



Teaching
Regulation
Agency

Mr Robert Hanson: Professional conduct panel meeting outcome

**Panel decision and reasons on behalf of the
Secretary of State for Education**

August 2021

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Professional conduct panel decision and recommendations, and decision on behalf of the Secretary of State

Teacher:	Mr Robert Hanson
Teacher ref number:	1258399
Teacher date of birth:	27 February 1991
TRA reference:	19310
Date of determination:	25 August 2021
Former employer:	West Town Lane Academy, Bristol

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 25 August 2021 by MS Teams to consider the case of Mr Robert Hanson.

The panel members were Dr Steven Berryman (teacher panellist – chair), Mr Ian Carter (former teacher panellist) and Ms Oluremi Alabi (lay panellist).

The legal adviser to the panel was Ms Sarah Price of Blake Morgan solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Hanson that the allegation(s) be considered without a hearing. Mr Hanson provided a signed statement of agreed facts and admitted a conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer, Mr Hanson or any representative instructed on his behalf.

The meeting took place in private, save for the announcement of the panel’s decision, which was announced in public and recorded.

Allegations

The panel considered the allegation set out in the notice of meeting dated 9 August 2021.

It was alleged that Mr Hanson was guilty of having been convicted of a relevant offence, in that:

On or around 17 April 2020 he was convicted of the offence of grooming and having sexual intercourse with [REDACTED] for which he received a 4 year prison sentence, a 15 year Sexual Harm Prevention Order and ordered to register as a sex offender indefinitely.

Mr Hanson has admitted the facts alleged. Mr Hanson further accepts that the allegations amount to a conviction of a relevant offence.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

In advance of the meeting, the panel received a bundle of documents which included:

- Section 1: Notice of Referral & Response – pages 2 to 3
- Section 2: Statement of Agreed Facts and Presenting Officer Representations – pages 7 to 11
- Section 3: TRA documents – pages 13 to 68
- Section 4: Teacher documents – pages 70 to 71

The panel also received a copy of the Notice of Meeting.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the meeting.

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Hanson on 7 May 2021.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Hanson for the allegation to be considered without a hearing.

The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

The panel proceeded to carefully consider the case, having read all the documents, and reached a decision.

On 19 April 2019, Mr Hanson attended a gaming convention at the Birmingham NEC arena. At that convention, Mr Hanson accepts that he was involved in a game of "guessing the ages" of the participants. During the game, Mr Hanson learned that one of the children, referred to as Pupil A was [REDACTED]. Mr Hanson admits that following the convention, he communicated with Pupil A via text message and social media. Mr Hanson admits that during those conversations he and Pupil A discussed being together and having sexual intercourse. Mr Hanson admits that he purchased a train ticket for Pupil A allowing [REDACTED] to travel to Bristol where Mr Hanson lived. He admits to meeting Pupil A in Bristol on 25 May 2019. He admits that on 25 May 2019, he and Pupil A had sexual intercourse.

On 3 June 2019, Mr Hanson was arrested on suspicion of sexual activity with a [REDACTED]. Mr Hanson was subsequently charged with two offences contrary to the Sexual Offences Act 2003, namely:

1. Meeting a [REDACTED] under 16 years of age following grooming;
2. Engaging in penetrative sexual activity with [REDACTED], contrary to the Sexual Offences Act 2003, s.9 and s.13.

On 24 March 2020, Mr Hanson pleaded guilty to the two offences. Mr Hanson was sentenced on 17 April 2020.

Mr Hanson had been employed as a teacher at the relevant time of the offence.

Findings of fact

The findings of fact are as follows:

On or around 17 April 2020 you were convicted of the offence of grooming and having sexual intercourse with [REDACTED] for which you received a 4 year prison sentence, a 15 year Sexual Harm Prevention Order and ordered to register as a sex offender indefinitely.

The panel was provided with a copy of the certificate of conviction dated 2 February 2021 which confirmed Mr Hanson's conviction in respect of the above offences.

The allegation was admitted and was supported by evidence presented to the panel within the bundle, the allegation was therefore, found proved.

Findings as to conviction of a relevant offence

For conviction cases

Having found the allegation proved, the panel went on to consider whether Mr Hanson's conviction was for a relevant offence which he also admitted. In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as "the Advice".

The panel was satisfied that the conduct of Mr Hanson in relation to the facts it found proved involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Hanson was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel took into account the fact that Mr Hanson's actions were relevant to teaching and working with children. Although the victim was not a pupil at the school Mr Hanson taught at, the victim was [REDACTED] child.

