



National College for  
Teaching & Leadership

# **Ms Emma Lawrence: Professional Conduct Panel outcome**

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

**September 2014**

# Contents

A. Introduction	3
B. Allegations	4
C. Preliminary applications	4
D. Summary of evidence	8
Documents	8
Witnesses	9
E. Decision and reasons	10
Panel's recommendation to the Secretary of State	15
Decision and reasons on behalf of the Secretary of State	17

## **Professional Conduct Panel decision and recommendations, and decision on behalf of the Secretary of State**

<b>Teacher:</b>	Ms Emma Lawrence
<b>Teacher ref no:</b>	08/59708
<b>Teacher date of birth:</b>	19 May 1986
<b>NCTL Case ref no:</b>	0011590
<b>Date of Determination:</b>	23 September 2014
<b>Former employer:</b>	Regent High School, London

### **A. Introduction**

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 5 August and 23 September 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Ms Emma Lawrence.

The Panel members were Mr Martin Greenslade (Lay Panellist– in the Chair), Mr Mike Carter (Teacher Panellist) and Mrs Alison Thorne (Lay Panellist).

The Legal Adviser to the Panel was Mrs Luisa Gibbons of Eversheds LLP Solicitors.

The Presenting Officer for the National College was Ms Sarah Przybylska of 2 Hare Court, instructed by Nabarro Solicitors. Ms Emma Lawrence was not represented.

On 5 August 2014 neither the Presenting Officer nor Ms Lawrence were present, as the case was convened as a meeting.

On 23 September 2014, when the case was reconvened as a hearing, the Presenting Officer was present, but Ms Lawrence was neither present, nor represented.

The meeting on 5 August 2014 took place in private and was not recorded. The hearing on 23 September 2014 took place in public, save for Ms Lawrence’s application for the hearing to be in private. The hearing was recorded.

## B. Allegations

The Panel considered the allegations set out in the Notice of Proceedings dated 18 August 2014.

It was alleged that Ms Emma Lawrence was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed, between July 2009 and March 2014, as a teacher at Regent High School, London:

1. In relation to Pupil A she:
  - a. engaged in inappropriate communications including:
    - i. Twitter messaging,
    - ii. explicit Twitter messaging,
    - iii. sending an inappropriate photograph via Twitter messaging on one or more occasions
    - iv. sending an explicit photograph via Twitter messaging on one or more occasions,
  - b. encouraged Pupil A to send you an inappropriate message and/or a photograph via Twitter messaging on one or more occasions,
  - c. failed to take appropriate action when you received an inappropriate:
    - i. Twitter message from Pupil A
    - ii. Photograph from Pupil A sent via Twitter messaging;
2. Her conduct set out at 1.a, and 1.b above was sexually motivated.

Ms Lawrence has admitted paragraphs 1a and 1c. She has denied encouraging Pupil A as alleged in paragraph 1b. She has admitted that her conduct was sexually motivated. The Panel has taken this admission to relate only to paragraph 1a, since paragraph 1b is denied.

## C. Preliminary applications

### Meeting on 5 August 2014

At the commencement of the meeting on 5 August 2014, the Panel were provided with a sealed envelope which was labelled as "Inappropriate materials (photos) (3 sheets)". Enquiries were made by the Legal Adviser on behalf of the Panel as to what images were contained within the envelope and whether the images had been disclosed to Ms

Lawrence. The Legal Adviser was advised that the images were of a female, not of Pupil A, and that the images had neither been disclosed to Ms Lawrence, nor had she been provided with the opportunity to view the images in preparation for the meeting.

The Panel noted that there is no provision in the Teacher Misconduct- Disciplinary Procedures for the Teaching Profession (The “Procedures”) regarding the admission of additional documents, but that the procedure at the meeting is to be determined by the Chair in accordance with Paragraph 4.88.

The Panel considered Paragraph 4.18 of the Procedures and noted that the Panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case. The Panel also noted that evidence not disclosed in accordance with paragraph 4.20 is to be admitted only with the permission of the Panel at the hearing. Paragraph 4.20 envisages documents being disclosed either within the Notice of Proceedings or at least 4 weeks prior to a hearing. Although this matter had not been convened as a hearing, the Panel considered that in the interests of fairness, comparable requirements as to disclosure should apply in a meeting. This therefore required the images to be disclosed to Ms Lawrence, or that she be given the opportunity to view the images in advance of the Panel determining the case. Although admissions had been made, the Panel noted that Ms Lawrence had not had the opportunity to view the images before making those admissions, and there was a possibility that her case may have been presented differently had she had that opportunity.

