



Teaching
Regulation
Agency

Mr James Edward Glazebrook: Professional conduct panel meeting outcome

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

August 2018

Contents

A. Introduction	3
B. Allegations	4
C. Summary of evidence	4
Documents	4
Statement of agreed facts	4
D. Decision and reasons	4
Panel's recommendation to the Secretary of State	7
Decision and reasons on behalf of the Secretary of State	9

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

Teacher: Mr James Edward Glazebrook

Teacher ref number: 0757376

Teacher date of birth: 17 October 1980

TRA reference: 16845

Date of determination: 9 August 2018

Former employer: Castle Donnington College

A. Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 9 August 2018 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr James Edward Glazebrook.

The panel members were Ms Jean Carter (lay panellist – in the chair), Ms Fiona Tankard (teacher panellist) and Mr John Pemberton (former teacher panellist).

The legal adviser to the panel was Mr James Danks of Blake Morgan LLP.

In advance of the meeting, the TRA agreed to a request from Mr Glazebrook that the allegations be considered without a hearing after taking into consideration the public interest and the interests of justice. Mr Glazebrook provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Mr Glazebrook or his representative.

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

B. Allegations

The panel considered the allegations set out in the Notice of Meeting dated 9 May 2018.

It was alleged that Mr James Edward Glazebrook was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that:

1. On one or more occasions between December 2015 and February 2016, he viewed one or more indecent images and/or videos of one or more children.
2. His conduct at 1 above, if proven, was conduct of a sexual nature and/or was sexually motivated.

In a Statement of Agreed Facts signed by Mr Glazebrook on 11 April 2018, he unequivocally admitted the allegations and that these amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

C. Summary of evidence

Documents

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

Section 1: Chronology – page 1

Section 2: Notice of Referral and Meeting and Response – pages 2 to 7a

Section 3: Statement of Agreed Facts and Presenting Officer's Representations – pages 8 to 11

Section 4: Teaching Regulation Agency documents – pages 12 to 63

Section 5: Teacher documents – pages 64 to 66

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Glazebrook on 11 April 2018.

D. Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

The panel confirmed that it had read all the documents provided in the bundle in advance of the meeting.

The TRA agreed to a request from Mr Glazebrook that the allegations be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Glazebrook had been employed at Castle Donnington College (“the College”) since 26 August 2015 as a teacher in the position of Head of Computing. In September 2017, Mr Glazebrook was arrested in respect of his private internet usage at his home, which had been intercepted by the police. This usage included his viewing of indecent images, streaming of images and sexualised electronic chats relating to boys aged 12 to 16.

As a result of his arrest, Mr Glazebrook was suspended from the College on 21 September 2017 and subsequently resigned on 13 October 2017. No criminal proceedings were brought against Mr Glazebrook in respect of his internet use.

Findings of fact

Our findings of fact are as follows:

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

- 1. On one or more occasions between December 2015 and February 2016, you viewed one or more indecent images and/or videos of one or more children.**
- 2. Your conduct at 1 above, if proven, was conduct of a sexual nature and/or was sexually motivated.**

The panel noted that both of these allegations had been unequivocally admitted by Mr Glazebrook in the Statement of Agreed Facts.

In addition, the panel also noted the documents within the bundle, notably the synopsis from the Position of Trust Meeting of an interview between DC Taylor and Mr Glazebrook in which Mr Glazebrook was reported to have admitted using a chatroom that involved the live streaming of child sexual abuse and viewing indecent images.

In light of the consistent unequivocal admissions from Mr Glazebrook, with particular weight given to the Statement of Agreed Facts, the panel found both charges proved.

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

Having found all of the allegations to have been proved, the panel went on to consider whether the facts of those proven allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which the panel refers to as “the Advice”.

The panel was satisfied that the conduct of Mr Glazebrook in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considered that by reference to Part Two, Mr Glazebrook was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.

The panel was satisfied that the conduct of Mr Glazebrook fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Glazebrook's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel found that the offence of any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting any such activity, including one off incidents, was relevant in relation to this case.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

Whilst the panel noted that these allegations took place outside of the education setting, these were proven allegations by a teacher involving his viewing of the sexual abuse of children. It is inconceivable for these actions not to be taken into account when considering Mr Glazebrook's profession.

Accordingly, for all the reasons above, the panel was satisfied that Mr Glazebrook's actions amounted to unacceptable professional conduct.

The panel took into account the way 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 took 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 be likely to have a negative impact on Mr Glazebrook's status as a teacher, damaging the public perception.

