



National College for
Teaching & Leadership

Mr Aaron Joseph Goodwin: Professional conduct panel outcome

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

February 2017

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

Teacher: Mr Aaron Joseph Goodwin
Teacher ref number: 0881791
Teacher date of birth: 23 March 1987
NCTL case reference: 14661
Date of determination: 3 February 2017
Former employer: Cardinal Hume School, Tyne and Wear

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 17 - 18 November 2016, and 3 February 2017 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Aaron Joseph Goodwin.

The panel members were Ms Janet Draper (lay panellist in the chair), Mr Brian Hawkins (teacher panellist) and Ms Hilary Jones (lay panellist).

The legal adviser to the panel was Mr Tom Walker of Blake Morgan LLP.

The presenting officer for the National College was Mr Ben Chapman of Browne Jacobson LLP.

Mr Goodwin was represented by Mr Brocklehurst of Chambers Solicitors.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegation(s) set out in the Notice of Proceedings dated 16 August 2016.

It was alleged that Mr Aaron Joseph Goodwin was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. Whilst employed as a supply teacher at [a School in Gateshead] in 2014, and whilst on the school's premises, he:
 - a. Accessed the social media dating application Grindr;
 - b. Contacted a member of the public using Grindr;
 - c. Invited a member of the public to meet him in a toilet using Grindr;
 - d. Informed a member of the public in a Grindr message that he had a sexual relationship with a 12-year-old child.
2. In doing allegation 1. above he acted in breach of the school's policy.
3. On or around 20 August 2014, he sent messages to Individual A on Skype in which he:
 - a. Received videos including but not limited to videos called:
 - i. Boy Scout fuck fest;
 - ii. Young boy and man suck each other;
 - iii. Boy 12 cums with sound.
 - b. Requested that Individual A re-send him videos.
4. On or around 1 May 2013, he sent messages to Individual B on Skype in which he:
 - a. Stated that he was a teacher;
 - b. Stated that he was sexually attracted to male pupils at his school;
 - c. Stated that he masturbated at work;
 - d. Asked if he was into lads in their early teens;
 - e. Asked him to masturbate for him and told him to think of your "hot pupils".
5. In doing the conduct at allegations 1. and/or 3. and 4. above his actions were sexually motivated.

Mr Goodwin does not admit the facts of the case.

C. Preliminary applications

There were no preliminary applications.

However, after Mr Goodwin had given evidence in chief, Mr Chapman made an application on behalf of the National College to adjourn the case. This was on the basis that Mr Goodwin had given a more detailed account in his evidence than had been set out in an earlier written response produced by his solicitors on 17 March 2016. Mr Goodwin had also named a third party in his evidence for the first time as an individual who may have been responsible for the matters of which he stands accused.

Mr Chapman requested an adjournment to enable further enquiries to be made and further documents to be obtained, to include a full transcript of the police interview of Mr Goodwin, which took place on 28 February 2015, and a summary of which was contained within the papers before the panel. Alternatively, Mr Chapman proposed that this application to adjourn the proceedings could be reviewed at the conclusion of Mr Goodwin's evidence. The application to adjourn prior to the conclusion of Mr Goodwin's evidence was opposed by Mr Brocklehurst on the basis of fairness to Mr Goodwin, who was still on oath and in the process of giving evidence.

Decision relating to application to adjourn on 17 November 2016

The panel made the following decision.

The panel has carefully considered the application of the NCTL to adjourn this case to make further enquiries and obtain further evidence, to include a full transcript of the police interview.

The NCTL has submitted an adjournment would be preferable now and before any cross-examination of Mr Goodwin, but may renew an application following cross-examination.

Mr Brocklehurst for Mr Goodwin has opposed the application to adjourn at this stage and refers to fairness to Mr Goodwin and also the impact of an adjournment on him. The panel is mindful that an adjournment will have an impact upon Mr Goodwin.

The main consideration for the panel is whether an adjournment is fair and appropriate at this stage.

