

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

**Substantive Meeting
Wednesday, 1 July 2026**

Virtual Meeting

Name of Registrant: David Robson

NMC PIN: 07G1229E

Part(s) of the register: Nursing – Sub part 1
RNA: Registered Nurse – Adult (21 September 2007)

Relevant Location: Middlesbrough

Type of case: Conviction

Panel members: Pamela Johal (Chair, lay member)
Claire Martin (Registrant member)
Bev Blythe (Lay member)

Legal Assessor: Trevor Jones

Hearings Coordinator: Ekaette Uwa

Facts proved: All

Facts not proved: N/A

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 the Notice of Meeting had been sent to Mr Robson's registered email address by secure email on 26 May 2026.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting informed Mr Robson of the allegation, the time, the earliest dates and the fact that this meeting was to be convened unless he made representations for a hearing to be convened by 24 June 2026. He was also advised that if he had written representations for the panel to consider they should be provided by that date, otherwise the panel would proceed on the papers he had already been sent.

In light of all of the information available, the panel was satisfied that Mr Robson 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 Teesside [sic] Magistrates' Court on 14 February 2025 of the following offences:
 - a) Distributing an incident [sic] photograph/pseudo photograph of a child, contrary to section 1(1)(b) 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.

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

Decision and reasons on facts

The charges concern Mr Robson'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.*

Background

Mr Robson was referred to the NMC on 17 April 2024 by Cleveland Police following his arrest on 16 April 2024 for the alleged offence of '*Possess to show/distribute – indecent photograph/pseudo photograph of a child*'. The circumstances are that a report was made alleging that whilst applying for an angling club license, Mr Robson uploaded a profile picture of a female child approximately 10years old laid on a bed with her genitals exposed.

Mr Robson pleaded guilty at Teesside Magistrates Court and was sentenced as follows:

Offence 1: **DISTRIBUTE AN INDECENT PHOTOGRAPH/PSEUDO-PHOTOGRAPH OF A CHILD** – "*Suspended sentence order – imprisonment committed to prison for 8 weeks concurrent suspended for 18 Months...*"

Offence 2: MAKE INDECENT PHOTOGRAPH/PSEUDO-PHOTOGRAPH OF A CHILD -
“SUSPS- suspended sentence order – imprisonment Committed to prison for 8 Months
suspended for 18 Months...”

Offence 3: MAKE INDECENT PHOTOGRAPH/PSEUDO-PHOTOGRAPH OF A CHILD
“SUSPS – Suspended sentence order – imprisonment committed to prison for 16 Weeks
Concurrent suspended for 18 Months...”

Fitness to practise

Having made its findings on the facts, the panel then considered whether, on the basis of the facts found proved, Mr Robson’s fitness to practise is currently impaired by reason of Mr Robson’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.

The panel accepted the advice of the legal assessor.

Decision and reasons on impairment

The panel next went on to decide if as a result of the conviction, Mr Robson’s fitness to practise is currently impaired.

In coming to its decision, the panel 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 in society and are expected at all times to maintain the trust of the public. 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 *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin) 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*
- d) ...'*

The panel was concerned given the nature and seriousness of the offending and the lack of any insight or remediation from Mr Robson, who is still subject to a suspended sentence of imprisonment, that allowing him to practice without restriction would place patients at risk of unwarranted harm. He is in a privileged position and deals with patients who are vulnerable at times. The panel finds that Mr Robson's conviction had breached the fundamental tenets of the nursing profession and therefore brought its reputation into disrepute, and looking forward, given Mr Robson's lack of engagement, the panel cannot be assured as to his future conduct.

Regarding insight, the panel considered whether Mr Robson had demonstrated insight into his offending. The panel had no evidence before it that Mr Robson had developed any insight into the seriousness of his convictions or their impact on public confidence in the profession. Despite being afforded the opportunity to engage with these proceedings, Mr Robson had provided no written representations, reflective statement, testimonials or other evidence demonstrating remorse, or an appreciation of the gravity of the conduct which led to his convictions.

The panel recognised that some attitudinal concerns may, over time, be addressed through genuine insight, rehabilitation and sustained evidence of change. In the present case, no such evidence is available. It is of the view that in the absence of any evidence of insight, remediation, reflective practice or successful completion of offence-specific interventions, there remains a real risk of repetition of the conduct which resulted in Mr Robson's convictions.

The panel next considered whether a finding of current impairment is required in the circumstances to protect the public. The panel considered that nurses are responsible for patient care at times of significant vulnerability and are trusted with intimate access to patient's, their personal information and their wellbeing. Mr Robson's convictions concern the sexual exploitation of children and demonstrate conduct which is wholly incompatible with the trust placed in members of the nursing profession. 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 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 protection and public interest grounds was required. It was satisfied that members of the public are entitled to expect nurses to uphold the highest standards of personal and professional conduct, both inside and outside clinical practice. The panel determined that public confidence in the profession would be seriously undermined if a finding of impairment was not made. It was therefore satisfied that such a finding is necessary to uphold proper professional standards and maintain confidence in the profession and the NMC as a regulator.

Having regard to all of the above, the panel was satisfied that Mr Robson'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 Robson off the register. The effect of this order is that the NMC register will show that Mr Robson 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.

Decision and reasons on sanction

Having found Mr Robson'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 took into account the following aggravating features:

- Abuse of children, the nature, volume and categorisation of the images as set out above within the information from the court and the judge's sentencing remarks.

Moreover, Mr Robson is still subject to a suspended sentence of imprisonment and is subject to a sexual harm prevention order and notification requirements as a registered sex offender;

- Failure to attend hearings, or to engage in the fitness to practise (FtP) process, without good reason; and
- Absence of insight.

The panel identified 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 nor protect the public 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 Robson's conviction was not at the lower end of the spectrum, and it found that there is a risk to patient and public safety. The panel therefore determined that a sanction that does not restrict Mr Robson 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 Robson'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 regard to the nature and seriousness of Mr Robson's conduct, the panel determined that a conditions of practice order would not be appropriate in the circumstances. The panel considered that there are no relevant, proportionate, workable or measurable conditions that could be formulated to adequately address the seriousness of Mr Robson's offending or protect the public and to uphold professional standards.

The panel therefore determined that a conditions of practice order would neither protect the public nor satisfy the public interest.

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.'*

Whilst the panel acknowledged that the risks identified could be managed by Mr Robson being temporarily removed from the Register, 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 Robson's lack of engagement, absence of insight, lack of remorse, together with no evidence of successful completion of his suspended prison sentence and associated rehabilitation and offending requirements and programs, the panel considered that there is no realistic possibility that he would address the concerns to such a level where he could return to practise safely.

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

involving child sexual abuse images are amongst the most serious cases likely to come before a regulatory panel because they fundamentally undermine public confidence in the profession.' The panel concluded that this case falls squarely within that category.

The panel had regard to the following considerations as set out in the NMC Guidance entitled '*Striking-off order*' (Reference: SAN-2e Last Updated; 28/01/2026):

- *Do the charges found proved raise fundamental questions about their professionalism?*
- *Can public confidence in the profession be maintained if the professional is not removed from the Register?*
- *Is there any 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?*
- *Is there a realistic prospect that, after suspension, the professional will have gained insight and strengthened their practice such that the risk they pose will have reduced?*

Mr Robson'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 Robson's actions were serious and 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 that the offence concerned the abuse of children and the subsequent effect of Mr Robson'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 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 Robson 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 Robson'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

Neither NMC nor Mr Robson made any representations

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 allow time for the appeal period before the striking-off order comes into effect.

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

That concludes this determination.