

Social Worker: Rajinda Sahota

Registration Number: SW33800

Fitness to Practise:

Final Hearing

Date(s) of hearing: 5 December to 9 December 2022 and 13 March to 16 March 2023

Hearing Venue: Remote hearing

Hearing outcome: Fitness to practise impaired, removal order

Interim order: Interim suspension order (18 months)
Interim suspension order imposed under paragraph 8 of Schedule 2 of
the Social Worker Regulations 2018 (due to expire 26 April 2023)
revoked

Introduction and attendees

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018.
2. Mr Sahota attended but was not represented.
3. Social Work England was represented by Ms Ferrario of counsel, as instructed by Capsticks LLP.

Adjudicators	Role
Barry Greene	Chair
Charlotte Scott	Social Worker Adjudicator
Danielle Sherman	Lay Adjudicator

Khadija Rafiq and James Dunstan	Hearings Officer
Jo Cooper and Thanvi Hoque	Hearings Support Officer
Megan Ashworth	Legal Adviser

Allegation(s)

- (1) Between February – July 2019 you engaged in inappropriate conversations online regarding indecent images of children.*
- (2) Between February – July 2019 you posed as a child online in a public forum.*
- (3) On or before the 9 July 2019 you were in possession of indecent images of children.*
- (4) During a period in 2019 prior to 9 July 2019 when you were sent obscene images of children you did not immediately report this either to your employer or to the police.*
- (5) Your actions as set out at allegations (1), (2) and/or (3) above were sexually motivated.*

Your actions as set out in allegations (1) to (5) amount to misconduct.

Your fitness to practise is currently impaired by reason of your misconduct.

Preliminary matters

4. Ms Ferrario, on behalf of Social Work England, applied, at the close of Social Work England's case, to amend the allegation. She informed the Panel that the allegation of impaired fitness to practise had been missed off the statement of case and she could not explain why that was. She applied to amend the allegation to have "*Your fitness to practise is currently impaired by reason of your misconduct*" inserted into the allegation. Ms Ferrario explained that the application was made on the basis that it ought not to cause any unfairness to Mr Sahota, because he had been fully aware from the outset that Social Work England's case was that his fitness to practise was impaired by reason of his misconduct. She explained that the case examiners' decision did not list impairment as a regulatory concern, but that was standard. She further informed the Panel that the initial draft of the statement of case, dated 13 September 2022, did include that sentence, and the current statement of case alleged impairment within the body of the document.
5. Mr Sahota confirmed that his understanding was that fitness to practise was one of the regulatory concerns, and he had therefore provided a substantial amount of evidence in support of his fitness to practise.
6. Having heard and accepted the advice of the legal adviser, the Panel decided to allow the application. It did not identify any prejudice to Mr Sahota, as the omission of the sentence alleging impaired fitness to practise was clearly an oversight by Social Work England. The panel was satisfied that Mr Sahota had received all the information indicating that the allegation was that his fitness to practise is currently impaired by reason of the misconduct alleged, and he had prepared his case on that basis. The panel considered that Mr Sahota had been honest in accepting that he had understood all along that the allegation was that his fitness to practise was impaired.

Background

7. Mr Sahota is a social worker registered with Social Work England. On 10 July 2019, a referral was made to the Health Care Professions Council (HCPC) by Shropshire County Council (the Council) regarding Mr Sahota. At that time, the HCPC was the regulator responsible for regulating social workers. In December 2019, Social Work England took over the regulation of social workers and the matter was passed to Social Work England.
8. Mr Sahota started his employment at the Council on 4 April 2019. At the relevant time, Mr Sahota was employed by the Council as an Independent Reviewing Officer (IRO), with responsibility for child protection and safeguarding.
9. The referral to the HCPC concerned Mr Sahota's arrest by West Midlands Police on 9 July 2019.

10. In 2019, Greater Manchester Police (GMP) shared information with West Midlands police regarding an individual (Person A) who appeared to have an on-line sexual interest in children and was exchanging indecent images of children over the internet, and who was later convicted of child sex offences. One person suspected of being involved in the exchanges was Mr Sahota, as Person A had been in communication with a mobile telephone attributed to Mr Sahota.
11. On 9 July 2019, police officers from West Midlands Police executed a search warrant at Mr Sahota's home address. Mr Sahota was arrested on suspicion of being in possession of indecent images of children. Electronic devices were seized from Mr Sahota's home address and forensically examined using specialist software.
12. At Mr Sahota's home address, DS Grace completed a triage examination of an Apple iPhone on a charging station on the sideboard in the dining room. In the recently deleted folder section, he allegedly found what appeared to him to be an indecent video of a boy aged approximately 14-15 years old. DS Grace seized the telephone along with other devices. This video was not present on the iPhone when it was later forensically examined.
13. Later on 9 July 2019, following the search at his home address, Mr Sahota was interviewed under caution. He had a solicitor present. After the police interview, he was released on police bail while police enquiries continued, including digital forensic examination of the devices seized from Mr Sahota's home address.
14. Following the full forensic examination of the devices seized, three indecent still images of children were recovered from the unallocated area (deleted items) of a Clickfree automatic back-up external hard drive which had been seized from the study.
15. The forensic examination of Mr Sahota's mobile telephones recovered numerous chat logs with various people. No chat between "Rohan" and "Jake" was recovered. There was no evidence of indecent images of children being present on Mr Sahota's mobile telephones or that he was actively searching for indecent images of children.
16. On 27 May 2021, after the forensic examination of Mr Sahota's devices, Mr Sahota was further interviewed under caution, with a solicitor present.
17. In June 2021, the police decided to take no further action against Mr Sahota due to insufficient evidence. This was confirmed to him by his solicitors in a letter, dated 9 June 2021.
18. In relation to the allegations pursued by Social Work England, it is alleged that Mr Sahota had engaged in inappropriate conversations about indecent images of children; had posed as a child on a dating website; was in possession of indecent images of children; and having

received indecent images of children, did not immediately report that to his employer, the police or to any other authority. It is also alleged that his actions were sexually motivated.

Summary of Evidence

19. On behalf of Social Work England, the panel heard evidence from:

- DS Grace, a police officer with the West Midlands Police, working on the Online Child Sexual Exploitation Team. He was the lead officer in executing the search warrant at the home address of Mr Sahota. Mr Sahota was also arrested on suspicion of being in possession of indecent images of children;
- WJ, a Digital Forensics Officer employed by West Midlands Police, and who was involved in forensically examining the electronic devices seized from Mr Sahota's home;
- SH, Principal Social Worker and Service Manager for Shropshire County Council, and Mr Sahota's line manager at the relevant time; and
- DC Steer, with West Midlands Police on the Online Child Sexual Exploitation Team.