The panel determined that there were no mitigating factors identified in this case. The panel also determined that Mr Hanson had shown neither insight nor remorse for his actions and the effect they had on the victim.

The panel took into account how the teaching profession is viewed by others. The panel considered that Mr Hanson's behaviour in committing the offence, was highly likely to affect public confidence in the teaching profession given the influence that teachers may have on pupils and others in the community.

The panel was not provided with any evidence of Mr Hanson's proficiency as a qualified teacher. The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Hanson's ongoing suitability to teach. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely the protection of pupils/the protection of other members of the public/the maintenance of public confidence in the profession/declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Hanson, which involved grooming and having sexual intercourse with a child, there was a strong public interest consideration in respect of the protection of pupils given the serious findings of inappropriate relationships with children.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Hanson were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Hanson was outside that which could reasonably be tolerated.

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Hanson.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Hanson. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

In the light of the panel's findings, there was evidence that Mr Hanson's actions were deliberate and there was no evidence to show that he was acting under duress. The panel found Mr Hanson's actions to be calculated and sexually motivated.

The panel was not provided with any evidence in respect of Mr Hanson's ability as a qualified teacher. The panel was not presented with any documentation relevant to mitigation and it was unable to consider any mitigating circumstances that may have been present. The panel was satisfied that Mr Hanson had been given the opportunity to present any evidence of mitigating circumstances, but that he had chosen not to do so.

As noted earlier, Mr Hanson has not demonstrated any insight in to his actions and has not demonstrated any remorse towards the victim.

The panel was mindful that Mr Hanson did plead guilty at the first opportunity in court.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Hanson of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Hanson. The serious nature of the offences and the fact that they involved children, was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would mitigate against the recommendation of a review period. One of these behaviours includes serious sexual misconduct, such as where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons. The panel found that Mr Hanson was responsible for grooming and subsequently having sexual intercourse with a child, which clearly links to the behaviours in which no review period is recommended.

There is little evidence to support remorse and insight towards the victim on behalf of Mr Hanson.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of both sanction and review period.

In considering this case, I have also given very careful attention to the Advice that the Secretary of State has published concerning the prohibition of teachers.

In this case, the panel has found all of the allegations proven and found that those proven facts amount to a relevant conviction.

The panel has made a recommendation to the Secretary of State that Mr Robert Hanson should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Hanson is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The findings of misconduct are particularly serious as they include a conviction for, *"the offence of grooming and having sexual intercourse with [REDACTED] for which you received a 4 year prison sentence, a 15 year Sexual Harm Prevention Order and ordered to register as a sex offender indefinitely."*

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Hanson and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, “that Mr Hanson was responsible for grooming and subsequently having sexual intercourse with a child”. A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “The panel was satisfied that Mr Hanson had been given the opportunity to present any evidence of mitigating circumstances, but that he had chosen not to do so.

As noted earlier, Mr Hanson has not demonstrated any insight in to his actions and has not demonstrated any remorse towards the victim.”

In my judgement, the lack of insight and remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future well being of pupils, even taking into account that the victim in this case was not a pupil of Mr Hanson. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Hanson was outside that which could reasonably be tolerated.”

I am particularly mindful of the finding of a conviction for sexual intercourse with a 14 year old in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the facts found proven in this case.

I have also considered the impact of a prohibition order on Mr Hanson himself. The panel say that it, “was not provided with any evidence in respect of Mr Hanson's ability as a qualified teacher. The panel was not presented with any documentation relevant to mitigation and it was unable to consider any mitigating circumstances that may have been present.”

A prohibition order would prevent Mr Hanson from teaching and would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the lack of insight or remorse.

I have also placed considerable weight on the finding of the panel that Mr Hanson, "was responsible for grooming and subsequently having sexual intercourse with a child."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Hanson has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel's comments "Mr Hanson was responsible for grooming and subsequently having sexual intercourse with a child, which clearly links to the behaviours in which no review period is recommended."

I have considered whether allowing for a no review period reflects the seriousness of the findings and is necessary and proportionate to achieve the aim of maintaining public confidence in the profession. In this case, the factors which mean that a no review is necessary and proportionate and in the public interest are the serious nature of the convictions and the lack of insight and remorse.

I consider therefore that allowing for a no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mr Robert Hanson is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Robert Hanson shall not be entitled to apply for restoration of his eligibility to teach.

This order takes effect from the date on which it is served on the teacher.

Mr Robert Hanson has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in blue ink, appearing to be 'A. C. M.', followed by a vertical line.

Decision maker: Alan Meyrick

Date: 26 August 2021

This decision is taken by the decision maker named above on behalf of the Secretary of State.