



Notice of Decision of the Northern Ireland Social Care Council's Fitness to Practise Committee

Name: Stephen Wilson

SCR No: 7041420

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **09 March 2026**, made the following decision about your registration with the Northern Ireland Social Care Council:

The Committee found the facts proved;

The Committee found that your fitness to practise is impaired by reason of your conviction;

The Committee decided to make an Order for removal of your registration from the Register ('a Removal Order').

Particulars of the Allegation:

That, whilst being registered as a social care worker under the Health and Personal Social Services Act (Northern Ireland) 2001 (as amended), and whilst employed as a keyworker by Extern NI, you were convicted of the following criminal offence at the Magistrates' Court on 17 September 2025:

1. Defendant [You] on dates between the 7th day of May 2025 and the 11th day of May 2025, sent by means of a public electronic communications network messages or other matter that were indecent contrary to Section 127(1)(a) of The Communications Act 2003.

And your actions as set out at 1 above show that your fitness to practise is impaired by reason of your conviction in the United Kingdom for a criminal offence as per Rule 4 (1) (d) of the Fitness to Practise (Amendment) Rules 2019.

Procedure

The hearing was held under the fitness to practise procedure.

Preliminary Issues

The fitness to practise hearing was held remotely by way of video-link. The Registrant was not in attendance, nor was he represented. The Northern Ireland Social Care Council ('the Council') was represented by Ms Sinead Owens, Solicitor, Directorate of Legal Services.

Declarations of Conflict of Interest

The Chair confirmed with the Committee that none of the Members had any conflict of interest with this case.

Service

Ms Owens told the Committee that the Notice of Hearing and hearing bundle were sent to the Registrant's registered email address on 20 January 2026, and that an electronic proof of delivery receipt was received on the same date.

The Committee received legal advice from the Legal Adviser. He referred the Committee to the requirements as set out in the Northern Ireland Social Care Council Fitness to Practise (Amendment) Rules 2019 ('the Rules') and, in particular, Rule 3 which states that proof of service shall be treated as being effected on the day after it was properly sent.

The Committee, in all of the circumstances of the case, is satisfied that the Notice of Hearing has been served in accordance with Rule 3 of the Rules, and the requirements of Paragraph 5 of Schedule 2 of the Rules.

Proceeding in the Absence of the Registrant

Ms Owens made an application to proceed in the absence of the Registrant.

Ms Owens said that all reasonable steps had been taken to ensure that the Registrant was aware of proceedings. She said that the Registrant had sent an email to the Committee Clerk, on 14 February 2026, asking for voluntary removal from the Register. She said that the Clerk responded to the Registrant's email on 16 February 2026, and explained that voluntary removal from the Register was not a route that could be taken whilst fitness to practise proceedings were ongoing. Ms Owens said that the Committee Clerk sent a further email to the Registrant's registered email address on 26 February 2026, confirming that the fitness to practise hearing would instead be heard remotely, and asking him to confirm his attendance at the hearing. She said that the Registrant confirmed by way of email on the same day that he would not be in attendance at the hearing and that he does not intend on working in the care sector again.

Ms Owens invited the Committee to conclude that the Registrant's absence was a voluntary waiver of his right to attend. She submitted that it was in the public interest for there to be an expeditious disposal of the hearing. She noted that the Registrant had not made a request for an adjournment, nor had he indicated that he wished to arrange representation. Ms Owens submitted that any disadvantage to the Registrant in the hearing proceeding would be outweighed by the public's interest in a fair and expedient hearing.

The Committee was mindful that the discretion to proceed in the absence of the Registrant should only be exercised with the utmost care and caution. In considering the application, the Committee sought to satisfy itself that all reasonable efforts had been made to notify the Registrant of the hearing, and accepted the advice of the Legal Adviser. He referred the Committee to the cases of R v Jones and Adeogba v GMC. He reminded the Committee that in exercising its discretion to proceed in the Registrant's absence, it must have regard to all of the circumstances with fairness to the Registrant being of prime consideration, although fairness to the Council and the public interest must also be taken into account. He reminded the Committee to avoid reaching any improper conclusion about the Registrant's absence, and not to accept it as an admission in any way.