20. The panel also received documentary evidence, including:

- Exhibit HS/1, the police investigation summary prepared by DC Steer;
- Exhibits WJ/1-4, the digital forensic submission forms prepared by WJ in respect of the examination of devices seized from Mr Sahota's home address;
- Exhibit RG/3, the crime report;
- Exhibit RG/4, the transcript of the first police interview under caution with Mr Sahota on 9 July 2019;
- Exhibit RG/5, the transcript of the second police interview under caution with Mr Sahota on 27 May 2021;

21. The panel heard evidence from Mr Sahota. It was also provided with documentary evidence on his behalf, including:

- Written submissions and statements provided by Mr Sahota, dated 20 January 2020, 2 August 2021, 18 October 2021, and 29 November 2022;
- Email correspondence and telephone communication between Mr Sahota and Social Work England and Capsticks;

- Letter from Mr Sahota's criminal solicitors, date 9 June 2021, confirming that the police would be taking no further action against him;
- Positive references and testimonials from former colleagues and acquaintances;
- Positive feedback reports from agency placements undertaken by Mr Sahota; and
- Information regarding CPD undertaken.

Finding and reasons on facts

22. The panel heard and accepted the advice of the legal adviser. In relation to sexual misconduct, she advised the panel in accordance with the case of *Basson v GMC*, to the effect that for conduct to be sexually motivated, the panel would need to be satisfied that it was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship. The Legal Adviser further advised that Mr Sahota was of good character, and that whilst good character was not a defence to an allegation, evidence of good character was relevant at the fact finding stage, in that it may support the Registrant's credibility in giving evidence and may mean that a Registrant was less likely to have acted in the way alleged.
23. The panel understood that the burden of proving an alleged fact rests on Social Work England. It further understood that Social Work England will only be able to prove an alleged fact if it satisfies the required standard of proof, namely the civil standard, whereby it is more likely than not that the alleged incident occurred.
24. In her opening submissions, Ms Ferrario, on behalf of Social Work England, explained that the allegedly indecent video viewed by DS Grace was not on the iPhone when it was forensically examined, and Social Work England relied upon the account of DS Grace of what he had seen. She also explained that much of Social Work England's case relied upon admissions made by Mr Sahota in his police interviews.

Particular 1:

Between February – July 2019 you engaged in inappropriate conversations online regarding indecent images of children.

25. The panel finds particular 1 proved in relation to the conversations between Mr Sahota and "Jake" only.
26. Ms Ferrario explained that Social Work England's case on this allegation was based on two strands. The first strand was in relation to a conversation extracted from Person A's mobile telephone, between "Rohan" (which, during police interview, Mr Sahota accepted was a name he used an online persona) and Person A. The second strand was in relation to

conversations referred to by Mr Sahota during these police interviews, between himself and a person called “Jake”.

Extract of 25 February 2019 conversation

27. DC Steer, after her interview with Mr Sahota on 27 May 2021, prepared a summary of investigation, a copy of which the panel had. Her summary referred to the arrest of Person A for child sex offenders and the subsequent arrest of Mr Sahota. It also included an extract of a conversation on 25 February 2019, seen on Person A’s mobile telephone between Mr Sahota (using the name “Rohan”) and Person A as follows:

Rohan: I can see they do like play on the 2nd one

Person A: Yeah it’s nice

Rohan: There still one you had with dad fucking. It’s the one with the other man in the room too.

28. The panel considered the extract of the 25 February 2019 conversation found on Person A’s mobile telephone relied upon by Social Work England as the first strand of evidence in support of particular 1. The panel noted that there was no screenshot of the conversation as it appeared on the telephone, rather it simply appeared as a reference in DC Steer’s report, and seemed to have formed part of the information upon which the police had sought a search warrant for Mr Sahota’s home. Whilst Mr Sahota accepted that he was “Rohan” and was involved in the conversation with Person A, he also said that it was not a complete record of the conversation and there were parts missing. He also denied that it was a conversation about indecent images of children.
29. The panel noted that Mr Sahota accepted that he had been on adult dating sites and that he had been conversing with adult males looking for a relationship. The panel noted that the extract itself was short and, whilst referencing sex, made no reference to children. The panel considered that the nature of the extract itself was suggestive of “Rohan” and Person A viewing images of some kind and discussing them in the conversation. The panel also considered that the reference to “dad fucking” appeared to indicate a difference in ages.
30. However, the panel was concerned that the extract of the 25 February 2019 text conversation was never put to Mr Sahota in police interview to comment upon at the time. In addition, Mr Sahota had raised in his first interview the question of “twinks” as in adult males who appeared younger than their actual age, and it was Mr Sahota’s position that this was the nature of the discussion. The panel was of the view that there was insufficient evidence adduced by Social Work England to challenge Mr Sahota’s assertion that the conversation was not about indecent images of children.

31. The panel was not satisfied that Social Work England had discharged the burden of proving that the extract of the 25 February 2019 conversation was a conversation about indecent images of children.

Conversations referred to by Mr Sahota in his police interviews between himself and “Jake”

32. In his first interview, Mr Sahota was asked about indecent images with children, and was told by the police officer that there are three categories (A, B, and C) of indecent images with children and he explained what each comprised. When Mr Sahota was then asked whether he had been sent any images like that, he replied:

To, to, to put this into context I know there are computer online trolls out there. In my own training I know that so when some, yes I have. People have sent me those images. I haven't asked for those images but people, when I've pursued it let's say yes they have. I've then deleted those images. I've then pursued the line to find out what this individual is about. It was still early stages to be quite honest but at some point I was then going to report the individual to be quite honest. That was my intention. Just to, so I was sort of, you know, because I knew they weren't going to be partner material so they're basically off the scale so erm that, that's, that's how that ended.

33. When asked in interview who had sent him the images which he had deleted, he said that it was a man called “Jake”, and that he had been sent about six. When asked on which platform he had been sent the images, he replied:

I don't know. I was quite surprised erm I thought because of the nature of my job erm I just thought we was, because I've seen these images so for me it, it, it wouldn't be out of the ordinary to talk about child sex or sexual exploitation so he, when he sent it I then was quite surprised because in a way I was curious as well, I mean I've seen them in the police ...

34. DC Steer recorded in her summary of investigation that no conversations between Mr Sahota and “Jake” were, in fact, found on any of his devices.