The panel accepts that a full transcript of the police interview may be relevant to this case. This is particularly so in the circumstances where Mr Goodwin's case has not been fully set out prior to giving evidence today. However, the panel is not satisfied that adjourning at this stage would be fair or appropriate. The panel has a summary of the interview and Mr Goodwin has already given evidence about this. The panel is of the view that Mr Goodwin can be cross-examined on the basis of the evidence before it today without prejudice to either the NCTL or Mr Goodwin.

In terms of the third party named by Mr Goodwin, the panel is mindful that allegations have been made against the third party. This is not a matter for determination by the panel at this stage, such matters are questions for consideration by other agencies.

The decision to proceed at this stage will be kept under review on the basis of appropriateness and fairness in all the circumstances, which will include the issue of the third party mentioned by Mr Goodwin.

Further Decision of 17 November 2016

Following conclusion of Mr Goodwin's evidence the panel sought submissions from both parties as to the next stage in proceedings and whether they were in a position to make closing submissions or whether further time was required.

Mr Brocklehurst and Mr Chapman both submitted that further time was required for any closing submissions. Both parties were also in agreement that a full copy of the police interview transcript would be of assistance to the panel. Mr Brocklehurst also informed the panel that, notwithstanding the fact that this case had been listed for 2 days, he was unavailable to attend the following day, 18 November 2016. Mr Brocklehurst then suggested making written submissions, but was unable to do this overnight. In turn, Mr Chapman suggested the National College may wish to make written submissions.

Given the agreement of both parties that an adjournment would be appropriate to make further inquiries such as to obtain the transcript of the police interview; and to make further submissions in relation to this matter; the panel agreed in accordance with the Disciplinary Procedures at 4.54 that an adjournment was fair and appropriate.

The panel also indicated that it would deliberate further for the purposes of making directions for the future progression of the case, to include consideration of the format of closing submissions.

Decision of 18 November 2016

The panel has deliberated in private and considered carefully the submissions made by the parties in this case in relation to the adjournment of this matter on 17 November 2016.

The panel has considered the case as presented by the National College, and also the evidence of Mr Goodwin and the submissions made on his behalf. The panel has considered carefully the future progression of this case, and is of the view that it would be of assistance if the full transcript of the police interview, or a DVD of the same, was made available prior to closing submissions. This material would provide clarity as to which questions Mr Goodwin was asked by the police, and is relevant to the case. Both parties had been in agreement that this evidence would assist the case.

The panel would also be assisted by clarification from the National College as to the format of the two Skype conversations giving rise to Allegations 3-5 and an explanation for the non-consecutive timings of individual elements of the conversations. This issue was raised as a concern by Mr Goodwin and the panel shares those concerns.

Clarification of this issue may assist in resolving those concerns.

The panel has had regard to the Teacher misconduct - Disciplinary procedures for the regulation of the teaching profession, "the Procedures" in relation to the admissibility, inspection and service of evidence at paragraph 4.18 - 4.26 and is of the view that the police transcript or DVD would be relevant and its admissibility would on the face of it be fair subject of course to any further submissions from the parties. Similarly, clarification of the query above in relation to the Skype conversations would be relevant and any evidence clarifying this issue would be admissible on the same basis.

The panel directs that the National College seeks to obtain the police transcript/DVD and clarification of the Skype conversations.

The panel is of the view that this material can be obtained by the National College in pursuance of its regulatory functions.

The panel envisages that the parties will liaise in relation to these matters and any further disputes can either be resolved in advance of the resumed hearing, or if this is not possible, dealt with in submissions at the resumed hearing. The panel is also very firmly of the view that the attendance of both parties at the resumed hearing would be of great assistance to the panel's deliberations.

Subject to any disputes between the parties as to any further material obtained, the panel also requests that such material is made available to it for consideration in advance of the hearing. In the event that a DVD of the interview is obtained in place of a transcript then the panel envisages that this should be played at the resumed hearing.

In either event, the panel expects the parties to confirm the anticipated position in relation to the progression of this case, and their readiness to proceed, by 16:00hrs on 16 December 2016.

D. Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – page 2

Section 2: Notice of Proceedings and Response – pages 4 to 9

Section 3: NCTL witness statements – pages 10 to 13

Section 4: NCTL documents – pages 14 to 76

Section 5: Teacher documents – pages 78 to 79

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

Witnesses

The panel heard oral evidence from Mr Goodwin.