The Panel also considered the extent to which the images were relevant to the allegations. The Panel noted that it is being asked to make findings of fact as to whether Ms Lawrence sent an inappropriate photograph and/ or sent an explicit photograph on one or more occasions and the Panel considered that it would be necessary to view the images in order to assess this.

In addition, the Panel noted that allegation 1c (ii) requires the Panel to decide whether Ms Lawrence failed to take appropriate action when she received an inappropriate photograph from Pupil A. In order to determine this the Panel considered it necessary to have an understanding of what the photograph depicted for it to assess whether Ms Lawrence should have taken such actions. That photograph was not amongst the bundle of papers supplied by the National College to the Panel (the “Panel Bundle”), nor was it understood that the sealed envelope contains that photograph given the information received by the Legal Adviser that the envelope contains images of a female. The Panel also considered it necessary for Ms Lawrence to see the photograph, in order that she could make an informed decision about any admissions.

Although the Panel noted that in this case there are admissions, the Panel was concerned that Ms Lawrence had not had sight of key pieces of evidence prior to making admissions. In addition, it is for the Panel to decide whether the facts of the case have been proved under Paragraph 4.72 of the Procedures, and therefore has to make an assessment as to whether it is proven that the images are inappropriate and / or explicit.

The Panel also gave consideration to whether this matter was suitable for determination at a meeting and reached the view that these allegations should be considered at a hearing. The Panel had regard to paragraph 4.90 and noted that the Panel had to decide whether the public interest and/ or the interests of justice required the allegations to be considered at a hearing.

In a meeting, there is a public announcement of the findings of facts and the decision on unacceptable professional conduct and/ or conduct that may bring the profession into disrepute. In a hearing, all of the evidence and submissions are heard in public providing greater transparency to the proceedings. In this case, the Panel considered that the seriousness of these allegations was such that an open airing of the allegations and the evidence was in the public interest. This was not a case involving a conviction where there has already been a public hearing, and the Panel considered that these allegations are such that the public interest is in favour of there being a hearing. The Panel appreciated that this may create a delay, but given the Panel's concerns at paragraph 3, 4 and 5 above, the Panel was concerned for these issues to be resolved. The Panel noted that the Procedures contain a power for interim prohibition orders to be considered. It was the Panel's view that if this case is not relisted before the beginning of the next school term, that the NCTL should carefully consider the necessity for an interim prohibition order.

The Panel also carefully considered the interests of justice including the fairness to all parties, particularly Pupil A, Ms Lawrence and the public. On balance, the Panel was of the view that justice must not only be done, but be seen to be done.

The Panel therefore decided to adjourn the case in order that a hearing could be convened.

### **Hearing on 23 September 2014.**

#### **Proceeding in Absence**

The Panel considered whether the hearing on 23 September 2014 should continue in the absence of Ms Lawrence.

The Panel was satisfied that the College had complied with the service requirements of Regulation 19 a to c of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations").

Although the usual 8 weeks notice of this hearing had not been given, the Notice of Hearing refers to Ms Lawrence's decision to waive that usual notice period as she is entitled to do by paragraph 1.4 of the Procedures. The Panel had not received any document indicating, that on receipt of the Notice, Ms Lawrence had any objection to the hearing taking place on the date proposed.

The Panel was also satisfied that the Notice of Proceedings contained the details required by paragraph 4.12 of the Procedures. The Panel bundle was sent to Ms Lawrence with an earlier Notice of Hearing, save for some photographs and her emails

did not indicate that she wished to view those photographs. There had been additions to the Bundle, but Ms Lawrence had expressly indicated she did not wish to receive the revised bundle.

The Panel determined to exercise its discretion under Paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher.

In making its decision, the Panel noted that the teacher may waive her right to participate in the hearing. The Panel understood that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one.

The Panel took account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1. Ms Lawrence clearly indicated that she felt unable to attend for health reasons, but had not requested an adjournment, nor had she presented any medical evidence that she was unfit to attend. She requested that the decision be emailed to her. The Panel had regard to the requirement that it be only in rare and exceptional circumstances that a decision should be taken in favour of the hearing taking place. The Panel considered that the teacher has plainly waived her right to appear in the knowledge of when and where the hearing is taking place. There was no indication that a further adjournment would result in Ms Lawrence attending the hearing. The Panel had the benefit of Ms Lawrence's representations and could exercise vigilance in making its decision, taking account of such points as were favourable to Ms Lawrence as was reasonable available on the evidence. The Panel had regard to the seriousness of this case, and the potential consequences for Ms Lawrence but considered, in light of her waiver of her right to appear, that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time was in favour of proceeding with the hearing.