35. The panel considered the conversations about “Jake” referred to in interview by Mr Sahota and relied upon by Social Work England as the second strand of evidence in support of particular 1. The panel had regard to Mr Sahota's police interviews, and noted that Mr Sahota's responses were the only source of information about his conversations with “Jake”. WJ, the Digital Forensic Examiner, confirmed that no chats or communications were found on any of the devices that the Forensic Services team examined in relation to engaging in appropriate conversations regarding images of children. However, the panel bore in mind that Mr Sahota had had the benefit of a solicitor in his police interviews, and appeared to have understood the questions of the officer. Whilst the panel accepted that

Mr Sahota was in a stressful situation when being interviewed following his arrest and the police search at his home address, it was nevertheless satisfied that it could rely on his responses about “Jake”.

36. The panel also noted Mr Sahota’s January 2020 statement to Social Work England, in which he said that having blocked “Jake”, he then reconnected with him. He also said:

I was also unable to send any images of what he wanted as I was not involved in sharing images of children.

37. The panel inferred from Mr Sahota’s statement that he must have had conversations with “Jake”, in order to discover what it was that “Jake” wanted, namely indecent images of children. The panel considered that such conversations, insofar as they related to indecent images of children, were inappropriate.
38. In all the circumstances, the panel was satisfied that it was more likely than not, that Mr Sahota had engaged in inappropriate conversations online with “Jake”, regarding indecent images of children.

Particular 2:

Between February – July 2019 you posed as a child online in a public forum.

39. The panel finds particular 2 proved.
40. During his first interview, Mr Sahota said that he had ‘always posed as someone else’ and explained that he did this because ‘I’m new to the [gay community] scene they tend to exploit new people who come on so I was just being vigilant and that’s why I didn’t wanna use my own details’.
41. During his second interview, Mr Sahota is asked about “Jordan”. The questions and answers were recorded as follows:

Mr Sahota: *‘Jordan would probably be just a made up profile because in Shrewsbury a number of young people were saying they were getting caught up in these websites so I just wanted to see how did that happen, who were these people who were targeting young people because the numbers were staggering in Shrewsbury so it was more of a research, I wasn’t trying to lure anybody or sort of seek anybody I just wanted to see on a psychological perspective what the reaction would be to be quite honest so.*

Police Officer: *So who were you pretending to be?*

Mr Sahota: *It was Rohan and I think Jordan would have probably been another one.*

Police Officer: *But what age person?*

Mr Sahota: *It would have been younger, he would have been younger, he would have been about 15.*

Police Officer: *Yes I think within the chat, Jordan pretended to be between the ages of 13 sometimes to 16.*

Mr Sahota: *Yes*

Police Officer: *And he is looking for sex, his first sexual experience. Was that you?*

Mr Sahota: *It was me because I just wanted to see what was going on out there because some of these young people when I spoke to them in the work arena they were in relationships, they were seeing other people so it had to kind of fit the profile in terms of what young people are actually doing and then you know who was actually targeting these people so it was probably a stupid thing to do in hindsight. How I regret that, I don't know it was just probably because I am quite a focused person and I probably lost sight of what I was actually doing and I bitterly regret that that I was actually posing and I shouldn't but I was generally trying to find out who were targeting these younger people..'*

42. The panel noted from the nature of the questioning that the interviewing officer had seen some conversations between "Jordan" and others, although there was no source material evidencing such conversations or any record of such conversations from the police. Whilst the panel was mindful of the absence of any record of information, it bore in mind that Mr Sahota had been represented in interview, and had not challenged the accuracy or existence of such conversations, and had answered that the age of the profile of "Jordan" would have been about 15.
43. The panel noted that in his evidence before it, Mr Sahota, while accepting that he had made up a profile using the name Jordan, maintained that it had been for a person over 18. He said that he had been using adult dating websites, and had used a random picture from Google, of a male aged 19 to 21. He said that his strategy had shifted from looking for someone to have a relationship with to conducting research to write a report about his concerns and the risks for young people on the internet and being able to access adult dating sites.
44. The panel was satisfied that Mr Sahota had accepted both in interview and in evidence that he had pretended to be and, therefore, had posed as a male called Jordan. The panel bore in mind that Mr Sahota had not disputed that he had engaged in conversation as "Jordan" in a public forum. The panel considered that the element in issue was whether or not Mr Sahota had posed as a child.
45. The panel considered that Mr Sahota had changed his account from his second interview to his oral evidence to the panel. In his second interview, Mr Sahota had said that the profile of

Jordan was maybe 15, whereas in his oral evidence, he said that the profile he had made of Jordan was in respect of a male over 18. The panel bore in mind that in Mr Sahota's second interview, he was not under arrest, it was conducted under caution, and he was represented by a solicitor. The panel also considered the nature of the questions and answers and was of the view that Mr Sahota had freely answered the questions posed about the age of "Jordan" in the profile he made up, stating that it was about 15. The panel was satisfied that it could rely on Mr Sahota's admissions in interview about this.

46. The panel was satisfied on the balance of probabilities that it was more likely than not that Mr Sahota had posed as a child of around 15 in a public forum online.

Particular 3:

On or before the 9 July 2019 you were in possession of indecent images of children.

47. The panel finds particular 3 proved in respect of video/images on Mr Sahota's mobile telephone/iPad.
48. Ms Ferrario explained that Social Work England relied upon two sources of evidence in relation to this allegation. The first source was the video footage seen by DS Grace on Mr Sahota's mobile telephone, the same footage which he also saw on Mr Sahota's iPad and so had concluded that the two devices were synced. The second source was the images found in the unallocated area of the external Clickfree hard drive seized from Mr Sahota's study.

Clickfree hard drive

49. In relation to the Clickfree hard drive, Ms Ferrario in her closing submissions acknowledged the evidence of WJ to the effect that it was not possible to identify which computer related to the Clickfree hard drive, and that the data appeared to date to 2012, which was unlikely to be an accurate date. She did not make any further submissions in respect of the Clickfree hard drive and invited the panel to concentrate its deliberations on Mr Sahota's mobile telephone.
50. The panel had regard to the evidence of WJ, the Digital Forensics Officer involved in forensically examining the electronic devices seized from Mr Sahota's home. WJ said that it appeared that the Clickfree hard drive was partially corrupted and he had to use specialist software to be able to partially restore the files and recover deleted media. He said that all of the files were inaccessible and he could not determine their origin, nor where they had been stored on the computer. He also confirmed that it did not appear that the files on the Clickfree hard drive had come from the Apple IMAC computer which had also been seized from Mr Sahota's home and examined (and found to contain no indecent images).