Witness A

E. Decision and reasons

The panel made its preliminary decisions as above. There was no finding of fact following the hearing on 17-18 November 2016. However, the panel re-convened to consider further representations by the parties and the facts on 3 February 2017.

The panel has carefully considered the case before us and has reached a decision. The panel confirms that it has read all the documents provided in the bundle in advance of the hearing. The panel has also had sight of the additional correspondence between the NCTL and the Police put before the panel on 3 February 2017.

The panel has considered carefully the lengthy closing submissions made on behalf of the NCTL, by Mr Chapman, and on behalf of Mr Goodwin, by Mr Brocklehurst. The panel has had legal advice in relation to the approach to be taken at this stage of proceedings and has accepted that advice.

This case relates to Mr Goodwin and conduct alleged to have taken place largely between 2013 and 2014 both within and outside a school setting. Mr Goodwin informed the panel that he had worked as a teacher between 2008 and 2014. Between 2013 and 2014, Mr Goodwin had worked as a supply teacher in the Newcastle area. In the autumn of 2014, a complaint was made by Witness A that a man purporting to be a supply teacher had contacted him on a social media dating application called Grindr, and communicated with him in a sexually explicit way from within a school premises. Witness A gave a statement to the police but has since passed away. This complaint resulted in a police investigation, in the course of which Mr Goodwin was interviewed under caution. Mr Goodwin accepted presence at the school at the material time, and accepted use of Grindr, but firmly denied that he had ever had any contact whatsoever with the complainant (Allegation 1 and 2).

As a result of the police investigation, Mr Goodwin's laptop was seized by the police and two Skype conversations were recovered (Allegations 3 and 4). Mr Goodwin was not interviewed by the police in relation to the Skype conversations. No criminal charges were brought against Mr Goodwin and his laptop was returned to him. However, the matters outlined above were referred to the NCTL and give rise to the current case.

Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegations against you to be proved, for these reasons:

1. Whilst employed as a supply teacher at [a School in Gateshead] in 2014, and whilst on the school's premises, you:

a. Accessed the social media dating application Grindr;

The panel find this allegation proved. Mr Goodwin accepted in evidence that he used the social media dating application Grindr and also admitted that he used the application whilst employed as a supply teacher at the school. Mr Goodwin stated in evidence that he would have the application on in the background and would receive push notifications from the application. In the interview by the police at page 20 of the bundle, Mr Goodwin stated that he accessed the application to check messages.

The application uses GPS to track the user and thus when the application is active on a users' device, that individual's device is accessing the application in any event, and by virtue of that application being active, the user is permitting such access. This panel finds that by virtue of Mr Goodwin having the application 'on' even if he is not reading or sending messages, he is still accessing the application. The panel also finds that Mr Goodwin accessed the application on the school premises by virtue of checking messages as he himself accepted in his police interview. The panel thus finds that it is more likely than not that this particular is made out. Therefore, the panel find this particular to be proved.

2. In doing allegation 1. above you acted in breach of the school's policy.

The panel notes that the written policies provided in the bundle (pages 68 to 78) do not explicitly prohibit the use of personal equipment to access the internet, or social media dating applications such as Grindr. However, the panel is satisfied on the balance of probabilities that accessing a social media application such as Grindr, by having such an application 'on', which would enable the user to be located using GPS, or to read messages on school premises during school hours, would be a breach of the spirit of the school's social media and safeguarding policies, and as such this allegation is proven.

3. On or around 20 August 2014, you sent messages to Individual A on Skype in which you:

b. Requested that Individual A re-send you videos.

The panel was referred to transcripts of Skype conversations found on Mr Goodwin's laptop by the police as evidence that this allegation was made out. One of the users in the transcripts is described as 'Aaron Goodwin3'. Whilst the police obtained this transcript from the laptop, no questions were put to Mr Goodwin about this by the police.

