



National College for
Teaching & Leadership

Mr Emmanuel Egbe: Professional conduct panel outcome

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

February 2018

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

Teacher: Mr Emmanuel Egbe
Teacher ref number: 0365961
Teacher date of birth: 29 December 1959
NCTL case reference: 15951
Date of determination: 6 February 2018
Former employer: Challney High School for Girls

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 5 and 6 February 2018 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Emmanuel Egbe.

The panel members were Mr Paul Bompas (lay panellist – in the chair), Ms Caroline Tilley (lay panellist) and Mr Phillip Riggon (teacher panellist).

The legal adviser to the panel was Miss Hannah James of Eversheds-Sutherland LLP solicitors.

The presenting officer for the National College was Mr Andrew Cullen of Browne Jacobson LLP solicitors.

Mr Emmanuel Egbe was present and was represented by Ms Susan Monaghan of No 5 Chambers. She is instructed by Mr Ete of Charles Ete & Co Solicitors who was not in attendance.

The hearing took place in public and was recorded save that where medical details of Mr Egbe were discussed, the panel reverted into private session on those occasions only.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 20 November 2018.

It was alleged that Mr Emmanuel Egbe was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that he failed to maintain appropriate professional boundaries and/or appropriate professional standards when working as a teacher at Challney High School for Girls (“the School”) in that:

1. In relation to Pupil A, he:
 - a. provided her with his mobile phone number;
 - b. exchanged text and/or social media messages with her;
 - c. instructed her to delete the messages which he had exchanged with her;
2. His conduct as may be found proven at allegation 1. was sexually motivated.
3. His conduct as may be found proven at allegation 1.c.was dishonest in that he sought to conceal his conduct toward Pupil A.

C. Preliminary applications

The panel heard two preliminary applications from the teacher’s representative; to admit documents into evidence late, and to hold the entirety of the hearing in private.

Mr Egbe applied to admit his witness statement as evidence as it was not served in accordance with the requirements of paragraph 4.20 of Teacher misconduct: disciplinary procedures (the “Procedures”). Mr Egbe also asked if he could introduce into evidence an email from his friend by way of a character reference. The panel took into account Mr Egbe’s representations and the fact that the presenting officer did not oppose the admission of the documents.

The panel had regard to its power under paragraph 4.18 of the Procedures to admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case. The panel was satisfied that the documents may reasonably be considered relevant to the case, as the first contains Mr Egbe’s response to the witness statement put forward by the presenting officer’s witness and the second could be argued to be a character reference for Mr Egbe. In addition, with regard to the overall question of fairness, the panel concluded that it would be fair to admit the evidence.

The documents were admitted to the hearing bundle at pages 369 to 374.

Mr Egbe also applied for the entirety of the hearing to be heard in private due to detailed references that he expected would need to be made to the detail of his “health /medical condition”.

The panel noted that it had a discretion under Paragraph 11 of the Teachers’ Disciplinary (England) Regulations 2012 (the “Regulations”) to exclude the public from a hearing or any part of a hearing where it appeared to be in the interests of justice or the public interest to do so; or where the teacher who is the subject of the case requests that part of the hearing should be in private and the panel does not consider it to be contrary to the public interest to do so.

The panel had regard to Mr Egbe’s position that he wished to protect his personal medical information and to the submissions of the presenting officer that protection could adequately be afforded by reference being made only to Mr Egbe’s “health/medical condition” rather than any further detail being provided. It was proposed by the presenting officer that where further information in relation to Mr Egbe’s health condition was required to be discussed, the hearing could at that stage convene a private session at that time, reverting to public session thereafter.

The panel considered the starting point and general rule that hearings should be held in public and balanced the reasons for which it is proposed to exclude the public against the competing reasons for which a public hearing is generally required, as well as the need to maintain confidence in the profession by having disciplinary hearings open to the public.

The panel did not consider it to be contrary to the public interest to exclude the public in this case and so the panel allowed Mr Egbe’s application, save that the panel accepted the presenting officer’s position that the entirety of the hearing need not be in private. The panel decided it would revert into private session only when the health condition of Mr Egbe was being discussed.

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 – pages 2 to 3

Section 2: Notice of Proceedings and response – pages 4 to 16

Section 3: NCTL witness statements – pages 17 to 25

Section 4: NCTL documents – pages 26 to 368

In addition, the panel agreed to accept the following:

Section 5: Teacher documents – pages 369 to 374

The teacher's documents were served on Thursday 1 February 2018 (in respect of the Witness Statement of Mr Egbe) and 5 February 2018 (in respect of the email from person EA).