The Committee reminded itself that fairness to the Registrant should be a prime consideration. The Committee concluded that the Registrant, with knowledge of the proceedings, had voluntarily absented himself from the hearing. The correspondence from the Registrant did not contain any request for an adjournment of the hearing. In the circumstances, the Committee considered that there was no reason to suppose that an adjournment of the hearing would secure the Registrant's attendance at a later stage. The Committee also noted the serious nature of the allegations faced by the Registrant. It was also of the view that the public interest was strongly engaged, and this also included consideration of the expeditious disposal of the hearing. Accordingly, the Committee decided that it was fair and appropriate to proceed with the hearing in the Registrant's absence.

Application to Admit Hearing Bundle

The Committee accepted the bundle of documents into evidence, and marked it as Exhibit 1.

Background

The Registrant is registered on Part 2 of the Register.

Ms Owens said that this matter was first brought to the Council's attention on 12 May 2025 by the Common Law Police Disclosure ('CLPD') Unit by way of a notification letter to address a '*pressing social need*'. She said that the notification letter advised that the Registrant was alleged to have sent inappropriate sexualised messages to a vulnerable service user who he met through the course of his employment with Extern NI ('Extern'). It also disclosed that the Registrant had been charged and bailed on 12 May 2025 for alleged offences relating to harassment and making malicious communications.

Ms Owens said that on 13 May 2025, the Council was further advised by CLPD that the Registrant had been charged on 12 May 2025 with the offences of Harassment and Improper Use of Public Electronic Communications Network.

Ms Owens said that on foot of the information received from the CLPD, the Council contacted the Registrant's employer on 15 May 2025, and was advised by Extern that a referral to the Council was being completed. She said that the Council subsequently received an Employer Referral Form ('ERF') from Ms Kirsty McCann, Programme Manager, advising that the Registrant had been informed by police that he had been charged in relation to Harassment and Improper use of Public Electronic Communications Network in connection with his

employment. Ms McCann also informed the Council that the Registrant had attended the workplace on 13 May 2025, and had not informed his employer of the police charges. Ms Owens said that the Registrant's employer advised the Council that the Registrant worked with vulnerable adults within the homeless sector, and that he 'held his hands up' and provided the name of the service user.

Ms Owens said that the Council also obtained a copy of the police case summary and witness statement from the victim. These documents disclosed that the Registrant sent indecent electronic messages to the victim, a vulnerable female, initially using his work mobile phone and then from his personal mobile phone.

Ms Owens referred the Committee to an article in the Belfast Telegraph on 17 September 2025, in which it was reported that the Registrant had attended Court and admitted sending indecent messages to a vulnerable woman whom he was supporting in his role as a key worker.

Evidence

Ms Owens submitted that it was the Council's case that the Registrant's fitness to practise is impaired by reason of his conviction. She directed the Committee to the evidence contained within the hearing bundle, and submitted that the Council sought to rely on this evidence to prove the case.

Ms Owens asked the Committee to pay careful attention to the Certificate of Conviction contained within the bundle of evidence. She submitted that this document provides evidence that the Registrant pleaded guilty in the Magistrates' Court on 06 August 2025. On 17 September 2025, the Registrant was sentenced to a Combination Order, comprising of a Community Service Order for a period of 60 hours and a Probation Order for a period of two years. Ms Owens said that the Court also imposed a Restraining Order – Protection from Harassment for a period of five years, which states that the Registrant is not allowed within 200 meters of the victim and is forbidden to contact her, either directly or indirectly. Ms Owens told the Committee that the Council considers the Registrant's convictions to be very serious.

Ms Owens submitted that the Certificate of Conviction, along with the ERF and documents provided by the PSNI, provides conclusive proof of the facts, and that the Council had discharged the burden of proof in establishing the facts in this case.

Findings of Fact

The Committee heard and accepted the Legal Adviser's advice. He reminded the Committee that under Paragraph 12 (5) of Schedule 2 of the Rules, a certificate of conviction issued in any UK Criminal Court '*shall be conclusive proof of the facts or conviction so found*'. He advised the Committee that a registrant could challenge a certificate of conviction only where there was evidence that it did not refer to the Registrant, or where the conviction had been successfully challenged on appeal.

