

David Coote

You have had a spectacular fall from grace.

You came to the attention of the Police following an investigation into your conduct whilst employed as a professional referee by the Football Association. You had been filmed making comments about the then Liverpool FC manager, spawning wider interest and investigations on behalf of certain tabloid newspapers.

The present allegations are completely unrelated. On the 13th of Feb 2025 the police visited your home. Found was a laptop and hard drive. The laptop had been connected to the hard drive on 2nd of January 2020 and a Cat A moving image of a young boy carrying out indecent acts was found. It is not necessary to repeat what those acts were.

You told the police that they would find cocaine which you had for your personal use which they did. You have been cautioned for that.

When you were interviewed you made no comment.

Those that commit this sort of offence must understand that they involve a real child being abused with all the consequent damage that flows from it.

Indecent images guidelines

I turn as I must, then to the sentencing guidelines on indecent images.

This was a Cat A and the starting point is 1 year imprisonment and the range is 26 weeks to 3 years.

Aggravating and mitigating factors

The SP of 1 year is aggravated by the fact that this is a moving image.

The mitigation is that you are 43 years old. You volunteered to the police that they would find cocaine in your home when they visited you. They did find cocaine and you have been cautioned in relation to that. You have no previous convictions.

There is no uplift in that sentence nor is there a reduction.

So the sentence before credit for a plea is **12 months**.

Credit for a plea

I turn then to credit for a plea which came at the PTPH. It is submitted on your behalf that you should be given greater credit than the customary 25% at PTPH because at the magistrates court the IDPC containing 100 pages was served the evening before the hearing.

This is not a case where you were waiting for technical evidence to be served before a plea could be tendered or where you needed to wait for legal advice before you could admit making an indecent image of a child. You would

have known that you had such an image on your hard drive. In the circumstances I propose to give you the customary credit which is 25% reducing the sentence to one of 9 months.

Should the sentence be suspended -sentencing council guideline on the imposition of community and custodial sentences

The question that arises is whether you should serve that sentence immediately or if it should be suspended

In order to determine that I turn to The Sentencing Council guideline on the imposition of community and custodial sentences.

That guideline provides a non-exhaustive checklist of matters relevant to a decision whether or not a sentence of immediate imprisonment should be suspended.

The matters that may support a decision to suspend include (a) if there is a realistic prospect of rehabilitation in the community; (b) if you do not present a high risk of re-offending or harm; and (c) where there are strong personal mitigating considerations.

Matters that may pull in the other direction include: at (d) that you do present a risk to others (e) or that the seriousness of the offence means that the appropriate punishment can only be achieved by immediate custody; and (f) where there is a history of poor compliance with

court orders and it is unlikely that the offender would comply with such orders if the sentence of imprisonment were to be suspended.

Considering the question of whether there is a realistic prospect of rehabilitation the PSR concludes that you committed this offence when although you were in the company of many, you were lonely, a relationship had broken down, you were at the time consuming cocaine which had a direct effect on your thinking.

Since that time your conditional caution has required you to attend appointments with Change Grow Live to address your drug habit. You have ceased using drugs since February last year as reported to the probation officer.

You have been working weekly with a psychologist initially funded for you now paid for by yourself. You also worked with a therapist evidence of which was shown to the author of the PSR.

There is also a stability in your personal life that was absent before.

The PSR concludes that given the work you have done in the past year there is a realistic prospect of rehabilitation.

Further in considering your risk to children 6 years has elapsed since this offence and there is no evidence of you accessing any other indecent images.

The author of the report in full knowledge of the circumstances of this case concludes that you are at low risk of committing further offences.

There is some personal mitigation and you support your father's care in as far as you can.

Considering the guidelines and matters that may pull the other way there is no history of poor compliance with court orders.

Applying those guidelines whilst this is a serious offence I have I have concluded that it cannot be said that the only appropriate sentence is a custodial sentence and that the sentence of 9 months can be suspended for a period of two years. I do that having in mind the very onerous conditions of the Notification provisions that will apply and the Sexual Harm Prevention order that I will pass for a period of 10 years.

RAR days – I had thought that such would be appropriate to have continuing involvement of the probation service but the PSR is clear that you have made very good progress and that no further intervention is necessary.

In the circumstance I conclude that there must be an additional penalty of 150 hours of unpaid work done by you as and when directed by the probation service

NOTIFICATION PROVISIONS

I certify that you have been convicted of a sexual offence so that you must, for a period of 10 years from the date of your conviction keep the police informed at all times of your personal particulars, the address at which you are living and any alteration in the name you are using. You will be given full details of these requirements on a form at the end of this hearing.

DISCLOSURE AND BARRING

The offence of which you have been convicted is one which will or may make you subject to barring from working with children or others. You will be told of the restrictions under the Safeguarding Vulnerable Groups Act 2006 by the Disclosure and Barring Service.

SEXUAL HARM PREVENTION ORDER

Only such order as is necessary and proportionate should be made. I make the order in terms of the draft presented to court as amended.