

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

**Substantive Meeting
Tuesday, 11 August 2026**

Nursing and Midwifery Council
2 Stratford Place, Montfichet Road, London, E20 1EJ

Name of Registrant:	Adam David Feary
NMC PIN:	94D0883E
Part(s) of the register:	Nurses part of the register Sub part 1 RNA: Adult nurse, level 1
Relevant Location:	Norfolk
Type of case:	Conviction
Panel members:	Catherine Devonport (Chair, Registrant member) Richard Curtin (Registrant member) Janine Green (Lay member)
Legal Assessor:	Alice Robertson Rickard
Hearings Coordinator:	Tyra Andrews
Facts proved:	Charges 1 a), 1 b), 1 c), 1 d), 1 e) and 1 f)
Facts not proved:	Not applicable
Fitness to practise:	Impaired
Sanction:	Striking-off order
Interim order:	Interim suspension order (18 months)

Decision and reasons on service of Notice of Meeting

The panel was informed at the start of this meeting that that the Notice of Meeting had been sent to Mr Feary's registered email address by secure email on 6 July 2026.

Further, the panel noted that the Notice of Meeting was also sent to Mr Feary's representative at the Royal College of Nursing (RCN) on 6 July 2026.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting provided details of the allegation, the time and that the meeting will take place on or after 10 August 2026.

In the light of all of the information available, the panel was satisfied that Mr Feary 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. Were convicted at the Crown Court at Norwich on 12 August 2025 of the following offences:
 - a. Making indecent photographs/pseudo photographs of a child, contrary to section 1(1)(a) and 6 of the Protection of Children Act 1978.
 - b. Making indecent photographs/pseudo photographs of a child, contrary to section 1(1)(a) and 6 of the Protection of Children Act 1978.
 - c. Making indecent photographs/pseudo photographs of a child, contrary to section 1(1)(a) and 6 of the Protection of Children Act 1978.
 - d. Possessing a prohibited image of a child, contrary to section 62(1) and 66(2) of the Coroners and Justice Act 2009.

- e. Possessing extreme pornographic image/images portraying an act of intercourse/oral sex with a dead/alive animal, contrary to section 63(1), (7)(d) and 67(3) of the Criminal Justice and Immigrations Act 2008.
- f. Possessing a paedophile manual, contrary to section 69(1) and (3) of the Serious Crime Act 2015.

AND in light of the above, your fitness to practise is impaired by reason of your convictions.

Background

On 20 January 2023 the NMC received a referral from The Queen Elizabeth Hospital Kings Lynn NHS Foundation Trust ("The Trust") outlining that Mr Feary had been arrested by the police at work on 18 January 2023.

The Trust informed the NMC that Mr Feary had been arrested following an allegation of making indecent photographs/pseudo photographs of a child.

On 24 January 2023 Mr Feary submitted a referral to the NMC to advise that he was on making indecent photographs/pseudo photographs of a child.

Mr Feary was charged by the police on 21 March 2025 and subsequently pled guilty to the offences outlined in the charges at Norwich Crown Court on 12th August 2025.

Decision and reasons on facts

The charges concern Mr Feary's conviction and, having been provided with a copy of the certificate of conviction, the panel finds that the facts are found proved in accordance with Rule 31 (2) and (3). These state:

- '31.— (2) Where a registrant has been convicted of a criminal offence—*
- (a) a copy of the certificate of conviction, certified by a competent officer of a Court in the United Kingdom (or, in Scotland, an extract conviction) shall be conclusive proof of the conviction; and*

- (b) *the findings of fact upon which the conviction is based shall be admissible as proof of those facts.*
- (3) *The only evidence which may be adduced by the registrant in rebuttal of a conviction certified or extracted in accordance with paragraph (2)(a) is evidence for the purpose of proving that she is not the person referred to in the certificate or extract.'*

Fitness to practise

Having announced its findings on the facts, the panel then considered whether, on the basis of the facts found proved, Mr Feary's fitness to practise is currently impaired by reason of Mr Feary's conviction. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's suitability to remain on the register unrestricted.

Decision and reasons on impairment

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

In coming to its decision, the panel accepted the advice of the legal assessor which included reference to the cases of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin), *Cheatle v General Medical Council* [2009] EWHC 645 and *Cohen v General Medical Council* [2008] EWHC 581 (Admin).

The panel also had regard to the NMC Guidance on '*Impairment*' (Reference: DMA-1 Last Updated:28/01/2026) in which the following is stated:

'Being fit to practise is not defined in our legislation but for us it means that a professional on our register can practise as a nurse midwife or nursing associate safely and effectively without restriction.'

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.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of *CHRE v NMC and Grant* in reaching its decision. In paragraph 74, she said:

'In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her/their fitness to practise is impaired in the sense that S/He/They:

- a) has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b) has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*

c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or...'

