

Case Examiner Decision

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SW21499

FTPS-24351

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The role of the case examiners

The case examiners perform a filtering function in the fitness to practise process, and their primary role is to determine whether the case ought to be considered by adjudicators at a formal hearing. The wider purpose of the fitness to practise process is not to discipline the social worker for past conduct, but rather to consider whether the social worker's current fitness to practise might be impaired because of the issues highlighted. In reaching their decisions, case examiners are mindful that Social Work England's primary objective is to protect the public.

Case examiners apply the 'realistic prospect' test. As part of their role, the case examiners will consider whether there is a realistic prospect:

- the facts alleged could be found proven by adjudicators
- adjudicators could find that one of the statutory grounds for impairment is engaged
- adjudicators could find the social worker's fitness to practise is currently impaired

If the case examiners find a realistic prospect of impairment, they consider whether there is a public interest in referring the case to a hearing. If there is no public interest in a hearing, the case examiners can propose an outcome to the social worker. We call this accepted disposal and a case can only be resolved in this way if the social worker agrees with the case examiners' proposal.

Case examiners review cases on the papers only. The case examiners are limited, in that, they are unable to hear and test live evidence, and therefore they are unable to make findings of fact.

Decision summary

Decision summary	
Preliminary outcome	11 August 2026
	Accepted disposal proposed - removal order
Final outcome	10 September 2026
	Removal order

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1, 2 and 3 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence. There is a realistic prospect of regulatory concerns 2 and 3 being found to amount to the statutory ground of misconduct.
3. For regulatory concerns 1, 2 and 3 there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is currently impaired.

The case examiners did not consider it to be in the public interest for the matter to be referred to a final hearing and that the case could be concluded by way of accepted disposal.

As such the case examiners requested that the social worker be notified of their intention to resolve the case with a removal order, which they have now accepted in full.

The case examiners have considered all of the documents made available within the evidence bundle. The key evidence is referred to throughout this decision, and the case examiners' full reasoning is set out below.

Anonymity and redaction

Elements of this decision have been marked for redaction in line with our Fitness to Practise Publications Policy. Text in [REDACTED] will be redacted only from the published copy of the decision, and will therefore be shared with the complainant in their copy.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer [REDACTED] the same concern was subsequently reported to the regulator by way of a self-referral by the social worker and also via a third-party referral.
Date the complaint was received	04 April 2025
Complaint summary	The complainant [REDACTED] states that the police notified them on 03 April 2025 of the social worker being arrested for serious offences and were limited on what they were able to share at the time due to the ongoing police investigation. On 03 April 2025 the social worker made a self-referral to the regulator, stating they had been arrested and were being investigated for receiving and distributing illegal pornographic photographs. On 11 February 2026 a third party referral was received by the regulator, stating that the social worker was charged on 06 February 2026 with one count of distributing an indecent photograph or pseudo photograph of a child and three counts of making indecent photographs or pseudo-photographs of a child.

Regulatory concerns

1. That whilst registered as a social worker on 24 March 2026, the social worker was convicted of the following offences:

1.1 Distributing an indecent photograph / pseudo photograph of a child (one count)

1.2 Making indecent photographs / pseudo photographs of a child (three counts)

2. That whilst registered as a social worker on or around 20 February 2026, the social worker sought voluntary removal from Social Work England's register declaring that they were unaware of any current allegation, investigation, proceedings or order which may result in action being taken against them, despite being aware that they had been charged with the offences listed at regulatory concern 1.

3. That the social worker's conduct at regulatory concern 2 was dishonest.

The matters outlined in regulatory concern 1 amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence. Your fitness to practise may be impaired by reason of conviction.

The matters outlined in regulatory concerns 2 & 3 amount to the statutory ground of misconduct. Your fitness to practise may be impaired by reason of misconduct.