The Legal Adviser advised the Committee that it was entitled to rely on the Certificate of Conviction to establish conclusively that the Registrant had been convicted of the offences as set out in the Particulars of the Allegation.

The Committee reminded itself that the burden was on the Council to prove the facts as set out in the Particulars of the Allegation, and that to find the facts proved the Committee must be satisfied on the balance of probabilities. This means that for any fact to be found proved, the Committee must be satisfied that it is more likely than not to have occurred.

The Committee took into account the submissions from Ms Owens on behalf of the Council, and had careful regard to all of the documentary evidence submitted. The Committee noted the facts contained in the Certificate of Conviction in consideration of the Particulars of the Allegation. In addition, the Committee took into account the information in the letter from CLPD, dated 12 May 2025, and the ERF from the Registrant's employer, dated 16 May 2025. The Committee concluded that the Certificate of Conviction was conclusive proof of the convictions and the facts underlying them. The Committee, therefore, found the facts proved.

Fitness to Practise

Ms Owens made a submission to the Committee on the question of the Registrant's current fitness to practise. Ms Owens submitted that the Registrant's actions, which led to his criminal conviction, call into question his suitability to work in social care services, and to remain on the Register without restriction, or to be registered at all.

Ms Owens submitted that the Registrant's actions constituted serious wrongdoing on his part. She referred the Committee to alleged breaches of the Standards of Conduct and Practice for Social Care Workers ('the Standards') by the Registrant as follows: 2 – 2.2 and 2.4; 5 – 5.2, 5.3, 5.8 and 5.9.

Ms Owens directed the Committee to the decision of CHRE v Grant, and noted that this case established that the level of insight is central to any determination on remediation. She submitted that the Registrant has shown no insight or remorse for his actions. Although the Registrant made early admissions in his police interview and did plead guilty, he has not provided the Council with sufficient evidence to demonstrate insight, remorse or an acceptance that his actions were fundamentally wrong. In respect of the risk of repetition, Ms Owens submitted that, in light of there being no evidence as regards remediation by the Registrant, the Council considers that a risk of repetition remains.

Ms Owens submitted that the public should have confidence in the Council as a regulator to protect the public and to ensure that those who care for the most vulnerable in society uphold proper standards of behaviour. She noted that the Registrant's behaviour, for which he was convicted, took place in the workplace and involved a vulnerable service user. She submitted that any option other than a finding of current impairment would impact on public confidence in the Council and in social care services.

The Committee accepted the advice of the Legal Adviser. He referred the Committee to the Standards, and advised it to adopt a sequential approach when considering this issue. In particular, he asked it to take into account the nature and content of the criminal conviction against the Registrant, and reminded the Committee that it was being asked to determine whether the Registrant's fitness to practise is impaired because of this conviction. He referred the Committee to Paragraph 24 of Schedule 2 of the Rules, and the requirements as set

out in the case of the GMC v Cohen, looking at the current competence and behaviour of the Registrant, along with the need to protect service users, members of the public, the upholding of proper standards of behaviour and maintaining of public confidence in the social care workforce. He further referred the Committee to the findings of Dame Janet Smith in the fifth Shipman Report as regards the potential causes of impairment. He also referred the Committee to the case of CHRE v NMC & Grant.

The Committee, in considering the issue of impairment of fitness to practise, took account of Paragraph 24 (3) of Schedule 2 of the Rules, which states that it should have regard to:

- (a) whether it is satisfied as to the reason for the alleged impairment of fitness to practise;
- (b) the Standards of Conduct and Practice issued by the Council under Section 9 of the Act;
- (c) whether the impairment is capable of remediation;
- (d) whether the impairment has been remediated;
- (e) the risk of repetition; and
- (f) the public interest.