### **Public or Private Hearing**

The Panel considered whether to exercise its discretion under Regulation 11 and paragraph 4.57 of the Procedures to exclude the public from all or part of the hearing. This followed a request by Ms Lawrence that the hearing should be in private.

The Panel determined not to exercise its discretion under Regulation 11 and the second bullet point of paragraph 4.57 of the Procedures that the public should be excluded from the hearing.

The Panel took into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of these proceedings and also to maintain confidence in the teaching profession. The Panel noted that Ms Lawrence had requested that the hearing be in private on the grounds of the impact on her health, that the allegations related to a private exchange of emails, that there may be an impact on the School and may affect the progress Ms Lawrence has made in her life. The Panel balanced the reasons why the teacher has requested that





Section 4: National College for Teaching and Leadership Documents

Pages 25 – 100

Section 5: Teacher Documents

Pages 101 - 120

The Panel Members confirmed they had read all of the documents in advance of the meeting.

The Panel then received a revised bundle in advance of the hearing on 23 September 2014 which included:

Section 1: Chronology and Anonymised Pupil List

Pages 1 – 3

Section 2: Notice of Referral, response, Panel determination (adjournment) and notices

Pages 4 – 9n

Section 3: Statement of Agreed Facts

Pages 9o – 24

Section 4: National College for Teaching and Leadership Documents

Pages 25 – 100e

Section 5: Teacher Documents

pages 102 - 120

The Panel members confirmed they had read all of the documents in advance of the hearing.

The Panel admitted a small bundle of additional documents, relevant to the Panel's consideration as to whether to proceed in Ms Lawrence's absence and to her application to proceed in private. It was considered fair to admit these documents since they were exchanges of communications with Ms Lawrence herself. These were paginated as pages 100 f to 100i and read by the Panel.

The Panel received an application to admit three photographs that had not been included within the Panel Bundle. The Panel considered that both the photographs, together with the Twitter messages referred to in the panel bundle were core to the allegations in this case, and therefore satisfied the question of relevance. The Panel was satisfied that it was fair to admit the documents, since Ms Lawrence had been clearly provided with the opportunity to view the photographs and an attendance note of that conversation indicated that she did not wish to take that opportunity. The photographs were therefore admitted in evidence and viewed by the Panel.

## **Witnesses**

The Panel heard no oral evidence.

## **E. Decision and reasons**

The Panel announced its decision and reasons as follows:

We have now carefully considered the case before us and have reached a decision.

We confirm that we have read all the documents provided in the bundle, in advance of the hearing and have read the additional documents and viewed the photographs admitted during the course of the hearing.

### Summary of Evidence

Between July 2009 and 14 March 2014, Ms Lawrence was employed as a teacher at Regent High School (“the School”). She taught Pupil A Sociology. Pupil A was a male, 18 year old, sixth form student. Pupil A reported having exchanged a series of Twitter messages and images with Ms Lawrence. On 13 March 2014, Ms Lawrence was suspended from her post at the School and on 14 March 2014, Ms Lawrence resigned. The School did not instigate disciplinary proceedings.

## **Findings of Fact**

Our findings of fact are as follows:

We have found the following particulars of the allegations against you proven, for these reasons:

### **1 Whilst employed between July 2009 and March 2014 as a teacher at Regent High School, London in relation to Pupil A she:**

#### **a. Engaged in inappropriate communications including:**

##### **i. Twitter messaging**

In a Statement of Agreed Facts signed by Ms Lawrence, she admitted to engaging in inappropriate communication via Twitter messaging. Messages sent by Ms Lawrence and Pupil A are set out in the body of the Statement of Agreed Facts and two appendices. The Statement of Agreed Facts refers to messages sent on 10 March 2014. The first appendix contains messages exchanged on 11 March 2014 and the second appendix contains messages exchanged on 12 March 2014. Ms Lawrence admits to having exchanged the messages with Pupil A set out in both appendices. The Panel also has in its bundle a series of screenshots containing Twitter messages using sexually explicit language. Those messages have the same content as the transcription of the messages set out in the two appendices.

