC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not that the incident occurred as alleged.

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor. It considered the documentary evidence provided by the NMC.

The panel took account of Article 22(3) of the Nursing and Midwifery Order 2001 states:

*‘This article is not prevented from applying because the allegation is based on a matter alleged to have occurred outside the United Kingdom or at a time when the person against whom the allegation is made was not registered.’*

The panel then considered each of the disputed charges and made the following findings.

### **Charge 1**

1. On and before 5 May 2021 had in your possession indecent images of children.

**This charge is found proved.**

In reaching this decision, the panel took into account the official letter from the Officer in Charge of the investigation from Hampshire Constabulary. This confirmed that Mr Edora was arrested on 5 May 2021, and investigated for possessing indecent images of children. During a forensic investigation of Mr Edora's electronic devices, one laptop and two phones, they were found to contain 83 indecent images of children, spanning all three categories of indecent images, Category A being the most serious. The police interviewed Mr Edora who confirmed that he was the only person with access to his laptop and phones and he did not deny possession of the images.

The panel considered that the report is from an official investigation conducted by a UK Police Force and accepted it is a credible and reliable document.

Therefore, the panel found this charge to be proved.

**Charge 2**

2. Your actions at charge 1 were:

- a. sexual in nature;
- b. motivated by your desire for sexual gratification.

**This charge is found proved**

In reaching this decision, the panel took into account the police report and account of Mr Edora's police interview. The report states that Mr Edora confirmed that he got sexual gratification from viewing the indecent images and that he masturbated to the images.

The panel had regard to Section 78 of the Sexual Offences Act 2003 which defines 'sexual'. The panel also had regard to the cases of *Basson v GMC* [2018] EWHC 505 (Admin) and *Harris v GMC* [2021] EWCA Civ 763 in determining sexual motivation.

The panel determined the description and categorisation by the police in relation to the downloaded material stored by Mr Edora to be clearly and inherently sexual in nature.

The panel considered that there is no reasonable alternative explanation to Mr Edora's actions and the panel decided that he was motivated by a desire for sexual gratification. He admitted in his police interview that he had been seeking sexual gratification.

Therefore, the panel found this charge proved in its entirety.

### **Fitness to practise**

Having reached its determination on the facts of this case, the panel then moved on to consider, whether the facts found proved amount to misconduct and, if so, whether Mr Edora's fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise kindly, safely and professionally.

The panel, in reaching its decision, has recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage and it has therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, Mr Edora's fitness to practise is currently impaired as a result of that misconduct.

### **Representations on misconduct and impairment**

The NMC invited the panel to take the view that the facts found proved amount to misconduct. The panel had regard to the terms of "The Code: Professional standards of practice and behaviour for nurses and midwives (2015)" ("the Code") in making its decision.

The NMC identified the specific, relevant standards where it submitted Mr Edora's actions amounted to misconduct, breaching the Code in multiple areas and a serious departure from the expected standards of safe, kind, and effective nursing practice.

The NMC requires the panel to bear in mind its overarching objective to protect the public and the wider public interest. This included the need to declare and maintain proper standards and maintain public confidence in the profession and in the NMC as a regulatory body.

The panel has referred to the cases of: *Roylance v General Medical Council* (No 2) [2000] 1 A.C. 311, *Nandi v General Medical Council* [2004] EWHC 2317 (Admin), *General Medical Council v Meadow* [2007] QB 462 (Admin), and *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin).

The NMC invited the panel to find Mr Edora's fitness to practise impaired on the grounds of public protection and public interest. The NMC submitted that Mr Edora's actions placed vulnerable children at risk of harm and while outside of clinical practice poses a serious risk. The NMC further submitted that the public confidence would be undermined if a nurse who was found to be in possession of a large number of indecent images of children was permitted to practice without restriction.

The panel accepted the advice of the legal assessor.

### **Decision and reasons on misconduct**

When determining whether the facts found proved amount to misconduct, the panel had regard to the terms of the Code.

The panel was of the view that Mr Edora's actions did fall significantly short of the standards expected of a registered nurse, and that Mr Edora's actions amounted to a breach of the Code. Specifically:

***'17 Raise concerns immediately if you believe a person is vulnerable or at risk and needs extra support and protection***

***To achieve this, you must:***

*17.1 take all reasonable steps to protect people who are vulnerable or at risk from harm, neglect or abuse*

*17.2 share information if you believe someone may be at risk of harm, in line with the laws relating to the disclosure of information*

*17.3 have knowledge of and keep to the relevant laws and policies about protecting and caring for vulnerable people*

***20 Uphold the reputation of your profession at all times***

*To achieve this, you must:*

*20.1 keep to and uphold the standards and values set out in the Code*

*20.8 act as a role model of professional behaviour for students and newly qualified nurses, midwives and nursing associates to aspire to.'*

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. However, the panel was of the view that Mr Edora's actions are a significant falling from the standard expected of a registered nurse and a breach of the fundamental tenets of safe, kind, and effective nursing practice. The panel decided that Mr Edora's possession of indecent images of children is manifestly a serious falling short of what would have been proper and strikes at the heart of core professional standards and values.

The panel found that Mr Edora's actions namely possessing and viewing indecent images of children fell seriously short of the conduct and standards expected of a nurse and amounted to misconduct.

**Decision and reasons on impairment**

The panel next went on to decide if as a result of the misconduct, Mr Edora's fitness to practise is currently impaired.

In coming to its decision, the panel had regard to the Fitness to Practise Library, and the case of *CHRE v NMC and Grant*.

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must act with integrity. They must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession.

The panel considered the test set out in *CHRE v NMC and Grant* and considered that the first three limbs are engaged in that Mr Edora's misconduct did and is likely to cause the public harm, brought the profession into disrepute, and breached the fundamental tenets.