In consideration of the evidence before it, the panel noted that Mr Feary's conduct in the charges found proved occurred outside of his nursing practice and as such it found that it had not in the past put patients at risk. However, the panel found that Mr Feary had breached the fundamental tenets of the nursing profession and therefore brought its reputation into disrepute. The panel had sight of NMC guidance FtPC 2C-1 which states as follows:

'Specified offences are offences which are, by definition, particularly serious. The nature of these convictions would raise fundamental questions about a nurse, midwife or nursing associate's ability to uphold the standards and values set out in the Code.'

The charges in this case relate to specified offences and therefore fit within the definition above. The panel therefore found that Mr Feary's conduct brought the nursing profession into disrepute. It was satisfied that confidence in the nursing profession would be undermined if its regulator did not find charges relating to these sexual offences extremely serious.

In deciding whether Mr Feary was liable in the future to repeat the conduct found proved, the panel considered the case of *Cohen v General Medical Council (GMC)*. The panel found that the conduct which led to the charges is extremely difficult to remedy. The panel found that Mr Feary has demonstrated a repeated pattern of behaviour and deep-seated attitudinal concerns. It considered the large volume of images found with over 14,000 images of children in total and nearly 2,000 images being Class A images which are the most serious.

The panel had regard to NMC guidance Ftp 16-a which states:

‘....Examples of conduct which may not be possible to address, and where steps such as training courses or supervision at work are unlikely to address the concerns include:

- criminal convictions for specified offences or convictions that led to custodial sentences...’*

In consideration of all of the information before it, the panel was of the view that Mr Feary’s conduct could not easily be remediated.

The panel next considered whether Mr Feary’s conduct has been remediated. The panel found that Mr Feary had very limited insight into his actions and that there was nothing before it to suggest that the conduct which led to the charges had been remediated. Whilst the panel noted that Mr Feary had eventually pleaded guilty to the charges, there was no evidence before the panel today to demonstrate insight, remorse or remediation. In light of this, the panel could not find that it was highly unlikely that the conduct which led to the charges would be repeated.

The panel therefore concluded that there is a risk of repetition and decided that a finding of impairment is necessary on the grounds of public protection. Whilst mindful that Mr Feary had not in the past put people receiving care at risk it found that he was liable to do so in the future because of his lack of insight and remediation. It further noted that as well as downloading large numbers of high-level indecent images, he was also in possession of a paedophile manual. The panel had regard to the Judges’ comments about this which stated:

‘It’s a manual which encourages people to offend and descends into a considerable amount of detail. I have taken into account the associated offences that you are also guilty of and the risk to children of the possession of such a manual..’

Whilst the panel noted that the sentencing Judge had concluded that the risk of reoffending was not high, the panel nonetheless concluded that there was an ongoing risk to public protection for the reasons already set out.

The panel bore in mind that the overarching objectives of the NMC are to protect, promote and maintain the health safety and well-being of the public and patients, and to uphold/protect the wider public interest, which 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, in this case, a finding of impairment on public interest grounds was required. The panel noted the sentencing Judges' comments that:

'... any normal human being would be appalled by the collection of paedophilic images you had on our computers...'

The panel was of the view that there are few offences that are more obviously a breach of the fundamental nursing tenets than these charges.

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

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Mr Feary off the register. The effect of this order is that the NMC register will show that Mr Feary 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 regard to the NMC Guidance on *'The sanctions available'* (Reference: SAN-2 Last Updated: 28/01/2026).

The panel accepted the advice of the legal assessor who referred the panel to the case of *Council for the regulation of Health Care Professionals v 1 General Dental Council 2 Fleischmann* [2005] EWHC 87 (QB).

Decision and reasons on sanction

The panel noted that in the Notice of Meeting, dated 6 July 2026, the NMC had advised Mr Feary that it would seek the imposition of a strike off order if it found Mr Feary's fitness to practise currently impaired.

Having found Mr Feary's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose. 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 regard to the NMC Guidance on '*The sanctions available*' (Reference: SAN-2 Last Updated: 28/01/2026). The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel found the following to be aggravating features:

- Deliberate breaches of the Code
- Absence of or limited insight
- The age and vulnerability of the children who were depicted in the footage
- The high volume of images collected over a period of time
- Deliberately and systematically searching for indecent images portraying young children including Category A images
- Multiple victims.

The panel noted that Mr Feary pleaded guilty at the Crown Court, albeit at a late stage in the proceedings, and further noted the mitigating factors outlined by the sentencing judge including [PRIVATE]. The panel was mindful that there was no evidence before it to support the factors raised by the sentencing judge and considered that from a regulatory perspective, the mitigating factors identified carried less weight. The panel noted that its primary function is to protect the public and maintain the public interest, it was of the view that the requirement to protect the public outweighed any mitigating factors 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.