51. The panel bore in mind that Mr Sahota had consistently denied having any knowledge of any indecent images of children on the Clickfree hard drive, which he had bought, refurbished, in around 2012. He further explained that other adult family members and friends also had access to the Clickfree hard drive which was kept in the study.
52. Given that it was not possible to attribute the images on the Clickfree hard drive as having come from any of Mr Sahota's devices, and that other people both had access to and used the Clickfree hard drive, the panel was not satisfied that Social Work England had discharged the burden of proving that Mr Sahota was in possession of the indecent images of children on the Clickfree hard drive.

Images on Mr Sahota's mobile telephone/iPad

53. The panel was mindful that although DS Grace said that he had seen an indecent video of a 14/15 year old male on Mr Sahota's mobile telephone, no such video existed on the mobile telephone or iPad when they were subsequently forensically examined. DS Grace was unable to account for the absence of the image he said he saw. The panel noted that DS Grace had made a contemporaneous note in the crime report at 13:06 on 9 July 2019 to the effect that he had examined the mobile telephone and he gave a description of the video which he said he had seen. In relation to the age of the male, DS Grace explained that it was his assessment: he thought the male appeared to be 14/15, using his experience as a police officer working in the Online Child Sexual Exploitation Team.
54. The panel noted that Mr Sahota did not dispute in his evidence that there would have been an image on his mobile telephone, but he maintained that the image would have been of a male over 18, albeit he had not viewed all of it.
55. The panel considered whether DS Grace may have been mistaken about the age of the male he had seen in the video. It bore in mind that DS Grace was a police officer with experience of working in the Online Child Sexual Exploitation Team. From his experience, he had assessed the male's age to be 14/15. The panel considered that there was a significant difference between the physical features and development of a 14/15 year old male and an 18 year old male. The panel considered that it was more likely than not that DS Grace had accurately assessed the age of the male in the video as being under 18, and therefore a child.
56. The panel also had regard to Mr Sahota's admissions in interview, that he had received indecent images of children on his mobile telephone from "Jake", which he had immediately deleted. When asked how many, Mr Sahota had replied as follows:

Mr Sahota: *...it was probably about erm I think probably half a dozen or something.*

Police officer: *Okay about six?*

Mr Sahota: *Yeah six probably yes.*

Police officer: *Were they still images or were they movies?*

Mr Sahota: *Some of, I was quite surprised erm some of them cos I, to me from my point of view I didn't think it actually existed by erm they seem to operate around the world by the sounds of it but they were still and there were some video images*

57. For the reasons set out in particular 1, the panel was satisfied that it could rely on the admissions made by Mr Sahota in his interview. It was therefore satisfied that it could rely on Mr Sahota's admissions that he had been sent about six indecent images of a child or children, both video and still. The panel considered that even though Mr Sahota had deleted the images which had been sent to his mobile telephone, he had been in possession of them up to the time that he had deleted them.

58. Accordingly, the panel was satisfied that it was more likely than not that Mr Sahota was in possession of indecent images of children on or before his arrest on 9 July 2019.

Particular 4:

During a period in 2019 prior to 9 July 2019 when you were sent obscene images of children you did not immediately report this either to your employer or to the police.

59. The panel finds particular 4 proved.

60. The panel noted that particular 3 alleged 'indecent' images of children, whereas particular 4 alleged 'obscene' images of children. The panel was satisfied that if images of children were indecent, they would also be obscene. Having found proved, at particular 3, that Mr Sahota had been in possession of indecent images of children, which had been sent to him, the panel went on to consider whether he immediately reported them to his employer or the police.

61. The panel had regard to Mr Sahota's account, that he was gathering information for a report. In a telephone call with a case officer at Social Work England, dated 1 June 2020, Mr Sahota is recorded as saying that he was about to go to the police with information that he had gathered but they approached him first. The panel noted that he had also stated in his statement of November 2022, that his intentions were to gather:

“all the information and evidence and present this to the Police and go public to talk about the dangers of the apps readily available on the internet and accessible to almost anyone, irrespective of their age, or gender...”

Because I was gathering information/data/websites is the reason why there was a delay in communicating with the Police.”

62. In his evidence, Mr Sahota accepted that he had not submitted any information or reported any matters to either his employer or the police. He gave the reason for this as being that he had been busy at work and was intending to write the report that weekend, but was arrested before he had the opportunity to do so.
63. The panel bore in mind that there was no evidence from either Mr Sahota’s employer or the police that he had reported the obscene images of children that he had been sent, either immediately upon receipt or at all. It noted that Mr Sahota accepted that he had not reported anything to his employer or the police.
64. Accordingly, the panel was satisfied that Social Work England had proved to the required standard that Mr Sahota had not immediately reported the obscene images of children when he was sent them.

Particular 5:

Your actions as set out at allegations (1), (2) and/or (3) above were sexually motivated.

65. The panel finds particular 5 not proved.
66. The panel considered Mr Sahota’s assertion that he had been conducting research and was going to prepare a report which he would submit to the police or media. In his evidence, Mr Sahota had accepted that he had not submitted any information or reported any matters to either his employer or the police. The panel noted that there was no evidence before it that Mr Sahota had gathered or made any notes in preparation for writing a report. Mr Sahota gave the reason for this as being that he had been busy at work and was intending to write the report that weekend, but was arrested before he had the opportunity to do so.
67. The panel rejected Mr Sahota’s account that he had been in the process of undertaking research and preparing a report for the police or media at the time, but had been arrested before he could actually do it. The panel did not think that this was a plausible explanation, given that it would have been an extraordinary coincidence for the police to have executed a search warrant at the very time that he was planning to write a report. There was no evidence of any preparatory work having been undertaken, or notes made, for such a report. The panel therefore considered that the question for it to resolve was whether,

having rejected Mr Sahota's account, the only other plausible explanation was that his actions must have been sexually motivated. It reminded itself that it was nevertheless for Social Work England to prove that Mr Sahota's actions were sexually motivated and not for Mr Sahota to prove that they were not.