The Committee had regard to Rule 4 (d) of the Rules, which states that fitness to practise may be impaired by a criminal conviction. The Committee was satisfied that the Registrant's conviction for a serious offence constituted the reason for the alleged impairment of fitness to practise. The conviction relates to the sending of indecent messages to a vulnerable service user, who he was in a position of trust over and, in the view of the Committee, it calls into question the Registrant's suitability to work in social care services without restriction or at all.

The Committee had regard to the Standards of Conduct and Practice for Social Care Workers. The Committee was satisfied that the Registrant's actions were in breach of the following Standards of Conduct:

Standard 2: As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes:

- 2.2 Communicating in an appropriate, open, accurate and straightforward way; and
- 2.4 Respecting confidential information and clearly explaining agency policies about confidentiality to service users and carers.

Standard 5: As a social care worker, you must uphold public trust and confidence in social care services. In particular you must not:

- 5.2 Exploit service users, carers or colleagues in any way;
- 5.3 Abuse the trust of service users and carers or the access you have to personal information about them or to their property, home or workplace;
- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services; or

5.9 Use social media or social networking sites or other forms of electronic communication in a way that contravenes professional boundaries, organisational guidelines or NISCC standards.

The Registrant was in a position of trust and authority, which he abused. The Committee concluded that this was a very serious conviction, and that the Registrant acted in a way that fell significantly short of the expected standard of a registered social care worker. The Committee was in no doubt that the Registrant's conduct breached the fundamental tenets of social care services and, therefore, brought its reputation into disrepute. The Committee had no evidence that the Registrant would behave any differently in the future.

After careful consideration, the Committee determined that there was no evidence to show that the Registrant's conduct, which led to his conviction, has been remediated. In reaching this decision, the Committee took into account the Guidance issued by the Council for Committees dealing with the issue of impairment and, in particular, paragraphs 2.5 and 2.6.

The Committee noted that the Registrant made early admissions during the police interview, and pleaded guilty to the charge against him. However, the Committee had no information before it to show that the Registrant acknowledges the impact of his behaviour on the vulnerable service user. The Committee found that the Registrant did not express any remorse for his actions, nor did he provide any insight into the seriousness of his conviction. Therefore, the Committee had no evidence to suggest that the Registrant would act differently in the future. Accordingly, the Committee found there to be a risk of repetition.

The Committee noted that the Court imposed a Combination Order, comprising of a Community Service Order for a period of 60 hours and a Probation Order for a period of two years. The Committee also noted that the Court also imposed a Restraining Order for a period of five years. The Committee concluded that the Registrant's conviction brought social care services into disrepute, and that the public would find it totally unacceptable that a registrant convicted in these circumstances was not found to be currently impaired.

Therefore, the Committee concluded that the Registrant's fitness to practise is currently impaired by reason of his criminal conviction.

Sanction

In reaching its decision on sanction, the Committee considered the submission from Ms Owens on behalf of the Council, and had regard to all of the evidence in this case. Ms Owens referred the Committee to various mitigating and aggravating factors, and the NISCC Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance'). She said that, in terms of mitigating factors, the Registrant has no previous disciplinary record with the Council, that he had made early admissions to the police and pleaded guilty at Court. She said that, in terms of aggravating factors, the Certificate of Conviction refers to a serious charge of sending indecent electronic communication to a vulnerable service user, over whom the Registrant was in a position of trust. She noted that the Registrant's criminal behaviour related directly to his role as a social care worker. She said that the Registrant has shown no evidence of insight, remorse or remediation, and that his

actions show a serious disregard for the Standards. She noted the nature of the sentence imposed on the Registrant by way of a Combination Order, comprising of a Community Service Order for a period of 60 hours, a Probation Order for a period of two years and a Restraining Order for a period of five years.

As regards to sanction, Ms Owens submitted that the only appropriate sanction would be that of removal. She submitted that the criminal conviction against the Registrant is of the utmost seriousness and is not at the lower end of the spectrum. She submitted that the Registrant's criminal behaviour is fundamentally incompatible with his continued registration as a social care worker. In particular, she said that as there is no evidence of remediation, public confidence in the social care sector would be undermined if the Registrant was allowed to remain on the Register. Ms Owens submitted that the continued registration of a registrant with such a serious conviction would have a devastating impact on public confidence in the workforce. She referred the Committee to the Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance') and, in particular, Paragraph 4.62 – 5.5. She submitted that the only proportionate and appropriate sanction was a Removal Order, and that the Registrant's conviction for sending indecent electronic communications to a vulnerable service user constituted a serious departure from the relevant professional standards as set out in the Standards.