Mr Goodwin was asked in the police interview about his use of the Grindr application. Mr Goodwin was also aware that the police were investigating sexual offences and that they had seized his laptop. Mr Goodwin thus had the opportunity in the police interview to give the police details of any other party who may have had access to any of his devices, including his laptop. No such details were provided. Mr Goodwin did, in response to the allegations in the NCTL case provide a written response through his representative to the effect that other parties had access to his laptop. However, no such parties were named.

Mr Goodwin gave evidence to the panel that a named third party had access to his flat in Newcastle and his laptop between approximately 2012 and the summer of 2014 (after which Mr Goodwin moved away from the Newcastle area) and thus for a period of some two years.

Mr Goodwin stated that this third party was afforded unfettered access to his flat, and was also provided with a key. Mr Goodwin also stated that the third party had access to his laptop, in particular for the purposes of looking for jobs as this individual had no computer of his own.

Mr Goodwin stated that he had fallen out with this third party when he had discovered that the third party had been convicted of a sexual offence, but he stated he was unsure of the details of this offence. Mr Goodwin stated that this third party was subject to police supervision, and furthermore that after they had fallen out he suspected that the individual was seeking to harass him and reported this to the police. No evidence was provided of any reports made to the police about such harassment. Mr Goodwin made no reference to any other specific third party who may have had access to his laptop either whilst or after he left Newcastle.

The panel notes that the transcripts are disjointed and incomplete, and further notes that no videos were discovered. However, the conversations, whilst incomplete show a clear pattern of some communication in relation to illegal sexual content.

Mr Goodwin's argument that this conversation is so incriminating that use of his own name, as a profile would be inherently unlikely does have some force. However, there is no coherent or plausible explanation as to who else may have been responsible for these conversations other than Mr Goodwin himself. The panel has considered Mr Goodwin's evidence but does not regard his evidence on the point as credible.

The panel does not regard it as plausible that the named third party would have accessed Skype on Mr Goodwin's computer as described, and indeed no other third party has been named.

The panel does not regard it as plausible that the named third party would have had such access to the laptop over such a long period, and at a range of times over the day and into the night.

Similarly, the panel does not regard it as credible that Mr Goodwin facilitated this, discovered the individual was a sex offender, and then failed to mention this to the police during their investigation into his alleged use of Grindr at which they seized his laptop. The panel is of the view that if this third party had the access described by Mr Goodwin then he would have mentioned this to the police either in interview, or indeed subsequently when he suspected harassment by the third party.

As at August 2014, Mr Goodwin on his own account had fallen out with this third party and whilst Mr Goodwin claimed he retained a key, we do not regard it as plausible that he would have accessed the flat and used the laptop in August 2014.

However, of more relevance is the fact that Mr Goodwin left the Newcastle area in the summer of 2014. Some of these conversations are dated January 2015 and thus the named third party cannot have been responsible. This undermines Mr Goodwin's account, which we do not regard as credible.

There is clear evidence that Mr Goodwin had knowledge of attempts to send him files containing images which by their descriptions alone referred to illegal sexual content. It is also clear that Mr Goodwin requested Individual A to resend videos, which by virtue of the conversation were intended to contain illegal sexual content.

The panel find on the balance of probabilities that Mr Goodwin was responsible for these communications. Consequently, this particular of the allegation is proved.

4. On or around 1 May 2013, you sent messages to Individual B on Skype in which you:

- a. Stated that you were a teacher;**
- b. Stated that you were sexually attracted to male pupils at your school;**
- c. Stated that you masturbated at work;**
- d. Asked if he was into lads in their early teens;**
- e. Asked him to masturbate for you and told him to think of your "hot pupils".**

For the reasons set out above under Allegation 3, the panel does not regard Mr Goodwin's account of third party responsibility for the Skype conversations as credible.

The conversation in May 2013 giving rise to this allegation is of a similar nature to the conversation in Allegation 3 in as far as there is a commonality as regards sexual interest in boys. The panel find that this conversation clearly contains each of the matters set out in a. to e. above, and that it is more likely than not that Mr Goodwin was the author of these and other messages of a sexually explicit nature.

Consequently, the panel find this allegation to be proved.