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

Witnesses

NCTL called one witness, the assistant headteacher of the School. Mr Egbe gave evidence and did not call any other witness.

E. Decision and reasons

The panel announced its decision and reasons as follows:

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.

Mr Egbe had been employed by the School since September 2014 as an English teacher. He is accused by NCTL of sexually motivated conduct towards Pupil A whom he had taught, and dishonesty in relation to his request that Pupil A delete evidence of such conduct. Pupil A's sister had read some of the communications from Mr Egbe on Pupil A's mobile phone and had confronted Mr Egbe about the contact by sending him a message. Pupils B and C were also aware of the contact and were concerned. On 11 July 2016 Pupil A's aunt raised concerns with the school and showed the school's safeguarding officer screenshots of the messages from Mr Egbe which were discovered on Pupil A's phone. On 13 July 2016, Mr Egbe was suspended from school pending investigation. Mr Egbe cooperated with the School's disciplinary investigation. He submitted medical evidence in support of his defence to his actions. Following the conclusion of the disciplinary hearing and subsequent appeal concerning his inappropriate conduct, all allegations were upheld and Mr Egbe was dismissed.

Findings of fact

Our findings of fact are as follows:

The panel considered whether the facts of the case had been proven on a balance of probabilities.

The panel has found the following particulars of the allegations against you proven, for these reasons:

You are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that you failed to maintain appropriate professional boundaries and/or appropriate professional standards when working as a teacher at Challney High School for Girls in that:

1. In relation to Pupil A, you:

a. provided her with your mobile phone number;

In relation to allegation 1.a., the allegation has been admitted and the panel has seen evidence that Mr Egbe's number was saved on Pupil A's phone. It is therefore found proven.

b. exchanged text and/or social media messages with her;

In relation to allegation 1.b., the allegation has been admitted in respect of the fact that Mr Egbe exchanged text messages with Pupil A, but denied in respect of the exchange of social media messages. The panel found the allegation proven in respect of text and/or social media messages. Mr Egbe exchanged WhatsApp messages with Pupil A; WhatsApp is a form of social media messaging. The panel also saw copies of these social media messages which Mr Egbe admitted sending. The panel makes no finding as to the screenshots it has seen of the photographs of Mr Egbe saved on Pupil A's phone, which were produced in the bundle. It has seen no evidence to suggest these photographs were sent or received by Mr Egbe or how these photographs came to be stored on Pupil A's mobile phone.

c. instructed her to delete the messages which you had exchanged with her;

In relation to allegation 1.c., the allegation has been admitted and the panel has seen a photograph of a screenshot of the message sent by Mr Egbe to Pupil A's phone asking Pupil A to delete the messages, and it is therefore found proven.

2. Your conduct as may be found proven at allegation 1 was sexually motivated.

As the panel found allegations 1.a. to 1.c. proven, it went on to consider allegation 2. Mr Egbe denies this allegation. The panel saw evidence in the form of screenshots of messages sent by Mr Egbe to Pupil A. One in particular at 00:29 which read "[Pupil A], I'm falling deeply in love with you and I hope you feel the same too", and others, on separate occasions, which read "but don't tell him you'll be coming to visit me on my return from holiday", with an immediate response to Pupil A's reply saying, "That's fine. I hope you'll be coming alone". Pupil A confirmed that she was alone. A further message

stated “[Pupil A], we have to hold off for now. I got a disturbing text from your sister. I have to think about what I’m getting myself into. She has read all our messages but don’t confront her or else you might force her to report you to your parents”. Pupil A responded with a series of messages such as “What did the messages say”, “just tell me”, and later she stated “my heart is broken know”. Mr Egbe admits sending these text messages to Pupil A. Several exchanges of messages were sent and received very late at night and on weekends.

The panel heard evidence from Mr Egbe that the content of his messages was not sexual in nature or sexually motivated in any way. His representative stated that there was an absence of sexual remarks towards Pupil A in the messages. Mr Egbe provided three separate explanations to the panel for his behaviour. The first was that his relationship with Pupil A was akin to that between a father and daughter. The second was that the conduct was as a result of possible health episodes and that he was not thinking or acting rationally on the separate occasions in which the conduct took place. Thirdly, he stated that his words were being taken out of context and that his expression of love was actually for Pupil A’s commitment to her studies, and his hope that Pupil A loved him too for that commitment. Whilst there was no use of overtly sexual language in the evidence before the panel, it considered that the totality of the messages, as well as the tone of the expressions of love made and attempts to meet Pupil A alone, were romantic and sexual in nature. In addition, the panel also considered Mr Egbe’s evidence to be inconsistent and contradictory, and did not find his explanations credible or plausible.