The Committee accepted the advice of the Legal Adviser. He referred the Committee to the Guidance, and reminded the Committee to consider the question of sanction in ascending order of severity, paying particular attention to the issue of proportionality.

The Legal Adviser referred the Committee to Paragraph 26 of Schedule 2 of the Rules which provides that, upon a finding of impairment of fitness to practise, the Committee may:

- (a) impose no sanction; or
- (b) warn the Registrant and direct that a record of the warning should be placed on the Registrant's entry in the Register for a specified period of up to 5 years; or
- (c) make a Conditions of Practice Order for a specified period not exceeding 3 years; or
- (d) make an Order suspending the Registrant's registration for a specified period not exceeding 2 years (a 'Suspension Order'); or
- (e) make an Order for removal of the Registrant's registration from the Register ('a Removal Order').

He further reminded the Committee that in deciding which sanction to impose, the Committee should take into account:

- (a) the seriousness of the Particulars of the Allegation;
- (b) the degree to which the Registrant has fallen short of any expected standards;
- (c) the protection of the public;
- (d) the public interest in maintaining confidence in social care services; and
- (e) the issue of proportionality.

The Committee applied the principles of fairness, reasonableness and proportionality, weighing the public interest with the Registrant's interests, and taking into account any mitigating and aggravating factors in the case. The public interest includes the protection of members of the public including service users, the maintenance of public confidence in the workforce and the declaring and upholding of proper standards of conduct and behaviour within the workforce. The Committee took into account its powers under Paragraph 26 of Schedule 2 of the Rules in relation to the sanctions available to it, and also had regard to the Guidance, bearing in mind that the decision on sanction is one for its own independent judgement.

The Committee recognised that the purpose of sanction is not to be punitive, although a sanction may have a punitive effect. The Committee considered the aggravating and mitigating factors in this case.

The Committee considered the mitigating factors to be:

- The Registrant had no previous concerns with the Council or his employer; and
- The Registrant made early admissions during his police interviews; and
- The Registrant pleaded guilty to the criminal charges at Court.

The Committee considered the aggravating factors to be:

- The Registrant's conviction is of a very serious nature;
- The Registrant's actions were directly related to his role as a social care worker, took place at work and involved a vulnerable service user;
- The Registrant's actions had a significant impact on the service user in question;
- The Registrant's actions relating to the service user involved a serious abuse of position and trust;
- The Registrant's actions were predatory in nature;
- The Registrant did not express remorse for his behaviour or provide evidence of remediation; and
- The Registrant is the subject of a Combination Order, comprising of a Community Service Order for a period of 60 hours, a Probation Order for a period of two years and a Restraining Order for a period of five years.

Having balanced the aggravating and mitigating factors, the Committee then considered which sanction to apply in this case.

No sanction - the Committee had no doubt that it would be entirely inappropriate and completely disproportionate to impose no sanction in this case. To impose no sanction would be inappropriate in view of the seriousness of the criminal conviction and would not address the concerns identified.

Warning - the Committee considered the issue of a Warning in this case. The Committee considered that the Registrant's criminal conviction, for which he received a Combination Order, demonstrates a serious disregard for the Standards of Conduct and Practice for Social Care Workers. The Registrant's impairment of fitness to practise is not at the lower end of the spectrum, nor were the circumstances such that the Committee would be

confident that this sanction would provide adequate public protection as far as the Registrant's suitability was concerned, bearing in mind that a Warning would entitle the Registrant to work unrestricted as a social care worker. The Committee noted that there was no evidence before it as regards the Registrant's remorse or insight into his behaviour and its impact on the vulnerable service user. Therefore, a Warning would not be appropriate or proportionate to the serious nature of the convictions in this case.