Preliminary issues

Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	☒
	No	☐
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	☒
	No	☐
Are the case examiners satisfied that they have all relevant evidence available to them, or that adequate attempts have been made to obtain evidence that is not available?	Yes	☒
	No	☐
Are the case examiners satisfied that it was not proportionate or necessary to offer the complainant the opportunity to provide final written representations; or that they were provided a reasonable opportunity to do so where required.	Yes	☒
	No	☐

The realistic prospect test

Fitness to practise history

The case examiners have been informed that there is no previous fitness to practise history.

Decision summary

Is there a realistic prospect of the adjudicators finding the social worker's fitness to practise is impaired?

Yes



No



The case examiners have established that because the social worker has been convicted of a criminal offence and has received a suspended custodial sentence, paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies in this case.

This regulation sets out that in cases of a custodial sentence; there will automatically be a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

Reasoning

Facts

Regulatory concern 1:

That whilst registered as a social worker on 24 March 2026, the social worker was convicted of the following offences:

1.1 Distributing an indecent photograph / pseudo photograph of a child (one count)

1.3 Making indecent photographs / pseudo photographs of a child (three counts)

The case examiners have seen the certificate of conviction from Guildford Crown Court dated 24 March 2026, which indicates the social worker was convicted of the following offences:

1. Make indecent photograph / pseudo photograph of a child (14 category C images)
2. Make indecent photograph / pseudo photograph of a child (3 category B images)
3. Make indecent photograph / pseudo photograph of a child (8 category A images)
4. Distribute an indecent photograph / pseudo photograph of a child (1 category A image)

The case examiners note the certificate of conviction states that on 3 June 2026 the social worker received suspended custodial sentences for the convictions set out within regulatory concern 1 as follows:

1. Committed to prison for 6 months concurrent suspended for 2 years
2. Committed to prison for 6 months concurrent suspended for 2 years
3. Committed to prison for 8 months concurrent suspended for 2 years
4. Committed to prison for 2 years suspended for 2 years

As mentioned previously, therefore paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies and states:

(2) Where a question arises as to whether a social worker's fitness to practise is impaired-

a) as a result of them having been convicted of an offence in respect of which a custodial sentence has been imposed, other than a listed offence, or

b) where they have been convicted of a listed offence, but have not been removed from the register under regulation 26(5)

there are reasonable grounds for investigating whether the social worker's fitness to practise is impaired, and there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

As such there is a realistic prospect of this concern being found proven by adjudicators.

Regulatory concern 2:

That whilst registered as a social worker on or around 20 February 2026, the social worker sought voluntary removal from Social Work England's register declaring that they were unaware of any current allegation, investigation, proceedings or order which may result in action being taken against them, despite being aware that they had been charged with the offences listed at regulatory concern 1.

The case examiners have had sight of the social worker's voluntary removal application dated 20 February 2026. Within this the social worker declared "I am unaware of any current allegation, investigation, proceedings or order which may result in action being taken against me."

The case examiners have had sight of email correspondence between the police and the regulator, which indicates that, at the time the declaration was made, the social worker had already been arrested and charged with the offences set out in regulatory concern 1. In their email the police state the social worker was charged on 6 February 2026.

The case examiners have also had sight of the social worker's self-referral to the regulator dated 30 April 2025, within which they informed the regulator of their arrest and the police investigation. This self-referral predates the declaration. In addition, the case examiners have had sight of correspondence from the regulator notifying the social worker that a fitness to practise investigation was underway. Taken together this evidence suggests that, at the time the declaration was made, the social worker was aware both of the criminal charges against them and of the ongoing fitness to practise investigation.

The case examiners therefore consider that there is a realistic prospect that adjudicators would find regulatory concern 2 proven.

Regulatory concern 3

That the social worker's conduct at regulatory concern 2 was dishonest.

When considering dishonesty, there are two tests. Firstly, to see if there is anything that may demonstrate the social worker's actual state of knowledge or belief as to the facts. This is called the subjective test. The next part is to consider whether the conduct is likely to be deemed dishonest by applying the objective standards of ordinary decent people. This is called an objective test.

Subjective test:

In respect of regulatory concern 2, the case examiners have considered whether, at the time the social worker made the declaration within the voluntary removal application, they knew or believed that there were any current allegation, investigation, or proceedings being taken against them.