Pupil A’s sister interpreted the messages from Mr Egbe to Pupil A to be “disgusting”, when she contacted him directly by message to say, “how could you send a 15 year old such disgusting messages...”. Mr Egbe accepts that he received this message from Pupil A’s sister and the panel has seen a screenshot of the message. By his own admission, the message caused Mr Egbe to request that Pupil A delete the messages exchanged.

The panel reviewed all of the evidence and concluded, on a balance of probabilities, that Mr Egbe’s conduct was more likely than not to have been sexually motivated. Therefore, allegation 2 was found proved.

3. Your conduct as may be found proven at allegation 1.c. was dishonest in that you sought to conceal your conduct toward Pupil A.

In relation to allegation 3, Mr Egbe denies this allegation. The panel saw the messages Mr Egbe sent to Pupil A following the message quoted above (under allegation 2) which begins “[Pupil A] we have to hold off...”, namely, “just be careful” and “BE CAREFUL. She’s threatening to make a report. But don’t confront her”, and finally, “[Pupil A], you must delete all messages on your phone. Your cousin seems to have said something about me to her friends and have been looking and giggling whenever I pass them. I feel that giving you my number was a big big mistake”. Mr Egbe states in evidence that he denies that he was dishonest when he attempted to conceal his contact with Pupil A by asking her to delete the messages. He said that the reason for this message was that he

wanted Pupil A to delete his messages so that no one would see them and that he went into “self-preservation mode”, and “did not want anyone to see the messages and get the wrong idea, or misunderstand what was going on”. He added, “anyone in that position would do the same”.

The panel considered all of the evidence, and considered that, on a balance of probabilities; it believed that the conduct at allegation 1.c. was dishonest as it was more likely than not that Mr Egbe had sought to conceal his contact with Pupil A by asking her to delete the messages. Mr Egbe goes as far as admitting that he had asked Pupil A to delete the messages so that “no one would see them and get the wrong idea”. This allegation is not concerned with what the “wrong idea” is, but merely whether Mr Egbe was dishonest in attempting to conceal his contact with Pupil A. The panel has not had any credible explanation from Mr Egbe as to why he asked Pupil A to delete messages and concluded that, on the balance of probabilities, Mr Egbe was attempting to conceal his contact with Pupil A. Therefore, this allegation is found proven.

The stem of the allegations state that Mr Egbe “failed to maintain appropriate professional boundaries and/or appropriate professional standards when working as a teacher at Challney High School for Girls”. Mr Egbe said in his investigatory interview on 9 September 2016 that he realised some of the messages he exchanged with Pupil A were inappropriate. Notes of the interview were sent to him and he confirmed by signing the document that they accurately reflected the interview. During the School investigation meeting Mr Egbe confirmed he had read the Teacher’s Code, however, in his oral evidence at this hearing he stated that he had not in fact read the School’s Code of Conduct or any other policies.

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

Having found all of the allegations proven, the panel has gone on to consider whether the facts 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 Egbe in relation to the facts, involved breaches of Teachers’ Standards. The panel considers that by reference to Part One, the Preamble, Mr Egbe failed to act with honesty and integrity. In addition, in relation to Part Two, Mr Egbe 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 Egbe amounts to misconduct of a serious nature, which fell significantly short of the standards expected of the profession. The panel was also satisfied that the conduct of Mr Egbe involved breaches of Teachers' Standards. The panel, therefore, considers that Mr Egbe's conduct fell significantly short of the standards expected of the profession.

The panel notes that the allegations took place outside of the education setting. The panel considered that Mr Egbe was in a position of trust in respect of Pupil A, and that his behaviour outside of school hours may have led to Pupil A being exposed to or influenced by his behaviour in a harmful way.

Accordingly, the panel is satisfied that Mr Egbe is guilty of 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 further considered the uniquely influential role that teachers can hold in pupils' lives and that pupils must be able to view teachers as role models.

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 particulars 1, 2 and 3 proven, the panel finds that Mr Egbe's conduct amounts to both unacceptable professional conduct and 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 a 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; the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; the interest of retaining Mr Egbe in the profession.

In light of the panel's findings against Mr Egbe, there is a strong public interest in explaining the link to the public interest considerations referred to above. This should include the detail of which finding is relevant to the specific public interest.

There is a strong public interest in respect of the protection of pupils given the serious finding of his inappropriate contact with Pupil A, a 15 year old child.

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

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

The panel considered that there was a public interest consideration in retaining Mr Egbe in the profession. No doubt has been cast on his abilities as an educator in the past and he may have the potential to make a positive contribution to the profession in the future.