The panel finds that while Mr Edora's conduct was not clinical and although occurred in his personal life there is a significant risk of harm, particularly to vulnerable children as a result of his misconduct.

Regarding insight, the panel considered that apart from some initial admissions at his police interview Mr Edora has demonstrated no insight or remorse for his actions, which were serious and occurred over a prolonged period.

The panel determined that given the serious and harmful misconduct and the absence of any evidence from Mr Edora on remediation, remorse, or insight, there is a real risk of repetition and of further harm. The panel therefore decided that a finding of impairment is necessary on the grounds of public protection.

The panel bore in mind that the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.



The panel determined that a finding of impairment on public interest grounds is required because the public would be shocked and appalled if a registered nurse who was found to have engaged in serious and harmful sexual misconduct was not found impaired.

In addition, the panel concluded that public confidence in the profession would be seriously undermined if a finding of impairment were not made in this case and therefore also finds Mr Edora's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Mr Edora's fitness to practise is currently impaired.

### **Sanction**

The panel has considered this case carefully and has decided to make a striking-off order. It directs the registrar to strike Mr Edora off the register. The effect of this order is that the NMC register will show that Mr Edora has been struck-off the register.

In reaching this decision, the panel has had regard to all the evidence that has been adduced in this case and had careful regard to the Sanctions Guidance (SG) published by the NMC. The panel accepted the advice of the legal assessor.

### **Representations on sanction**

The panel noted that in the Notice of Meeting, the NMC had advised Mr Edora that it would seek the imposition of a striking-off order if it found Mr Edora's fitness to practise currently impaired.

### **Decision and reasons on sanction**

Having found Mr Edora's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. The panel has borne in mind that any sanction imposed must be appropriate and proportionate and, although not intended to be punitive in its effect, may have such consequences. The panel had careful

regard to the SG. The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating features:

- Lack of insight into failings and lack of engagement with the NMC
- A pattern of serious and harmful sexual misconduct over a period of time
- Conduct which put the public at risk of suffering harm.

The panel concluded there are no mitigating features in this case.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action.

It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mr Edora's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Mr Edora's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether placing conditions of practice on Mr Edora's registration would be a sufficient and appropriate response. The panel is of the view that there are no practical or workable conditions that could be formulated, given the nature of the charges in this case. The misconduct identified in this case was not something that can be addressed through training. Furthermore, the panel concluded that the placing of conditions on Mr Edora's registration would not adequately address the seriousness of this case and would not protect the public.

The panel then went on to consider whether a suspension order would be an appropriate sanction. The SG states that suspension order may be appropriate where some of the following factors are apparent:

- *A single instance of misconduct but where a lesser sanction is not sufficient;*
- *No evidence of harmful deep-seated personality or attitudinal problems;*
- *No evidence of repetition of behaviour since the incident;*
- *The Committee is satisfied that the nurse or midwife has insight and does not pose a significant risk of repeating behaviour;*
- ...

The panel concluded that none of these features are present in this case.

The conduct, as highlighted by the facts found proved, was a significant departure from the standards expected of a registered nurse. The panel noted that the serious breach of the fundamental tenets of the profession evidenced by Mr Edora's actions is fundamentally incompatible with Mr Edora remaining on the register.

In this particular case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction.

Finally, in looking at a striking-off order, the panel took note of the following paragraphs of the SG:

- *Do the regulatory concerns about the nurse or midwife raise fundamental questions about their professionalism?*
- *Can public confidence in nurses and midwives be maintained if the nurse or midwife is not removed from the register?*
- *Is striking-off the only sanction which will be sufficient to protect patients, members of the public, or maintain professional standards?*

Mr Edora's actions were significant departures from the standards expected of a registered nurse, and are fundamentally incompatible with him remaining on the register. The panel

was of the view that the findings in this particular case demonstrate that Mr Edora's actions were serious and to allow him to continue practising would place the public at a real risk of harm and seriously undermine public confidence in the profession and in the NMC as a regulatory body.

Balancing all of these factors and after taking into account all the evidence before it during this case, the panel determined that the only appropriate and proportionate sanction is that of a striking-off order. Having regard to the matters it identified, in particular the risk of repetition and the effect of Mr Edora's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered nurse should conduct himself, the panel has concluded that nothing short of this would be sufficient in this case.

The panel considered that this order was necessary to protect the public and mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standard of behaviour required of a registered nurse.

This will be confirmed to Mr Edora in writing.

### **Interim order**

As the striking-off order cannot take effect until the end of the 28-day appeal period, the panel has considered whether an interim order is required in the specific circumstances of this case. It may only make an interim order if it is satisfied that it is necessary for the protection of the public, is otherwise in the public interest or in Mr Edora's own interests until the striking-off sanction takes effect. The panel heard and accepted the advice of the legal assessor.

### **Representations on interim order**

The panel took account of the representations made by the NMC that an interim suspension order is necessary on the grounds of public protection and the public interest to cover any potential appeal period.

## **Decision and reasons on interim order**

The panel was satisfied that an interim order is necessary for the protection of the public and is otherwise in the public interest. The panel had regard to the seriousness of the facts found proved and the reasons set out in its decision for the substantive order in reaching the decision to impose an interim order.

The panel concluded that an interim conditions of practice order would not be appropriate or proportionate in this case, due to the reasons already identified in the panel's determination for imposing the substantive order. The panel therefore imposed an interim suspension order for a period of 18 months to cover any potential appeal period on the grounds of public protection and the public interest.

If no appeal is made, then the interim suspension order will be replaced by the substantive striking off order 28 days after Mr Edora is sent the decision of this hearing in writing.

That concludes this determination.