The case examiners have considered the evidence already outlined in relation to regulatory concern 2, including the social worker's voluntary removal application, the correspondence between the police and the regulator and correspondence between the regulator and the social worker.

The case examiners consider that the evidence suggests that when the social worker made the declaration to the regulator, they knew or believed that they had already been arrested, investigated and charged for the offences listed in regulatory concern 1 and that they were currently subject to a fitness to practise investigation. The case examiners consider it implausible that the social worker believed otherwise.

Objective test:

The case examiners consider that making a false declaration within the voluntary removal application would be regarded as dishonest by the standards of ordinary decent people.

The case examiners therefore consider that there is a realistic prospect that adjudicators would find regulatory concern 3 proven.

Grounds

Regulatory concern 1

As previously stated, paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies to this regulatory concern and as such there is no need to establish if the statutory ground of a conviction or caution in the United Kingdom for a criminal offence could be found proven. Therefore, the case examiners consider there is a realistic prospect that adjudicators would find this statutory ground engaged.

Regulatory concerns 2 and 3

The statutory ground being considered by the case examiners for regulatory concerns 2 and 3 is that of misconduct.

The case examiners are aware that there is no legal definition of misconduct, but it generally would consist of serious acts or omissions, which suggest a significant

departure from what would be expected of the social worker in the circumstances. This can include conduct that takes place in the exercise of professional practice, and also conduct which occurs outside the exercise of professional practice, but calls into question the suitability of the person to work as a social worker.

To help them decide if the evidence suggests a significant departure from what would be expected in the circumstances, the case examiners have considered the following standards, which were applicable at the time of the concerns.

Social Work England- Professional Standards (2019)

As a social worker, I will:

2.1 Be open, honest, reliable and fair.

As a social worker, I will not:

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work or outside of work.

The case examiners consider that, if found proven, the social worker's dishonest conduct could be considered as having departed from professional standards 2.1 and 5.2. If found proven, making a false declaration in their voluntary removal application and indicating they were not aware of any investigations or proceedings against them, despite being aware that they were subject of criminal and fitness to practise investigations, the evidence suggests that the social worker failed to act honestly and with integrity in their dealings with the regulator. This could bring into question the social worker's suitability to practise as a social worker.

The case examiners note that not every departure from professional standards will amount to misconduct and in order for it to be misconduct, it must be a significant departure. In assessing whether the departure is significant, the case examiners have considered the seriousness of the conduct.

Where it is found that a social worker acted dishonestly, this is always likely to be considered serious. The case examiners note that honesty is fundamental to maintaining trust in social workers as they are relied upon to act with honesty and integrity when making important decisions about service users and routinely have access to highly sensitive and confidential information. Honesty is therefore essential to the effective regulation of the profession and when a social worker does not act honestly, this brings into question their suitability to work as a social worker. The case examiners consider that the dishonest conduct in this case is particularly serious given the context in which it occurred. The case examiners consider that if

found proven, the false declaration had the potential to undermine the integrity of the regulatory process and in turn the public confidence in the profession.

The case examiners consider the social worker's conduct as significant departure from the professional standards and are satisfied that there is a realistic prospect of adjudicators determining that the statutory ground of misconduct is engaged in relation to regulatory concerns 2 and 3.

Impairment

Regulatory concern 1

In relation to regulatory concern 1, as previously mentioned, paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies and as such the case examiners are satisfied that there is a realistic prospect of the adjudicators making a finding of current impairment.

Regulatory concerns 2 and 3

Assessment of impairment consists of two elements:

1. The personal element, established via an assessment of the risk of repetition.
2. The public element, established through consideration of whether a finding of impairment might be required to maintain public confidence in the social work profession, or in the maintenance of proper standards for social workers.

Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should give consideration to whether the matters before the regulator are easily remediable, and whether the social worker has demonstrated insight and/or conducted remediation to the effect that the risk of repetition is highly unlikely.