In view of the clear public interest considerations that were present, the panel considered carefully whether it would be proportionate to impose a prohibition order taking into account the effect that this would have on Mr Egbe.

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 Egbe. 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 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;
- dishonesty... , and/or it has been repeated and/or covered up; and
- sexual misconduct, e.g. involving actions that were sexually motivated... and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position.

Even though there were behaviours that would point to the appropriateness of a prohibition order, the panel went on to consider whether or not there were sufficient mitigating factors to militate against the appropriateness and proportionality of the imposition of a prohibition order, particularly taking into account the nature and severity of the behaviour in this case.

There was no evidence that Mr Egbe's actions were not deliberate. There was no evidence to suggest that Mr Egbe was acting under duress, and in fact, the panel found Mr Egbe's actions to be calculated and motivated. Mr Egbe did have a previously good history. In addition, the panel has not been made aware that Mr Egbe has previously been subject to disciplinary proceedings/warnings.

On the day of the hearing, Mr Egbe provided a copy of a forwarded email dated 5 February 2018 from a person whom he says is a friend of his. The email purporting to be from his friend was presented during the hearing by Mr Egbe's representative. It stated that the teacher is "a good person and always willing to help", and EA goes on to say that he has "not had any reason to doubt his character because of his honesty, caring and helpful nature. He is a genuine and trustworthy person". The panel attached little weight to this reference, as it was not able to test this person on his relationship with and knowledge of Mr Egbe.

Although on its face this email appears to be evidence of Mr Egbe's good character, it is noted that no references or testimonials have been provided by any colleagues, pupils or parents. The panel did hear evidence from the assistant headteacher that Mr Egbe was a "good and engaging teacher" and considered this.

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 is sufficient.

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

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 Egbe.

The sexually motivated and dishonest behaviour, coupled with his limited insight were significant factors 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 it would be appropriate to decide 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 proven, would militate against a review period being recommended. These behaviours include serious dishonesty, and sexually motivated conduct, which 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 accepted Mr Egbe's representative's submission that he has shown glimmers of insight throughout the hearing. Mr Egbe has submitted to the panel that he will need to undertake further educational training on professional boundaries, safeguarding and Teaching Standards, thereby gaining further insight.

The panel felt the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period of 5 years.

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 sanction and review period.

In considering this case, I have also given very careful attention to the advice that is published by the Secretary of State 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 unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel has made a recommendation to the Secretary of State that Mr Egbe should be the subject of a prohibition order, with a review period of five years.

In particular the panel has found that Mr Egbe 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 also finds that the conduct of Mr Egbe fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of both dishonesty and a finding of sexual misconduct.

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 or not 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 Egbe, and the impact that will have on him, is proportionate.

In this case I have considered the extent to which a prohibition order would protect children. The panel has observed, "that Mr Egbe was in a position of trust in respect of Pupil A, and that his behaviour outside of school hours may have led to Pupil A being exposed to or influenced by his behaviour in a harmful way."

A prohibition order would therefore prevent such a risk from being present. I have also taken into account the panel's comments on insight and remorse which the panel sets out as follows, "he has shown glimmers of insight throughout the hearing. Mr Egbe has submitted to the panel that he will need to undertake further educational training on professional boundaries, safeguarding and Teaching Standards, thereby gaining further insight."

In my judgement the lack of full insight means that there is some risk of the repetition of this behaviour and this risks the future wellbeing of pupils. 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, “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.

I am particularly mindful of the finding of both sexual misconduct and dishonesty 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 failure to impose a prohibition order might be regarded by the public 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 unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Egbe himself. I have noted the panel’s comments in respect of the references that they saw. I have also noted that the panel say that they, “did hear evidence from the assistant headteacher that Mr Egbe was a “good and engaging teacher” and considered this.”

A prohibition order would prevent Mr Egbe 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 full insight.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Egbe has made and is making 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 that is not backed up by full 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 aims which a prohibition order is intended to achieve.

I have gone on to consider the matter of a review period. In this case the panel has recommended a 5 year review period.

I have considered the panel’s comments “sexually motivated and dishonest behaviour.”

The panel has also said that a 5 year review period would be proportionate.

I have considered whether a 5 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, there are three factors that in my view mean that a two year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the dishonesty, the sexual misconduct and the lack of full insight.

I consider therefore that a five year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Emmanuel Egbe is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 19 February 2023, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Egbe remains prohibited from teaching indefinitely.

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

Mr Emmanuel Egbe 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 read 'Alan Meyrick', with a checkmark at the end.

Decision maker: Alan Meyrick

Date: 9 February 2018

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