The panel bundle contains an attendance note written by a learning mentor. This states that on Tuesday 11 March 2014, Pupil A “asked advice about a 28 year old female who

wants to sleep with him! He mentioned explicit pictures, explicit messages, flirting". The note goes on to state that on Thursday "He confided the 28 yr (sic) old was a member of staff". The Learning mentor describes then having gone with Pupil A to see the Learning Support Manager and that Pupil A "explained from the beginning that the 28 year old in question was Ms Toms/Lawrence. He proceeded to tell us about the messages and pictures". The Panel Bundle contains an email from Ms Lawrence confirming that her maiden name was "Toms". There are numerous references to Ms Toms in the Panel Bundle, and the Panel was satisfied that these were references to Ms Lawrence.

The Panel Bundle also contains a student statement written by Pupil A in which he described Ms Lawrence responding to a sexual comment. He has then described exchanging messages which he describes as "a lot of explicit flirting". He has also given examples in his statement of the messages that were exchanged.

Having viewed the messages set out in the panel bundle, the Panel was satisfied that the messages were inappropriate. There were messages such as "... the way you talk to me is so hot" which although not explicit, were inappropriate. The Panel considered that engaging in Twitter conversations with pupils in itself was likely to be inappropriate, as it was a form of communication which was outside of the usual methods of monitoring by a school.

The Panel is satisfied that this allegation is proven.

## **ii. Explicit Twitter messaging**

The Statement of Agreed Facts contains an admission that the inappropriate communications included Twitter messages which were explicit. Having viewed the content of those messages, the Panel is satisfied that the messages were sexually explicit, describing sexual acts.

The Panel is satisfied that this allegation is proven.

## **iii. Sending an inappropriate photograph via Twitter messaging on one or more occasions**

The Panel has seen an indistinct image that in the context of the exchanges of messages appears to have been sent by Ms Lawrence. Given the time at which the message was sent, 20:21, the use of Twitter messaging between a teacher a pupil, and the content of the messages sent around this time, the Panel considered it to have been inappropriate for Ms Lawrence to have sent any image of herself. The Panel is of the view that it is inappropriate for a teacher to use a personal Twitter account to send a photograph to a pupil, which is outside the usual methods of monitoring by a school.

The Panel finds this allegation proven.

#### **iv. Sending an explicit photograph via Twitter messaging on one or more occasions**

The Statement of Agreed Facts contains an admission that Ms Lawrence sent Pupil A an image of parts of her body. Appendix 1 also refers to an “Inappropriate photograph sent by Ms Lawrence”, but does not contain the photograph itself. Appendix 2 of the Statement of Agreed Facts refer to “Inappropriate sexual picture sent by Ms Lawrence” but does not contain the photograph itself. Ms Lawrence has admitted exchanging the messages set out in Appendix 1 and 2.

Pupil A’s statement describes the photographs sent by Ms Lawrence. He describes images of sexual organs and a sexual act.

The Panel has seen three photographs sent by Ms Lawrence and considered these to be sexually explicit. The Panel finds it inappropriate to send such images to a pupil.

The Panel therefore finds this allegation proven.

#### **b. Encouraged Pupil A to send her an inappropriate message and/or a photograph via Twitter messaging on one or more occasions**

Ms Lawrence denies this allegation, having annotated the Statement of Agreed Facts with the words “He consented not encouraged”. In an email to the Deputy Head teacher, Ms Lawrence states that the “inappropriate messages were initiated by him”. In a letter provided for these proceedings, Ms Lawrence states that Pupil A was “an adult he was 18 years old, fully consenting and initiated contact”.

In the Statement of Agreed Facts Ms Lawrence admits sending a message on 10 March 2014 instigating a game of “truth and dare”, in which Pupil A opted for “dare”. In response to Ms Lawrence’s request for a picture, which she admits sending, Pupil A sent her an inappropriate image. The second inappropriate image was sent by Pupil A in response to a message which Ms Lawrence admits sending implying dissatisfaction if Pupil A was playing FIFA rather than taking a picture of himself.

Pupil A’s statement records the first inappropriate interaction between him and Ms Lawrence having been his comment. He describes how the game of “truth and dare” was initiated by Ms Lawrence and how he sent her a picture in response to her request and then a further photograph following her comment regarding “playing FIFA”. He then describes the exchanges of message between them which he states included him saying “explicit stuff” in response to her request to “try harder”.