5. In doing the conduct at allegations 1 and/or 3 and 4 above your actions were sexually motivated.

The panel have found that the allegations found proved at 3.b. and 4.b to e. were sexually motivated and were so satisfied on the balance of probabilities. The panel has had regard to the advice received and has accepted that advice. The panel considers that acts can be regarded as sexually motivated if their objective is sexual gratification.

As regards Allegation 1.a. the panel is not satisfied that simply accessing the application Grindr is sexually motivated given that this application can be used for social purposes. There is no evidence of the precise purpose for which Mr Goodwin accessed Grindr.

As regards Allegation 3.b. the panel is satisfied that Mr Goodwin wanted to receive videos of illegal sexual content and that this was sexually motivated.

The panel finds that Allegations 4.b. to e. relate to communications, each of which was sexually motivated. The panel is not satisfied that the assertion that Mr Goodwin was a teacher (Allegation 4.a.) is intrinsically sexually motivated.

Consequently, the panel find this allegation to be proved to the extent set out above.

We have found the following particulars of the allegations against you to be not proved, for these reasons:

1. Whilst employed as a supply teacher at [a School in Gateshead] in 2014, and whilst on the school's premises, you:

b. Contacted a member of the public using Grindr;

This allegation flows from the report of Witness A, who reported to his teacher, and then a health worker, that he had been contacted on Grindr whilst near the school premises by someone purporting to be a supply teacher.

Witness A gave an account of this contact to his teacher, and then gave an expanded account some months later to a health worker and then the police.

There were some discrepancies in some of the dates provided by Witness A and the health worker as to when Witness A made his initial report to her. However, such discrepancies do not undermine the essence of the allegation made by Witness A.

Witness A was reported by his teacher to have been prone to exaggeration. We have considered carefully the nature of the complaint made by Witness A and we approach his evidence with some degree of caution. However, we note that there is no direct evidence at all which identifies Mr Goodwin as the individual responsible for sending this (or indeed any) message.

Given the nature of the application, messages can be sent from a range of individuals purporting to be whomever they choose. The panel notes that mere suspicion is not enough. Whilst we note that Mr Goodwin used the application, the panel cannot be satisfied that it is more likely than not that Mr Goodwin contacted a member of the public, in this case Witness A, using Grindr as alleged. Therefore, the panel find this particular to be not proved.

c. Invited a member of the public to meet you in a toilet using Grindr;

For the reasons set out above at 1b., we are not satisfied that Mr Goodwin invited a member of the public, Witness A, to meet him in a toilet. Therefore, the panel find this particular to be not proved.

d. Informed a member of the public in a Grindr message that you had had a sexual relationship with a 12-year-old child.

For the reasons set out above at 1.b., we are not satisfied that Mr Goodwin informed a member of the public that he had had a sexual relationship with a 12-year-old. Therefore, the panel find this particular to be not proved.

3. On or around 20 August 2014, you sent messages to Individual A on Skype in which you:

a. Received videos including but not limited to videos called:

- i. Boy Scout fuck fest;**
- ii. Young boy and man suck each other;**
- iii. Boy 12 cums with sound.**

As regards 3.a. there is only evidence indicating that such videos were sent, and not that such videos, or indeed any videos, were actually received. For this reason we find Allegation 3.a. not proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute

Having found a number of the allegations to have been proven, the panel has gone on to consider whether the facts of those proven allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel has had regard to the document Teacher misconduct: The prohibition of teachers, which the panel refers to as “the Advice”.

The panel is satisfied that the conduct of Mr Goodwin in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Goodwin 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 proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel is satisfied that the conduct of Mr Goodwin fell significantly short of the standards expected of the profession.

In relation to Allegations 1.a. and 2 the panel is satisfied that Mr Goodwin is guilty of unacceptable professional conduct. Mr Goodwin has failed to have proper regard to the policies of the school and failed to uphold public trust in the profession.

The panel notes that Allegations 3 and 4 (and 5 as far as relevant to 3 and 4) took place outside of the education setting.