The panel next considered a caution order and had regard to the NMC Guidance on ‘*Caution order*’ (Reference: SAN-2b Last Updated: 28/01/2026) in which the following is stated:

‘A caution is only appropriate if the Committee has decided there’s no risk to the public or to people using services that requires the professional’s practice to be restricted. This means the case is at the lower end of the spectrum of impaired fitness to practise, but the Committee wants to mark that what happened was unacceptable and must not happen again.’

The panel considered that Mr Feary’s conduct was not at the lower end of the spectrum, and it found that there is a risk to public safety. The panel therefore determined that a sanction that does not restrict Mr Feary’s practise would not protect the public. The panel also determined that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether to place a conditions of practice on Mr Feary’s registration. In considering whether conditions of practice are appropriate, the panel had regard to the factors set out in the NMC Guidance on ‘*Conditions of practice order*’ (Reference: SAN-2c Last Updated: 28/01/2026). Having identified deep seated attitudinal concerns in Mr Feary’s conduct, and having regard to the nature and seriousness of the conduct found proved, the panel determined that a conditions of practice order would not be relevant or appropriate in the circumstances.

The panel noted that the charges do not relate to Mr Feary’s clinical practice and considered that there are no relevant, proportionate, workable or measurable conditions that could be formulated to protect the public and to uphold professional standards.

The panel went on to consider whether a suspension order is appropriate in this case. The panel had regard to the NMC Guidance on ‘*Suspension order*’ (Reference: SAN-2d Last Updated: 28/01/2026) in which the following factors on when a suspension order may be appropriate are set out:

- *‘the impairment is very serious but not fundamentally incompatible with continuing to be a registered professional*
- *an outcome less severe than strike-off would still satisfy the over-arching objective.’*

The panel also had regard to the key considerations as set out in the NMC Guidance to weigh up before imposing a suspension. It noted the following list of circumstances that may make a suspension order an appropriate sanction:

- *‘the charges found proved are at the most serious end of the spectrum and call into question the professional’s suitability to continue practising, either currently or at all*
- *while it is possible that the professional could be fit to practise in future, only a period out of practice would be sufficient to allow them to fully strengthen their practice through reflection, the development of their professional skills and / or development of insight and remediation*
- *there is a risk to the safety of people using services if the professional were allowed to continue to practise even with conditions*
- *what went wrong is so serious that public confidence in the profession and professional standards could not be maintained if the professional were able to continue practising without stopping for a period of time*
- *despite the seriousness of what happened, the professional has engaged in the proceedings and has shown at least some meaningful insight which evidences a realistic possibility that they will continue to develop this insight, address their concerns and return to practice.’*

The panel found that the risks identified could not be managed by Mr Feary being removed from the Register only temporarily as it considered that it would not be sufficient to uphold public confidence in the profession and maintain professional standards due to the seriousness and nature of the facts found proved. Given Mr Feary’s limited insight and deep-seated attitudinal issues, the panel considered that there is no realistic possibility that he would ever be able to address the concerns to such a level where he could return to practise.

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

In considering a striking-off order, the panel had regard to the NMC Guidance on '*Sanctions for the highest risk cases*' (Reference SAN-4 Last Updated: 28/01/2026). The panel was of the view that Mr Feary's actions raised fundamental questions regarding professionalism, it further found that public confidence in the profession would be undermined should Mr Feary remain on the register.

Having regard to all of the above, the panel determined that this case falls within the definition of being a '*highest risk case*'.

The panel had regard to the NMC Guidance entitled '*Striking-off order*' (Reference: SAN-2e Last Updated; 28/01/2026), the panel found that:

- The charges found proved raise fundamental questions about Mr Feary's professionalism.
- Public confidence in the profession could not be maintained if Mr Feary is not removed from the Register.
- There is no amount of insight and reflection which could keep people receiving care and members of the public safe, maintain public confidence in the profession, and uphold professional standards.
- There is no realistic prospect that, after suspension, Mr Feary will have gained insight and strengthened his practice such that the risk he poses will have reduced.

Mr Feary's actions were significant departures from the standards expected of a registered nurse and are fundamentally incompatible with him remaining on the register. To allow him to continue practising would 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 appropriate and proportionate sanction is that of a striking-off order. Having regard to the matters it identified, in particular the effect of Mr Feary'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 for the protection of the public, to maintain 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 Feary 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 Feary's own interests until the striking-off sanction takes effect.

The panel heard and accepted the advice of the legal assessor.

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 the statutory appeal period of 28 days and the period any appeal may take.

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

That concludes this determination.