Having reviewed the content of the messages and Pupil A’s statement, it was apparent to the Panel that a number of inappropriate messages were exchanged between them. Ms Lawrence was in a position of responsibility towards Pupil A. The Panel was of the view that Ms Lawrence actively encouraged the exchange of messages on a personal Twitter account which was outside the usual methods of monitoring by a school.

Although the Panel has not seen the photographs sent by Pupil A, it is clear from both the Statement of Agreed Facts and Pupil A's own statement that images were sent by Pupil A to Ms Lawrence.

The Panel was satisfied that Ms Lawrence did encourage Pupil A to send her inappropriate messages and or a photograph via Twitter messaging on one or more occasions. This allegation is found proven.

**c. Failed to take appropriate action when she received an inappropriate:**

**i. Twitter message from Pupil A**

**ii. Photograph from Pupil A sent via Twitter messaging**

Ms Lawrence has admitted this in the Statement of Agreed Facts. The Panel has already found that Ms Lawrence did receive inappropriate messages and at least one photograph from Pupil A. The Panel considered that it was incumbent on Ms Lawrence to report any inappropriate contacts from a pupil in accordance with usual safeguarding procedures. The Panel notes that Ms Lawrence has admitted that during her PGCE course she undertook safeguarding training. Rather than continue and actively encourage the communication, she should have stopped it immediately and reported it.

There is nothing within the Panel Bundle to indicate that Ms Lawrence took any action upon receipt of the messages and photographs to stop the communication. There is evidence that it was Pupil A who informed a member of the staff at the School as to what had happened, rather than Ms Lawrence reporting the exchanges.

The Panel therefore finds allegation 1c proven in its entirety, including both sub-paragraphs.

**2 Her conduct set out at 1.a and 1.b above was sexually motivated**

In the Statement of Agreed Facts, Ms Lawrence has admitted that her conduct in exchanging messages with Pupil A was sexually motivated. Having viewed the messages exchanged between Ms Lawrence and Pupil A, and noting the explicit sexual content, the Panel was satisfied that Ms Lawrence was sexually motivated in her actions alleged at 1a.

Given that she denied encouraging Pupil A as alleged in 1b, the Panel has assumed that Ms Lawrence also denies having been sexually motivated in that respect. However, given the explicit messages sent by Ms Lawrence to Pupil A encouraging his response, the Panel considers that Ms Lawrence was sexually motivated.

This allegation is therefore found proven.

## Findings as to Unacceptable Professional Conduct and/or Conduct that may bring the profession into disrepute

In considering the allegations that the Panel has found proven, the Panel has had regard to the definitions in The Teacher Misconduct – Prohibition of Teachers Advice, which we refer to as the ‘Guidance’.

The Panel is satisfied that the conduct of Ms Lawrence in relation to the facts found proven, involved breaches of the Teachers’ Standards. The Panel considers that by reference to Part Two, Ms Lawrence failed to demonstrate consistently high standards of personal and professional conduct. Specifically, Ms Lawrence 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;
  - showing tolerance of and respect for the rights of others;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach;

Although the Panel has not had sight of the School’s policies, it would have been contrary to the ethos of any school for a teacher to behave as the Panel have found Ms Lawrence to have acted.

The Panel is satisfied that the conduct of Ms Lawrence was of a nature that fell significantly short of the standards expected of the profession.

The panel notes that the facts found proven took place outside the School, in the evenings. However, the messages were exchanged with a pupil of the School and blurred the boundaries of the teacher and pupil relationship. The imbalance of power between the teacher and pupil, with Ms Lawrence being the person in the position of responsibility and trust, could have affected Pupil A in a harmful way.

Accordingly, the Panel is satisfied that Ms Lawrence is guilty of unacceptable professional conduct.

The Panel has taken into account how the teaching profession is viewed by others and considered the significant influence that teachers may have on pupils, parents and others in the community. The Panel has taken account of the uniquely influential role that teachers can hold in pupil’s lives and that pupils must be able to view

teachers as role models in the way they behave. The findings of misconduct against Ms Lawrence are serious and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception. Ms Lawrence was in a position of responsibility for Pupil A and the public would expect to have confidence and trust in a teacher.

The Panel therefore finds that Ms Lawrence's actions constitute conduct that may bring the profession into disrepute.

## **Panel's recommendation to the Secretary of State**

Given the Panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it is 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 has to consider whether it is an appropriate and proportionate measure, and whether it is 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 has considered the particular public interest considerations set out in the Guidance and having done so has found all of them to be relevant in this case, namely the protection of pupils; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In light of the Panel's findings against Ms Lawrence, there is a strong public interest consideration in respect of the protection of pupils given the serious findings of engaging in sexually motivated communications via Twitter with a pupil.