The case examiners have first considered whether the social worker has demonstrated insight in relation to the alleged conduct. The social worker has not engaged with the investigation and has not provided any submissions. The case examiners have seen no evidence of insight from the social worker.

The case examiners next considered whether there has been any remediation on the part of the social worker. The case examiners are aware this is best shown by objective evidence, for example successful completion of education or training courses, or

other positive feedback in relation to their professional practice. The case examiners have seen no evidence of remediation from the social worker.

In an email dated 18 June 2026 the social worker stated they have retired and have no intention of working in the social work field again. Based on this, the case examiners consider there is no chance of future remediation.

The purpose of case examiners assessing multiple factors when considering the personal element of impairment, is to assess the risk of repetition, put simply the likelihood of the conduct happening again. The information reviewed leads the case examiners to conclude that there is risk of repetition.

Public element

The case examiners have next considered whether the social worker's actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers.

A social worker who is dishonest, undoubtedly has the potential to undermine public confidence. Such conduct is certainly a significant departure from professional standards.

Regulatory concerns regarding dishonesty go to the heart of public confidence in the social work profession. They have the potential to undermine the public's trust in social workers. As such, it is likely the public would expect that a finding of current impairment is made by adjudicators to maintain public confidence in the regulation of the profession.

Having considered both the personal and public elements, the case examiners have concluded there is a realistic prospect that adjudicators would find the social worker to be currently impaired in relation to regulatory concerns 2 and 3.

The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	☐
	No	☒

Referral criteria

Is there a conflict in the evidence that must be resolved at a hearing?	Yes	☐
	No	☒
Does the social worker dispute any or all of the key facts of the case?	Yes	☐
	No	☒
Is a hearing necessary to maintain public confidence in the profession, and/or to uphold the professional standards of social workers?	Yes	☐
	No	☒

Additional reasoning

The case examiners have carefully considered whether a referral to a hearing may be necessary in the public interest. They note the social worker has not engaged with the fitness to practise investigation and has not indicated whether they are currently impaired.

Where a social worker does not accept impairment, the case examiner guidance suggests that a referral to a hearing may be necessary in the public interest. However, the case examiners note that the guidance states the social worker must accept the matter of impairment at the point of concluding the case and are of the view that this does not prevent them offering accepted disposal prior to this. The case examiners consider that it is reasonable to offer accepted disposal in this case because:

- There is no conflict in evidence in this case

- The case examiners recognise that not all professionals will have an understanding of how and when impairment may be engaged, or how exactly this might impact upon findings concerning current fitness to practise.
- The accepted disposal process will provide the social worker an opportunity to review the case examiners reasoning on impairment and reflect on whether they are able to accept a finding of impairment. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the question of impairment in more detail.
- Whilst the case examiners in this instance have concluded that there is a risk of repetition, they are of the view that the risk of repetition can be managed, and they have a number of sanctions available to them in order to satisfy the public that this risk is being managed without the need for this to be examined at a public hearing.
- The case examiners are also of the view that the public would be satisfied to see the regulator take prompt, firm action in this case, with the publication of an accepted disposal decision providing a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.

The case examiners are aware that a case cannot be concluded through an accepted disposal process where a social worker does not agree that they are currently impaired. At this stage, the case examiners' proposal for an accepted disposal process does not mark the conclusion of the case, as that would require a response from the social worker for the case examiners' consideration and is also subject to a final review of the case by the case examiners, who may determine to send the matter to a hearing following any response received.

Interim order

An interim suspension order is in effect and will be replaced with an accepted disposal removal order.

Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☒
Proposed duration	Where a social worker is removed from the register, there is no defined end to the finding of impairment. A social worker that has been removed from the register may only apply to be restored to the register 5 years after the date the removal order took effect. The adjudicators will decide whether to restore a person to the register.	

