

Notice of Decision

Registrant	Thomas Shane Caldwell
Registration number	1101051
Part of Register	Part 1 – Qualified Social Worker
Sanction	Removal by Agreement
Date of Effect	20th June 2022

This is a notice of decision of the Northern Ireland Social Care Council ('the Council')

Decision

The Council has decided:

1. that there is evidence that your Fitness to Practise is impaired by reason of your criminal convictions, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise (Amendment) Rules 2019 ('the Rules').
2. to remove you from the Register, following your application to be Removed by Agreement, as defined in Rule 14 of the Rules.

You (the Registrant) have agreed to the following Statement of Facts:

1. The Registrant was convicted of the following criminal offences at Newry Crown Court on 2 November 2021:

Count 1: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, utrijhg.jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 2: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, \$\$_pijpenduol.jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 3: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, homococo.jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 4: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, boy1019(2).png. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 5: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, !_thaiduo6.jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 6: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, download(18).jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 7: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, untitled_7_-jA8Dkan3.1449804797.png. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 8: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, target-utKncU19.jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 9: Defendant on the 9th day of April 2016, made an indecent photograph of a child, namely, 3 (5).jpg. contrary to Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978.

Count 10: Defendant on the 14th day of December 2016, had in his possession 131 indecent photographs of a child, contrary to Article 15 (1) of the Criminal Justice (Evidence. Etc.) (Northern Ireland) Order 1988.

2. By reason of the convictions set out above, the Registrant's fitness to practise is deemed to be impaired.
3. The public has the right to have confidence in social care services, and the most vulnerable people in society need to be protected from those who commit sexual offences. The Registrant is no longer deemed suitable to remain on the Northern Ireland Social Care Register. Confidence in the social work profession would be undermined by allowing the Registrant to remain on the Register.
4. The Registrant has breached the following provisions of the NI Social Care Council's Standards of Conduct and Practice for Social Workers:

Standard of Conduct 5. Uphold public trust and confidence in social care services. In particular you must not:

5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services.

Application for Removal by Agreement

Having regard to the document '*Consensual Disposal Indicative Sanctions*', the Council was minded to grant you Removal by Agreement. The Council served papers on you, inviting you to apply for Removal by Agreement. Having been advised of the consequences, and having been recommended to take independent advice, you signed an application to be removed from the Register on 5th June 2022. This was received by the Council on 13th June 2022. In making the application, you admitted the allegations, agreed the statement of facts (as set out above), and admitted that the facts amounted to your fitness to practise being impaired.

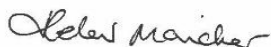
The effect of this decision is that your entry in the Register has been removed.

It is compulsory for all qualified social workers to be registered with the Northern Ireland Social Care Council in order to work. If you practise as a qualified social worker, you will be guilty of an offence pursuant to Article 8 of the Health and Personal Social Services Act (Northern Ireland) 2001. Article 8 states that if a person who is not registered as a social worker in any relevant Register takes or uses the title of social worker or any description implying that s/he is registered as a social worker, or in any way holds him/herself out as registered, s/he is guilty of an offence.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise (Amendment) Rules 2019, you may not apply to be restored to the Register within five years from the date of removal. You are prohibited from working in a social work role until a successful application for restoration onto the Register has been made to the Council.

Date of Effect

This notice comes into effect on 20th June 2022.



Head of Fitness to Practise

Date: 20th June 2022