

## THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

**Teacher:** Ms Claire Frances Johnson  
**Teacher ref no:** 0947150  
**Teacher date of birth:** 5 June 1986  
**TA Case ref no:** 8936  
**Date of Determination:** 17 January 2013  
**Former Employer:** Springfield Secondary School, Portsmouth

### **A. Introduction**

A Professional Conduct Panel (“the Panel”) of the Teaching Agency convened on 17 January 2013 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Ms Claire Frances Johnson at a meeting.

The Panel members were Mr William Brown OBE (Lay Panellist– in the Chair), Mr Martin Pilkington (Lay Panellist) and Ms Judith Barton (Teacher Panellist).

The Legal Adviser to the Panel was Mr Graham Miles of Morgan Cole LLP, solicitors.

The meeting took place in private. The decision was announced in public and recorded.

### **B. Allegations**

The Panel considered the allegation set out in the Notice of Meeting dated 12 July 2012.

It was alleged that Ms Johnson has been convicted of the following offence:

**OFFENCE – Causing Death by Dangerous Driving**

**COURT/DATE – Portsmouth Crown Court, 2 December 2011**

**DISPOSAL – Imprisonment 2 years, disqualified from driving for 5 years – extended until driving test passed.**

Ms Johnson admitted the alleged facts and that the conviction was for a relevant offence.

### **C. Summary of Evidence**

#### Documents

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

- Section 1 Chronology – page 2
- Section 2 Notice of referral and response – pages 4 to 8a
- Section 3 Statement of agreed facts/representations – pages 9 to 17
- Section 4 Teaching Agency documents – pages 19 to 32
- Section 5 Teacher’s documents – pages 34 to 82

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

The Panel Members considered the content of the agreed statement of facts and other documents provided. (The content of the agreed statement of facts is set out in the Panel’s decision below).

### **D. Decision and Reasons**

The Panel announced its decision and reasons as follows:

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

We confirm that we have read all the documents provided in the bundle in advance of the meeting.

#### Findings of fact

Ms Johnson admits the facts of the allegation, namely that Ms Johnson has been convicted of the following offence:

**OFFENCE – Causing Death by Dangerous Driving**

**COURT/DATE – Portsmouth Crown Court, 2 December 2011**

**DISPOSAL – Imprisonment 2 years, disqualified from driving for 5 years – extended until driving test passed.**

In addition to Ms Johnson's admission, the Panel considered the following agreed statement of facts.

1. Ms Claire Johnson (dob 5 June 1986) was employed at Springfield School as a Student Teacher from April 2010 until September 2010 and subsequently as a full time teacher of English from September 2010 until 28 November 2011. Ms Johnson received qualified teacher status at the end of the 2010/11 academic year.
2. In the early hours of the morning of 21 November 2010, Ms Johnson was driving her vehicle. She drove to the workplace of her partner at the time. As he left his place of work, she followed him in her car. Ms Johnson followed his car for approximately 10 minutes, during which time she attempted to get him to stop by flashing her lights on at least one occasion. Ms Johnson accepts that she was driving over the speed limit at some point during this period, although she had not been aware of this at the time. Ms Johnson believed that her speed at this point was no more than 36 miles per hour in an area where the speed limit was 30 miles per hour.
3. Ms Johnson continued to follow her partner's car along Park Road as he drove around a number of cars which were stationary at the junction of Park Road and Barnaby Road, whilst the traffic lights were red. Ms Johnson proceeded through the traffic lights, which were still on red, in pursuit of her partner. At this time Ms Johnson was travelling in excess of the speed limit, which was 30 miles per hour. Ms Johnson's speed at this point was estimated to be between 36 miles per hour and 49 miles per hour, based on the skid tests that were carried out following the accident. Her partner's car narrowly missed hitting a pedestrian, who was crossing Park Road at some point between the junction with Barnaby Road and the following junction with Anglesey Road. Ms Johnson's car then hit the pedestrian.
4. Following the collision, Ms Johnson performed CPR on the pedestrian in an attempt to resuscitate him. However, he died a short time later as a result of the injuries he sustained in the collision.
5. As a result of this incident, Ms Johnson was convicted of the offence of causing death by dangerous driving at Portsmouth Crown Court on 2 December 2011. She was sentenced to imprisonment for a period of two years, was disqualified from driving for a period of five years and will not be eligible for a Licence until she passes an extended driving test.

We find the facts of the allegation proved based of the Teacher's admission and the content of the agreed statement of facts.

#### Findings as to Conviction of a Relevant Offence

Ms Johnson admits that the conviction was for a relevant offence. We are satisfied that the conviction was for a relevant offence for the following reasons.

Ms Johnson was convicted of a serious driving offence, following an incident in which a person died, and was sentenced to imprisonment for a period of 2 years. Ms Johnson breached principle 8 of the General Teaching Council Code of Conduct and Practice for Registered Teachers in that she failed to uphold public trust and confidence in the teaching profession. In particular, she failed to maintain reasonable standards in her own behaviour. Ms Johnson's personal conduct also fell short of Part Two of the Teachers' Standards in that she failed to uphold public trust in the profession and maintain high standards of ethics and behaviour outside school."

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

"We have carefully considered all of the documents and submissions put forward in mitigation, including the character references submitted.

This was a very serious offence, resulting in the death of a pedestrian and Ms Johnson was sentenced to a term of imprisonment as a result. There is a need to maintain public confidence in the teaching profession.

Whilst there is evidence of previous good history, the panel decided that a recommendation of a Prohibition Order was a proportionate measure. This was a serious departure from the personal and professional conduct expected of a teacher.

Ms Johnson's 2 year term of imprisonment does not expire until December 2013. Although Ms Johnson has been released from prison, she remains subject to supervision within the community until her sentence is complete. In the Panel's view, it would not be appropriate for her to be able to return to teaching until this sentence is completed.

The Panel acknowledged that Ms Johnson has demonstrated remorse and some insight into her behaviour and its consequences. Although this was a very serious offence, and taking all of the above factors into consideration, we recommend that Ms Johnson be allowed to apply for the Prohibition Order to be reviewed after the minimum period of 2 years."

### **Secretary of State's Decision and Reasons**

I have given careful consideration to the panel's recommendations regarding sanction and review period.

Ms Johnson has been convicted of a serious driving offence that resulted in the death of a pedestrian. Ms Johnson received a custodial sentence as a result of the conviction and has been disqualified from driving for 5 years.

Whilst the panel acknowledge that Ms Johnson has demonstrated remorse and some insight into her behaviour and the consequences, this was an extremely serious offence. In all the circumstances I agree with the recommendation that she be prohibited from teaching and that a minimum of two years should elapse before Ms Johnson is allowed to apply for the order to be reviewed but not until 22 January 2015.

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

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

**NAME OF DECISION MAKER: Paul Heathcote**  
**Date: 17 January 2013**