Conditions of Practice Order – the Committee next considered a Conditions of Practice Order. The Committee noted the Guidance at Paragraph 4.13, which states that conditions may be appropriate in cases involving particular areas of a registrant's performance, and where a Committee is satisfied that a registrant has displayed insight into their failings, and that there is potential for that registrant to respond positively to remediation, re-training or supervision of their work. The Registrant has demonstrated no insight into his criminal actions. The Registrant received a Combination Order, comprising of a Community Service Order for a period of 60 hours, a Probation Order for a period of two years and a Restraining Order for a period of five years. Therefore, the Committee concluded that a Conditions of Practice Order would not be sufficient to meet the public interest in this matter, given the seriousness of the Registrant's departure from the standards expected of a registered social care worker. In these circumstances, the Committee could not formulate workable, enforceable, or verifiable conditions which would address the Registrant's criminal behaviour and adequately protect the public.

Suspension Order – the Committee next considered a Suspension Order. The Committee noted that the Registrant's criminal conviction is of an extremely serious nature, involving a vulnerable service user. The Committee took into account the Guidance at paragraph 4.19, which states:

'Suspension from the Register may be an appropriate sanction for impairment which while very serious, is not so serious as to justify removal from the Register; for example, where there has been an acknowledgment of failings and where a Committee is satisfied that the behaviour is unlikely to be repeated'.

The Committee considered that the Registrant's criminal conviction evidences behaviour that is fundamentally incompatible with registration as a social care worker. The Committee determined that a Suspension Order would not address the risk of repetition as identified above, or the public interest. The Committee had no evidence of insight, remorse or remediation from the Registrant, nor had it any information to indicate that the Registrant is unlikely to repeat his criminal behaviour in the future. The Committee considered that the public would view the Registrant's criminal behaviour as falling far below what would be expected of a registered social care worker. In all of the circumstances, the Committee concluded that a Suspension Order would not be sufficient to mark the seriousness and unacceptable nature of the Registrant's criminal conviction.

Removal Order – as a result, the Committee decided that the only appropriate and proportionate sanction to impose, with immediate effect, was to make a Removal Order in respect of the Registrant's registration. In so doing, the Committee had regard to the very serious nature of the Registrant's conduct which resulted in his conviction. The Registrant has demonstrated no evidence of insight into the seriousness of his actions and the likely impact on the service user. The Committee had found that there is a high risk of repetition. The Committee

had in mind paragraphs 4.26-4.28 of the Guidance. The Committee considered that public confidence in the social care workforce, and the Council as its regulator, would be undermined if a social care worker criminally convicted of sending indecent electronic communications to a vulnerable service user, and who failed to show any insight and remediation, was allowed to remain on the Register.

For these reasons, the Committee imposed a Removal Order and decided, with immediate effect, to revoke the Interim Suspension Order, to which the Registrant has been subject until this hearing.

You have the right to appeal this decision to the Care Tribunal. Any appeal must be lodged in writing within 28 days from the date of this Notice of Decision.

You should note that the Fitness to Practise Committee's decision takes effect from the date upon which it was made.

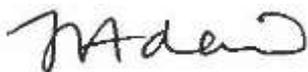
The effect of this decision is that your entry in the Register has been removed.

You are prohibited from working as a social care worker in any of the following positions:

1. A member of care staff at a:
 - a.) Children's home;
 - b.) Residential care home;
 - c.) Nursing home;
 - d.) Day care setting;
 - e.) Residential family centre.
2. A person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
3. A manager of a:
 - a.) Residential care home;
 - b.) Day care setting;
 - c.) Residential family care centre; or
 - d.) Domiciliary care agency.

It is **compulsory** for the above social care workers to be registered with the Northern Ireland Social Care Council in order to work. This is pursuant to the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013 and the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise Rules, you may not apply to be restored to the Register within five years from the date of removal. This does not affect your right to appeal the Committee's decision to the Care Tribunal. You are prohibited from working in a social care role until a successful application for restoration onto the Register has been made to the Council.



10 March 2026

Hearings Officer
(Clerk to the Fitness to Practise Committee)

Date