The panel therefore found that Mr Glazebrook's actions also constituted 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 considered the particular public interest considerations set out in the Advice and having done so found a number of them to be relevant in this case, namely:

- the protection of pupils and other members of the public;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Glazebrook, which involved his viewing on the internet of images and video-streams of child sexual abuse, there is clearly a strong public interest consideration in respect of the protection of pupils and other members of the public.

The panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Glazebrook were not treated with the utmost seriousness when regulating the conduct of the profession. Similarly, the panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Glazebrook 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 Glazebrook. On this issue,

the panel noted Mr Glazebrook's unsuccessful request in 2017 to be voluntarily removed from the teaching register and his statement that he did "*not ever wish to teach again*".

In carrying out the balancing exercise the panel considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Glazebrook. 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 deep-seated attitude that leads to harmful behaviour;
- sexual misconduct;
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting such activity, including one-off incidents.

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 a prohibition order, 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 Mr Glazebrook's actions were not deliberate nor that he was acting under duress. The panel accepted Mr Glazebrook previously had a good history.

The panel noted the references within the bundle that Mr Glazebrook was an "*excellent teacher...and allows students to progress rapidly*" (page 54). Nevertheless, as this comment was made in 2015 for Mr Glazebrook's job application for his position at the College, rather than in readiness for the TRA hearing, the panel gave this only minimal weight.

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

The panel was of the view that applying the standard of the ordinary intelligent citizen recommending no prohibition order would not be 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 the teacher of prohibition.

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

Glazebrook. His viewing of sexual abuse involving children 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 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 states that there are behaviours that, if proven, would militate against the recommendation of a review period. One of these behaviours is any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child.

The panel found that Mr Glazebrook was responsible for the viewing, via the internet, of sexual abuse of children over a period of several months. Whilst Mr Glazebrook did admit the allegations at an early stage and some remorse has been indicated by him, which may indicate some insight into his actions, the panel saw no evidence of any other efforts of remediation.

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 provision for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of 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 both 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 Glazebrook should be the subject of a prohibition order, with no provision for a review period.

In particular the panel has found that Mr Glazebrook 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.

The panel also considered whether Mr Glazebrook's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel found that, "the offence of any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting any such activity, including one off incidents, was relevant in relation to this case."

The findings of misconduct are particularly serious as they include a finding of viewing indecent images of children.

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 Glazebrook, 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 these allegations took place outside of the education setting, these were proven allegations by a teacher involving his viewing of the sexual abuse of children. It is inconceivable for these actions not to be taken into account when considering Mr Glazebrook's profession."

A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel's comments on insight and remorse which the panel sets out as follows, "Whilst Mr Glazebrook did admit the allegations at an early stage and some remorse has been indicated by him, which may indicate some insight into his actions, the panel saw no evidence of any other efforts of remediation."

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 well being of children. 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, "The findings of misconduct are serious and the conduct displayed would be likely to have a negative impact on Mr Glazebrook's status as a teacher, damaging the public perception."

I am particularly mindful of the finding of viewing indecent images of children and sexually motivated misconduct 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 Glazebrook himself. The panel have observed, “The panel accepted Mr Glazebrook previously had a good history.” The panel also has “noted the references within the bundle that Mr Glazebrook was an *“excellent teacher...and allows students to progress rapidly”* (page 54). Nevertheless, as this comment was made in 2015 for Mr Glazebrook’s job application for his position at the College, rather than in readiness for the TRA hearing, the panel gave this only minimal weight.”

A prohibition order would prevent Mr Glazebrook 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 behaviours found proven. The panel has said, “Mr Glazebrook was responsible for the viewing, via the internet, of sexual abuse of children over a period of several months.”

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

For these reasons I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the 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 that the prohibition order be imposed with no provision for a review period.

I have considered the panel’s comments and the advice published by the Secretary of State, “The Advice states that there are behaviours that, if proven, would militate against the recommendation of a review period. One of these behaviours is any activity involving

viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child.”

I have considered whether allowing for no 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 factors that in my view mean that allowing for no review period is necessary to achieve the aim of maintaining public confidence in the profession. These elements are the viewing of indecent images of children over a period of time and the lack of full insight and remorse”.

I consider therefore that allowing for no review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr James Glazebrook 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 James Glazebrook 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 James Glazebrook 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 'S.L.', written in a cursive style.

Decision maker: Sarah Lewis

Date: 13 August 2018

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