Similarly, the Panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Lawrence were not treated with the utmost seriousness when regulating the conduct of the profession.

The Panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found proven against Ms Lawrence was wholly unacceptable.

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 Ms Lawrence.

In carrying out the balancing exercise the Panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Ms Lawrence. The Panel took further account of the Guidance, which suggests that a



prohibition order may be appropriate if certain behaviours of a teacher have been proven. The relevant behaviours in this case are:

- serious departure from the personal and professional conduct elements of the teachers' standards
- misconduct seriously affecting the education and/or 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, e.g. 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;

Ms Lawrence has stated that Pupil A was 18 years old, fully consenting and initiated contact, and that the relationship did not, at any point, become physical. The Panel was concerned that Ms Lawrence failed to show any insight as to the potential consequences for Pupil A as a result of her abuse of her position of trust. She appears to fail to appreciate that she was the person in the position of responsibility. She refers to the interaction having not impacted on her teaching or her ability to be professional. However, her conduct was at odds with the professional standards expected of a teacher. She has however, apologised to the School for what happened and has made substantial admissions regarding her conduct.

There were behaviours that would point to a Prohibition Order being appropriate. The Panel therefore went on to consider whether or not there were sufficient mitigating factors to militate against a Prohibition Order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case. In light of the Panel's findings, there was no evidence that the teacher's actions were not deliberate and in fact the Panel found the teacher's actions to be sexually motivated. There was no evidence to suggest that the teacher was acting under duress. Ms Lawrence has made representations regarding her health, the stress, both personal and professional that she was under at the time of the events, but the Panel could not see how such matters could have impacted on her ability to maintain a proper professional relationship with a pupil. Ms Lawrence did have a previously good history. The Panel has seen cards and thank you notes from students she has taught and one nomination she received for a teaching award. The Panel placed little weight on the thank you notes submitted by Ms Lawrence, since it unclear whether the authors were aware of the allegations against her, or when such documents were written. She has referred to having received outstanding comments in her lesson observations, and having consistently received praise for her teaching, but there is no independent evidence of this.

The Panel is of the view that Prohibition is both proportionate and appropriate. We have decided that the public interest considerations outweigh the interests of Ms Lawrence.



The graphic and explicit content of the messages and photographs sent over a period of several days was a significant factor in forming that opinion. Accordingly, the Panel makes 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 for them to decide to recommend that a review period of the order should be considered. The Panel were mindful that the Guidance advises 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 two years.

The Teacher Misconduct – Prohibition of Teachers Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. These behaviours include serious sexual misconduct, e.g. 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 their professional position to influence or exploit a person or persons. The Panel has found that Ms Lawrence’s actions to have been sexually motivated. She encouraged Pupil A to engage in exchanging inappropriate, sexually explicit messages and photographs with her. Ms Lawrence has failed to recognise that she was the person in the position of responsibility.

The Panel is of the view that the findings indicated a situation in which a review period would not be appropriate. The Panel decided that it would be proportionate in all the circumstances for the Prohibition Order to be recommended without provision for a review.

## **Decision and reasons on behalf of the Secretary of State**

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

This is a very serious case involving findings and admissions of sexual misconduct.

Ms Lawrence, through her behaviours, has failed to demonstrate consistently high standards of personal and professional conduct. In particular, Ms Lawrence 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;

showing tolerance of and respect for the rights of others.

Ms Lawrence's behaviour falls significantly short of that expected of a teacher.

I have weighed the interest of Ms Lawrence against the wider public interest and the interest of the protection of the reputation of the profession. I have also taken into account the need to be proportionate.

I support the recommendation of the panel that Ms Lawrence should be prohibited. This is a case that falls clearly within the guidance published by the Secretary of State.

I have also given careful consideration to the matter of a review period. Once again I have weighed the interests of Ms Lawrence and the wider public interest. I have also taken into account the published guidance.

I support the recommendation that Ms Lawrence should not be allowed a review period.

**This means that Ms Emma Lawrence 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 her, I have decided that Ms Emma Lawrence shall not be entitled to apply for restoration of her eligibility to teach.

This Order takes effect from the date on which it is served on the Teacher.

Ms Emma Lawrence has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this Order.



**NAME OF DECISION MAKER: Alan Meyrick**

**Date: 24 September 2014**

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