68. The panel bore in mind that there was no evidence on any of Mr Sahota's devices that he had actively searched for or solicited any indecent images of children. It further bore in mind that Mr Sahota had consistently denied that he had ever searched for indecent images of children or that he had any sexual interest in children, and that he was revolted by the images that he had been sent, and which he had deleted. The panel noted that the single image, in the form of a video, that was seen by DS Grace, was located in the deleted files section of Mr Sahota's mobile telephone. The panel also noted that Mr Sahota had become distressed in his evidence regarding Social Work England's position that his actions were sexually motivated.
69. In relation to particular 1, the inappropriate conversations about indecent images of children with "Jake", the panel noted that it had no actual transcript of the contents of such conversations with "Jake", nor were any actual conversations found on his devices. The panel noted that Mr Sahota maintained that he had blocked "Jake" and the results of the forensic examination of his devices supported his position that he had not acceded to "Jake's" apparent requests to send indecent images.
70. In relation to particular 2, that Mr Sahota had posed as a child on a public forum, the panel again noted that it did not have a copy of the profile itself, rather it was reliant upon the reference to it by the police officer in interview. The panel noted that although Mr Sahota admitted in interview that he had posed as "Jordan", aged 15, seeking a first sexual encounter, he had also provided his explanation that he had been curious as to how adults would respond to the profile. He had also acknowledged that he had been naïve in his curiosity. The panel considered that there was no evidence to indicate that the profile of "Jordan" was on a public forum other than an adult dating app, or what, if any, responses had been received to it.
71. In relation to particular 3, that Mr Sahota had been in possession of indecent images of children, the panel noted that the evidence of the forensic examination supported his account that he had deleted the images: a single indecent video of a child had been seen by DS Grace, and that video had been in the deleted folder of the mobile telephone. The panel bore in mind the results of the forensic examination which supported Mr Sahota's account that he had neither sought nor requested any indecent images of children.
72. The panel had regard to the legal advice, in particular in relation to the case of *Basson v GMC*, in which it was said that behaviour may be sexually motivated if it was done in pursuit of a sexual relationship or for sexual gratification.

73. The panel considered whether Social Work England had discharged the burden of proving whether Mr Sahota's actions at particulars 1, 2, and 3 were in pursuit of a relationship. The panel was mindful that it would not be inappropriate for Mr Sahota to access adult dating apps in search of a relationship with an adult male. The panel therefore acknowledged that there would need to be some link between the indecent images of children/posing as a child and the pursuit of a relationship, before Mr Sahota's actions at particular 1, 2, and/or 3 could properly be considered to be sexually motivated. In light of its observations about the evidence, in particular the lack of evidence on any of Mr Sahota's devices that he had actively searched for or solicited any indecent images of children, the panel considered that there was insufficient evidence adduced by Social Work England for it to infer that there was such a link. Accordingly, the panel was not satisfied that it was more likely than not that Mr Sahota's actions at particulars 1, 2, and/or 3 were sexually motivated by the pursuit of a relationship.
74. The panel considered whether Social Work England had discharged the burden of proving whether Mr Sahota's actions at particulars 1, 2, and/or 3 were in pursuit of sexual gratification. The panel again noted its observations that there was no evidence on any of Mr Sahota's devices of any conversations with "Jake"; or that he had actively searched for or solicited any indecent images of children; or that the "Jordan" profile had elicited any responses. In light of its observations about the evidence, the panel considered that there was insufficient evidence adduced by Social Work England for it to infer that Mr Sahota was taking active steps in pursuit of his own sexual gratification. Accordingly, the panel was not satisfied that it was more likely than not that Mr Sahota's actions at particulars 1, 2, and 3 were sexually motivated by the pursuit sexual gratification.
75. In all the circumstances, although the panel rejected Mr Sahota's account that he had been in the process of undertaking research and preparing a report for the police or media, it was not satisfied that the only other plausible explanation for his actions was that they were sexually motivated. It considered that the evidence also indicated a naïve individual who had been drawn into and become curious about the actions of other adult male dating app users, and who had not immediately withdrawn himself firmly from the situation which then developed. The panel was not satisfied that Social Work England had adduced sufficient evidence to disprove this potential explanation, so that the only other explanation was that his actions at particulars 1, 2, and 3 had been sexually motivated. The panel therefore concluded that it was not reasonable to draw the inference from all the surrounding circumstances that Mr Sahota's actions at 1, 2, and/or 3 were sexually motivated.

Finding and reasons on grounds

76. On 9 December 2022, having announced its decision on the facts, the panel adjourned the case as there was insufficient scheduled time to complete the case. The case resumed on 13 March 2023 for consideration of the next stages.

77. The panel went on to determine whether Mr Sahota's fitness to practise is currently impaired by reason of those facts found proved, in accordance with Rule 32(c)(i)(b). The panel understood that this was a two stage process. The first stage was to determine whether the facts found proved amounted to misconduct. The second stage was to determine whether Mr Sahota's fitness to practise is currently impaired by reason of misconduct.
78. Mr Sahota provided further documentation as follows:
- A reflective statement, dated 27 February 2023;
 - A certificate of training undertaken, namely in Safeguarding Adults (Level 2) completed on 11 February 2023; and
 - A professional reference from KH, an Advanced Practitioner social worker in Child Protection, who also gave evidence under oath.
79. Mr Sahota gave evidence under oath in respect of misconduct and impairment, as permitted under Rule 32(c)(ii).
80. Ms Ferrario made closing submissions in respect of misconduct. She also drew the panel's attention to the written submissions contained within the statement of case. She submitted that Mr Sahota's actions and omissions in respect of factual particulars 1, 2, 3, and 4 breached standards 7.3 and 9.1 of the HCPC Standards of conduct, performance and ethics (the Standards) in force at the time (2016 version).
81. Ms Ferrario acknowledged that there was a spectrum of seriousness for cases which may amount to misconduct. She acknowledged that this was not a case involving a direct risk of harm to children, and therefore did not fall at the most serious end of the scale. Nevertheless, she submitted that Mr Sahota's conduct and failure to report were sufficiently serious as to amount to misconduct.
82. Mr Sahota drew the panel's attention to the fact that his time on the internet had been brief. He took issue with Ms Ferrario's submissions that he could have exited the situation but did not, saying that he did exit by blocking "Jake" three times. He thanked the panel for listening to him, but said that he did not think that he had been heard. He also reiterated his view that there were factual inaccuracies in the case.
83. The panel heard and accepted the advice of the legal adviser, who advised in accordance with the cases of *Roylance v GMC* (No. 2) [2000] 1 AC 311 and *On the Application of R (Remedy UK Ltd) v GMC* [2010] EWHC 1245 (Admin). The panel understood that any findings of misconduct were matters of independent judgement for the panel. The panel also

understood that not every breach of the standards would necessarily amount to misconduct.

84. The panel considered the particulars individually and collectively.

85. In relation to particular 1, the panel had regard to its finding that Mr Sahota had engaged in conversations with an individual online by the name of “Jake”, and discovered that “Jake” wanted Mr Sahota to send him images of children. The panel considered that whilst its finding was limited to one individual, there was more than one conversation, and the conversations were about indecent images of children, which the panel had found to be inappropriate. The panel considered that such actions by a social worker, in and of themselves, were a significant departure from the standards expected of a social worker. In the panel’s judgement, Mr Sahota’s actions in particular 1 were sufficiently serious as to amount to misconduct.