However, there were clear references in the April to July 2013 Skype conversation (Allegation 4) to pupils as sexual objects, and to Mr Goodwin's role as a teacher and the sexual gratification he derived from that role (Allegation 5). This breaches the need to safeguard pupils and treat them with dignity. This conduct also clearly affects the way Mr Goodwin fulfilled his teaching role and had the potential to expose pupils to risk and was therefore unacceptable professional conduct.

The panel has taken into account how the teaching profession is viewed by others and considered the 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 pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

The findings of misconduct 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.

Having found the facts of Allegation 3.b., 4 and 5 proved, we find that Mr Goodwin's conduct as regards these particulars amounts to conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

The panel has noted that Mr Goodwin has no previous disciplinary history and is a person of good character. The panel was not provided with any character references.

The panel has carefully considered the guidance in the Advice.

Given the panel's findings in respect of unacceptable professional conduct/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 Advice and having done so has found a number of them to be relevant in this case, namely: the protection of pupils and the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel's findings against Mr Goodwin included use of a social media dating application on school premises, engagement in online conversations of a sexually explicit nature involving reference to illegal sexual activity with minors, and a sexual interest in pupils. Therefore, there is a strong public interest consideration in protecting members of the public including pupils.

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

The panel also considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Goodwin 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 Goodwin.

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 Mr Goodwin. 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 proven. 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;
- a serious and continuing risk to the well-being of pupils;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and that risked using or exploiting the trust, knowledge or influence derived from the individual's professional position.

Whilst there was no evidence of possession of indecent images, there was evidence that Mr Goodwin was interested in such images and sought to obtain them.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel 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.

There was no evidence to suggest that Mr Goodwin was acting under duress, and in fact the panel found Mr Goodwin's actions to be calculated and in some respects sexually motivated.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Mr Goodwin.

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 Advice 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 2 years.

The Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours includes 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 Mr Goodwin has been responsible for serious sexual misconduct. Whilst there is no evidence of Mr Goodwin causing any direct actual harm to any individual pupils, by virtue of the matters found proved at Allegations 3.b. and 5, Mr

Goodwin has encouraged the distribution of illegal sexual content involving minors who inevitably would have been subject to harm by those involved in producing such content.

Mr Goodwin denied the allegations throughout the hearing and expressed no remorse or insight.

The panel felt 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 that has been made by the panel in respect of both sanction and review.

A number of allegations have been found proved. Those allegations not found proved I have put from my mind. Of the allegations found proved, the panel considers that these amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has found that Mr Goodwin has breached 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 proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel has also taken into account the Advice published by the Secretary of State which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. 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;
- a serious and continuing risk to the well-being of pupils;

- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and that risked using or exploiting the trust, knowledge or influence derived from the individual's professional position.

I have considered the panel's recommendation carefully. The panel has considered the particular public interest considerations set out in the Advice and having done so has found a number of them to be relevant in this case, namely: the protection of pupils and the protection of other members of the public; the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct. I agree with the panel's view.

The panel's findings against Mr Goodwin included use of a social media dating application on school premises, engagement in online conversations of a sexually explicit nature involving reference to illegal sexual activity with minors, and a sexual interest in pupils. I agree with the panel that there is a strong public interest consideration in protecting members of the public including pupils.

I have taken into account the need to balance the public interest with the interests of the teacher. I have taken into account the need to be proportionate.

In this case, I agree with the recommendation of the panel that Mr Goodwin should be prohibited from teaching. I agree that this is both an appropriate and proportionate response.

I now turn to the matter of a review period. The panel has found that Mr Goodwin has been responsible for serious sexual misconduct. I note that although there was no evidence of possession of indecent images, there was evidence that Mr Goodwin was interested in such images and sought to obtain them. Mr Goodwin has encouraged the distribution of illegal sexual content involving minors who inevitably would have been subject to harm by those involved in producing such content.

I note that Mr Goodwin denied the allegations throughout the hearing and expressed no remorse or insight.

For the reasons set out above, I agree with the recommendation of the panel that Mr Goodwin should not be given a review period.

This means that Mr Aaron Goodwin 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 Goodwin 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 Goodwin 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 black ink, appearing to be 'JM', with a small dot at the end of the signature.

Decision maker: Jayne Millions

Date: 9 February 2017

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