Reasoning
In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's sanctions guidance and reminded themselves that the purpose of a sanction is not to punish the social worker but to protect the public and the wider public interest. Furthermore, the guidance requires that decision makers select the least severe sanction necessary to protect the public and the wider public interest. The case examiners note that the social worker's offences of making and distributing indecent photographs of a child are not themselves listed offences included in Schedule 3 of the Social Workers Regulations (2018) and as such automatic removal provisions do not apply. The case examiners have therefore considered the available sanctions in ascending order of seriousness and in doing so have considered mitigating and aggravating factors. Mitigation:

The case examiners note that the social worker has not engaged with the fitness to practise investigation and, as such, there is no evidence before them capable of establishing any mitigating factors, insight, remorse or remediation.

Aggravating factors:

- Lack of evidence of insight or remorse
- Lack of evidence of remediation
- Conduct which amounts to harm of children

No further action, Advice, Warning

The case examiners are aware that where a social worker's fitness to practise is potentially impaired, they will usually need to ensure the public is protected through some action by the regulator. The case examiners have decided that such protection cannot be met by taking no further action, issuing advice, or providing a warning order.

Social Work England's sanction guidance states that an outcome of no further action will not be appropriate where there is any continuing risk to the public of the social worker behaving in the same way again. The same guidance goes on to say that an outcome of advice or a warning is not appropriate where the social worker poses a current risk to the public, given that neither sanction directly restricts a social worker's practice. The case examiners have determined that there is a risk of repetition in this case, and therefore none of the three sanctions detailed above are appropriate.

Conditions of Practice:

The case examiners have gone on to consider Conditions of Practice. The case examiner guidance states that conditions of practice may be appropriate when (all of the following):

- The social worker has demonstrated insight.
- The failure or deficiency in practice is capable of being remedied
- Appropriate, proportionate, and workable conditions can be put in place
- Decision makers are confident the social worker can and will comply with the conditions
- The social worker does not pose a risk of harm to the public by being in restricted practice.

As outlined above the case examiners consider that there is no demonstrated insight into the concerns. The regulatory concerns relate to the social worker's behaviour outside of any professional role and as such would not appear to be relevant to this context when there has been no known failure or deficiency in practice. Furthermore, the case examiners consider that given the nature and seriousness of the regulatory concerns, being in restricted practice would not be sufficient to protect the public whilst the risk of repetition is unable to be demonstrated as low. They concluded that conditions were more relevant in cases requiring some restriction due to practice shortfalls and were not suitable for this case that centres around convictions and dishonesty.

Suspension order:

The case examiners next considered a suspension order. The sanctions guidance says: Suspension may be appropriate where (all of the following):

- the concerns represent a serious breach of the professional standards
- the social worker has demonstrated some insight
- there is evidence to suggest the social worker is willing and able to resolve or remediate their failings.

The case examiners consider that the regulatory concerns under consideration do represent a serious breach of the professional standards. However, as already detailed, there is no evidence of insight demonstrated by the social worker. There is also no evidence of the social worker being able and willing to resolve or remediate their failings.

Taking this into account, the case examiners do not consider that a suspension order would be appropriate.

Removal order:

The sanction guidance outlines when a removal order may be appropriate. In this instance the case examiners have concluded that the following apply:

- Criminal convictions for serious offences
- Social workers who are unwilling and/or unable to remediate.

The case examiners have concluded that a removal order is required as the sanctions guidance makes it clear that this has to be the case when no other outcome would be enough to (one or more of the following):

- Protect the public
- Maintain confidence in the profession
- Maintain proper professional standards for social workers in England.

The case examiners consider all three points apply and have therefore decided to propose to the social worker an accepted disposal removal order. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 28 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Response from the social worker

The social worker provided a response on 09 September 2026 and confirmed "I have read the case examiners' decision and the accepted disposal guide. I admit the key facts set out in the case examiner decision, and that my fitness to practise is impaired. I understand the terms of the proposed disposal of my fitness to practise case and accept them in full."

Case examiners' response and final decision

Having reviewed the social worker's response, the case examiners are satisfied that a removal order is the most appropriate outcome. The case examiners have not been presented with any new evidence that might change their previous assessment. Having considered again whether there would be a public interest in referring this matter to a public hearing they remain of the view that this is unnecessary for the reasons set out earlier in the decision. The case examiners therefore direct that the regulator enact a removal order.