86. In relation to particular 2, the panel had regard to its finding that Mr Sahota had posed as a child online in a public forum. The panel considered that posing as another person, namely a child under 18, necessarily involved a lack of transparency, regardless of motivation. The panel considered that the implications of posing as a minor were potentially significant and by doing so, Mr Sahota’s actions were extremely ill-judged. In the panel’s judgement, Mr Sahota’s actions in particular 2 were sufficiently serious as to amount to misconduct.

87. The panel considered that particulars 3 and 4 should be considered together as they were so inextricably linked. The panel bore in mind that a single image had remained in the deleted area of Mr Sahota’s mobile telephone with the same image also on his Ipad, at the time of his arrest. It noted that Mr Sahota had admitted receiving about six images which he had deleted. The panel bore in mind that Mr Sahota’s possession of the indecent images had been fleeting, and there was no evidence that he had solicited them. However, Mr Sahota’s actions and omissions once he was aware of having received them were serious. He had not immediately reported them to his employer or the police, he had simply deleted them. The panel considered that this was a serious departure of the standards expected of a social worker. In the panel’s judgement, Mr Sahota’s actions in particulars 3 and 4 were sufficiently serious as to amount to misconduct.

88. The panel considered that Mr Sahota’s omission in not immediately reporting the obscene images amounted to a breach of standard 7.3 of the Standards:

7.3 – You take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults.

89. The panel considered that if Mr Sahota had genuine concerns, as he said he did, then having received the obscene images, he should have immediately taken appropriate steps to report

them to his employer or to the police. In the panel's view, his failure to do so was a significant departure from the expected standard.

90. The panel considered that Mr Sahota's acts and omissions in respect of all the facts found proved, amounted to a breach of standard 9.1 of the Standards:
91. 9.1 – you must make sure that your conduct justifies the public trust and confidence in you and your profession.
92. The panel considered that a significant aspect of this case was about protecting public confidence in the profession and upholding standards. The panel was of the view that a reasonable and well informed member of the public, having regard to Mr Sahota's position as a social worker and the position of responsibility he would have in that role, would be shocked and troubled to discover that he had engaged in inappropriate conversations online regarding indecent images of children; posed as a child online; and knowingly been in possession of a number of obscene images of children but had not immediately reported them either to his employer or to the police.
93. In all the circumstances, the panel concluded that the facts found proved amounted to misconduct.

Finding and reasons on current impairment

94. In relation to current impairment, Ms Ferrario drew the panel's attention to the statement of case. She drew the panel's attention to the information which Mr Sahota had provided since the hearing had been adjourned in December 2022. Ms Ferrario set out that Social Work England's position was that since December 2022, Mr Sahota had given thought to the findings of fact by the panel and had begun a journey of reflection. However, in relation to his reflective statement, Ms Ferrario submitted that Mr Sahota had taken the impairment criteria and simply repeated them in the statement, setting out the professional standards expected of a social worker.
95. Ms Ferrario submitted that Mr Sahota had not provided cogent evidence that he had thought about his conduct and its potential impact on public confidence in the profession. She submitted that his insight was only partial. Therefore, whilst he had looked at his behaviour and asserted that it would not happen again, there was no cogent evidence that he had looked into his behaviour and explored his actions or considered its impact on public confidence, given that social workers are entrusted to protect the public. Ms Ferrario submitted that the risk of repetition remained, and so Mr Sahota's fitness to practise was impaired on the personal component. Ms Ferrario submitted that Social Work England's position was that this case was primarily about public confidence in the profession and that a well-informed, reasonable member of the public would be shocked if a finding of

impairment were not made in this case. She invited the panel to find that Mr Sahota's fitness to practise is currently impaired.

96. In relation to his reflective statement, Mr Sahota said that he was baffled that Ms Ferrario was contending that it did not show insight. He submitted that if the panel had read his statement fully and understood and heard what he was saying, it would see that he had insight. Mr Sahota accepted that he should have acted sooner, that he had not been vigilant enough, and should have presented the information to the police. He submitted that he was more vigilant now, and there would be no repetition of his conduct. Mr Sahota also challenged Ms Ferrario's submission that he had not reflected on the impact of his actions on public confidence in the profession. He explained that accountability was reflected throughout his reflective statement and he had talked about how the public may perceive it.
97. In relation to the safeguarding adults course he had undertaken, Mr Sahota said that it had involved safeguarding both adults and children, and included safeguarding online. He submitted that the other courses which he had undertaken before the substantive hearing started in December 2022 were relevant to safeguarding. He invited the panel to have regard to the evidence of KH.
98. The panel heard and accepted the advice of the legal adviser, who cited the cases of *Cohen v GMC* [EWHC] 581 and *Grant v NMC* [2011] EWHC 927 (Admin). The panel understood that in relation to impairment, what had to be determined was current impairment, looking forward from today.
99. In relation to insight, the panel considered Mr Sahota's reflective piece and his evidence. It noted that he appeared to be conflicted, on the one hand not really accepting the panel's findings of fact and maintaining that there were inaccuracies in Social Work England's case, and on the other stating that he understood the impact on public confidence and had taken steps to be more vigilant. The panel acknowledged that a social worker was entitled to deny allegations. Nevertheless, in this case, the panel considered that Mr Sahota had not moved sufficiently on from his denials to reflect upon how the facts found proved may impact upon public confidence in the profession.
100. The panel considered that Mr Sahota's reflective piece had very little reference to the potential impact upon colleagues, service users and other members of the public on learning that a social worker had been engaging in inappropriate online conversations about indecent child images; posed as a child online, and had received obscene images which he had failed to report to his employer or the police immediately. The panel considered that Mr Sahota had not yet managed to step back and think how might trust in social workers as a whole be damaged if one social worker behaved in the way the panel had found proved in this case. It considered that Mr Sahota had yet to demonstrate meaningful understanding of his personal responsibility and accountability in maintaining the standards of conduct and

behaviour required of a social worker charged with the responsibility of safeguarding vulnerable service users.

101. In relation to remediation, the panel considered that Mr Sahota had taken some practical steps to address matters. He explained that he had set up controls on the internet and had stopped engaging in online communications. The panel bore in mind that he had also undertaken a number of what it considered to be relevant courses in safeguarding before the substantive hearing had started in December 2022. The panel noted that he had undertaken a course in January 2023 in adult safeguarding, which included elements of safeguarding adults and children online.
102. In relation to remorse, the panel had regard to Social Work England's acknowledgement that this was not a case about actual harm to children. It also accepted that Mr Sahota was genuinely remorseful that he had not been more vigilant and promptly reported matters to the police. The panel acknowledged that this case, which dated back to 2019, had had a traumatic impact on Mr Sahota, and at times in the hearing he had become distressed.
103. The panel considered that the personal impact of this case on Mr Sahota, together with the practical steps he had taken, including not using online communication and the training, lessened the risk of repetition. However, the panel considered that Mr Sahota still had a fundamental lack of awareness and understanding of what had put him at risk of being drawn into exchanging inappropriate conversations about indecent images and posing as a child online, and of failing to immediately report receipt of obscene images. It was this lack of understanding and judgement, which, in the panel's view meant that a risk of repetition remained. In all circumstances, the panel concluded that Mr Sahota's fitness to practise is currently impaired in respect of the personal component.
104. The panel went on to consider the public component, which includes the protection of the public, maintaining public confidence in the profession, and declaring and upholding proper standards of conduct and behaviour. In the panel's judgement, a fully informed member of the public, appraised of all the circumstances would be shocked and troubled to learn that a social worker had been found to have engaged in inappropriate online conversations about indecent images of children; posed as a child online; and received and not immediately reported obscene images of children.
105. The panel bore in mind that social workers are entrusted with the responsibility of protecting and safeguarding service users and of adhering to expected professional standards, and so social workers who fail to uphold that responsibility risk damaging public confidence in the profession. In the circumstances of this case, the panel considered that the public's confidence in the social work profession would be undermined if no finding of current impairment were made. It further considered that a finding of no impairment would undermine the public's faith in the regulator to be able to uphold the professional standards

of social workers. In all the circumstances, the panel concluded that Mr Sahota's fitness to practise is currently impaired in respect of the public component.

106. Accordingly, the panel concluded that Mr Sahota's fitness to practise is currently impaired.

Decision on Sanction:

107. Having determined that Mr Sahota's fitness to practise is currently impaired by reason of his misconduct the panel next went on to consider whether it was impaired to a degree which required action to be taken on his registration by way of imposition of a sanction.
108. The panel took account of the submissions of Ms Ferrario on behalf of Social Work England. She took the panel through Social Work England's Impairment and Sanction Guidance, and went through each of the available sanctions. She informed the panel that Social Work England's position was that the only appropriate and proportionate sanction was a removal order. She reminded the panel of the need for consistency in approach and having regard to its earlier findings on misconduct and impairment. She submitted that the level and type of activity of the misconduct was so fundamentally against the role of a social worker, and the trust placed in social workers, that public confidence could only be maintained by the imposition of a removal order.
109. The panel took account of the submissions of Mr Sahota. His position was that he had been under no illusion of the seriousness of the case and did accept the panel's findings of fact. He said that he was able to show insight and remorse and was in no doubt that he should have acted immediately and should have informed his employer. He acknowledged that his lack of action could have impacted on the safety of children. He said that he wanted the panel to see and recognise his learning from the events and be assured and confident that there would be no repetition of the concerns. He said he understood that he had brought himself and his profession into disrepute, that his insight had deepened over time, and that he in no way wished to minimise the findings of the panel.
110. Mr Sahota drew the panel's attention to the 13 courses he had undertaken, which he submitted were all about keeping the public and children safe. He said he understood the importance of professional standards and recognised that his standards fell below those expected of a social worker and that the public's trust and faith would be shaken in him and the profession. He said he was acutely aware that he had ruined a 30 year blameless career and submitted that he was at the start of a very long journey of rehabilitation and would welcome the opportunity to regain the public's trust.
111. In relation to sanction, Mr Sahota said he would appreciate the opportunity to prove to himself and colleagues that he could work to the standards required, and that the public

would want to know that a social worker in his position had undertaken supervision, training and mentoring. He said that he was willing to undertake any training which would assist him. He said that if the panel felt that further suspension was needed for him in order to address training and insight, then he would undertake any necessary training. He recognised that it was his responsibility to ensure that he kept up to date with relevant safeguarding training.

112. The panel accepted the advice of the legal adviser and exercised its independent judgement. It had regard to the Impairment and Sanction Guidance (the Guidance) and considered the sanctions in ascending order of severity. The panel was aware that the purpose of the sanction is not to be punitive but to protect members of the public. It also had regard to paragraph 72 of the Guidance which states:

113. Decision makers should make sure the sanction is appropriate and proportionate. However they should also consider the relevance of confidence in the profession as a factor in determining sanction. This principle is set out in the case of *Bolton v Law Society* [1994] 1 WLR 512:

114. “the reputation of the profession is more important than the fortunes of any individual members. Membership of a profession brings many benefits, but that is part of the price.”

115. For considering the individual options open to it, the panel identified what it considered to be the relevant mitigating and aggravating features in the case.

116. The panel considered the following to be the relevant mitigating factors:

- Mr Sahota was remorseful, and in his submissions at sanction stage, displayed an understanding that although there had been no harm, his actions could bring the profession into disrepute.
- He had, at the sanction stage, accepted the findings of the panel.
- He had fully engaged with the investigation.
- He had made efforts to prevent a recurrence, and there was some remediation in that he had undertaken some relevant training courses.
- He had a previously unblemished 30 year career as a social worker, some of which had been as an Independent Reviewing Officer (IRO)

117. The panel considered the following to be the relevant aggravating factors:

- Mr Sahota’s actions were not a one off, but a pattern of behaviour.

- Whilst Mr Sahota had shown some insight, it was only partial. In particular, the panel had concluded at the impairment stage that he still had a “*fundamental lack of awareness and understanding*” of what had put him at risk of being drawn into such behaviour.
- At the time of the misconduct, Mr Sahota was a very experienced social worker, and was in a very responsible position as an IRO entrusted with chairing child protection meetings.

No further action:

118. The panel considered that the misconduct found proved was too serious for the case to be concluded with no further action. The panel noted from its earlier findings that it had not been able to rule out a risk of repetition. It also had regard to its conclusion that members of the public would be shocked and troubled to learn that a social worker had acted in this way. In light of this, the panel did not consider that taking no further action would address the wider public interest considerations of maintaining public confidence in the profession.

Advice or warning:

119. The panel did not consider that issuing a warning would be sufficient to promote and protect public confidence in the profession. In addition, such an outcome would not restrict Mr Sahota’s practice, and the panel bore in mind that it had not been in a position to rule out the risk of repetition, given its conclusion that Mr Sahota’s insight was only partial. In relation to a warning, the panel had regard to paragraph 108 of the Guidance which reads:

A warning order is likely to be appropriate where (all of the following):

- *The fitness to practise issue is isolated or limited*
- *There is a low risk of repetition*
- *The social worker has demonstrated insight*

120. The panel did not consider that the issue was isolated or limited in nature. It noted that there were four areas in which misconduct had been found, namely engaging in inappropriate conversations online regarding indecent images; posing as a child; possession of indecent images; and not immediately informing his employer or the police of them. The panel also bore in mind that it had not categorised the risk of repetition as low, and it had identified that Mr Sahota’s insight was still partial. In addition, the panel did not consider that a warning order would be sufficient to address the wider public interest concerns.

Conditions of practice order:

121. The panel next considered a conditions of practice order. The panel was mindful that the misconduct had occurred in Mr Sahota's private life, and as such, it would be difficult to formulate conditions to monitor his actions outside the workplace. Furthermore, the panel bore in mind its conclusion that Mr Sahota's actions had been extremely ill-judged. It did not consider that it was possible to address deficiencies in judgement, which is a character trait, by way of conditions. The panel also had regard to the Guidance which indicated that conditions were less likely to be appropriate in cases of character, attitude or behavioural issues. In any event, the panel considered that the nature of the misconduct itself was too serious to be addressed by way of a conditions of practice order.

Suspension order:

122. The panel considered that on the facts of this case, the only two possible candidates for the appropriate sanction were a suspension order or a removal order.

123. In relation to suspension, the panel identified that there had been a noticeable sea-change from Mr Sahota's submissions on impairment to those on sanction. The panel noted in his submissions at the sanction stage, that he said he accepted the panel's findings of fact; understood the seriousness of the case; and the impact that his acts and omissions would have on the profession, including bringing it into disrepute. The panel bore in mind that Mr Sahota had said he was ashamed and embarrassed of his actions and considered this may have inhibited him from seeking support and having only recently disclosed his actions to a former colleague. The panel had some sympathy for his personal circumstances and predicament, but was acutely aware of its primary responsibility to protect and promote the public, which included maintaining public confidence in the profession and upholding proper professional standards.

124. The panel considered that many of the features set out in the Guidance which may indicate that a suspension order was appropriate, were present in this case, in particular: workable conditions could not be formulated; the concerns represented a serious breach of the professional standards; he had demonstrated some insight; and had indicated a willingness to remediate. The question for the panel was whether the case fell short of requiring removal from the register.

125. Removal order:

126. The panel was mindful that it had not found that Mr Sahota's actions were sexually motivated. Nevertheless, the panel considered that the actions of Mr Sahota, even if carried out through extreme naivety and ill-judgement were fundamentally incompatible with the role of a social worker. The panel bore in mind that at the time, Mr Sahota was working as an IRO, charged with the responsibility of chairing a multi-disciplinary team of professionals in order to safeguard and protect children. The panel considered that fellow professionals would be concerned to work with an IRO on child protection cases, with the knowledge that

the IRO had been found to have acted in the way Mr Sahota had. The panel considered that it was inexplicable that someone with Mr Sahota's degree of experience would be drawn into behaving in such a way, and on receiving obscene images, would not immediately report them to his employer or the police.

127. The panel did not consider that public confidence in the profession could be satisfied by any sanction less than a removal order. It considered that the fair minded and reasonable member of the public would be shocked and troubled if a social worker who had been found to have behaved as Mr Sahota had was not removed from the register. The panel was satisfied that the only appropriate and proportionate sanction in this case was a removal order. Accordingly, the panel imposes a removal order.

Interim suspension order:

128. Ms Sharpe made an application for an interim order of suspension to cover the appeal period before the substantive removal order comes into effect, or if Mr Sahota were to appeal, until such time as the appeal is withdrawn or otherwise finally disposed of. She submitted that an interim order was necessary on the ground of public protection, which includes promoting public confidence in the profession and maintaining standards.
129. Mr Sahota did not make any submissions on an interim order, other than to express his disagreement with the decision which he said was based on inaccuracies by three agencies, namely social services, the police and Social Work England's confusion of the matters.
130. Having heard and accepted the advice of the legal adviser, the panel was satisfied that an interim order of suspension was necessary to protect the public, in particular in relation to the elements of protection public confidence and upholding standards. It considered that such an interim order was necessary for the same reasons as set out in the substantive decision, in particular having found that no other sanction was sufficient to protect and promote public confidence in the profession.
131. Having concluded that an interim order is necessary to protect the public the panel considered what type of interim order to impose. For the same reasons as set out in the substantive decision, the panel was not satisfied that it was possible to formulate workable conditions, nor did it consider that conditions would be sufficient to protect public confidence.
132. In all the circumstances, the panel decided to make an interim suspension order for 18 months, to cover the 28 days in which Mr Sahota was entitled to appeal before the removal order took effect, and if Mr Sahota were to appeal, until that appeal was withdrawn or otherwise disposed of, which could take a considerable period of time.

133. The panel considered the principle of proportionality and acknowledged that this interim order will prevent Mr Sahota from working as a social worker. However, it determined that the need to protect the public outweighs the social worker's interests in this regard.
134. Ms Sharpe invited the panel to revoke the existing interim suspension order, in place under paragraph 8 of Schedule 2 of the Regulations, as such an order, which required regular reviews, was no longer necessary in light of the interim suspension order imposed under paragraph 11(1)(b) of Schedule 2 of the Regulations.
135. Having decided to impose an interim suspension order under paragraph 11(1)(b) of Schedule 2 of the Regulations to cover the appeal period, the panel asked Mr Sahota whether he was content to waive the notice period (of 7 days) to review and revoke the existing interim suspension order in place (imposed under paragraph 8 of Schedule 2 of the Regulations) pending the outcome of the substantive hearing (due to expire 26 April 2023). Mr Sahota confirmed that he was prepared to waive the notice period, given that the application was primarily for practical reasons.
136. Having heard and accepted the advice of the legal adviser, the panel decided to revoke the existing suspension order (imposed under paragraph 8 of Schedule 2 of the Regulations), as it was no longer necessary, given that an interim suspension order had now been imposed under paragraph 11(1)(b) to cover the appeal period.

Right of appeal:

137. Under Paragraph 16(1)(a) of Schedule 2 of the regulations, the social worker may appeal to the High Court against the decision of adjudicators:
- the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under Paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order.
 - the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
138. Under Paragraph 16(2) of Schedule 2 of the regulations an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
139. Under Regulation 9(4) of the regulations this order may not be recorded until the expiry of the period within which an appeal against the order could be made, or where an

appeal against the order has been made, before the appeal is withdrawn or otherwise finally disposed of.

140. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

The Professional Standards Authority:

141. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a final decision made by Social Work England's panel of adjudicators can be referred by the Professional Standards Authority ("the PSA") to the High Court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of the public. Further information about PSA appeals can be found on their website at: <https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>.