



National College for
Teaching & Leadership

Mr Tejinder Mand:

**Professional Conduct
Panel outcome**

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

26 June 2014

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

Teacher:	Mr Tejinder Mand
Teacher ref no:	03/62066
Teacher date of birth:	17 March 1977
NCTL Case ref no:	10182
Date of Determination:	26 June 2014
Former employer:	Mandeville Primary School, Sawbridgeworth, Hertfordshire

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened in a private Meeting on Thursday 26 June 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Tejinder Mand.

The Panel members were Mrs Kathy Thomson (Teacher Panellist – in the Chair), Mr Michael Lesser (Teacher Panellist) and Ms Jean Carter (Lay Panellist).

The Legal Adviser to the Panel was Mr Paddy Roche of Morgan Cole LLP Solicitors.

The Meeting took place in private and the announced decision was recorded.

B. Allegations

The Panel considered the allegations set out in the Notice of Meeting dated 14 May 2014.

It was alleged that Mr Tejinder Mand had been convicted of the following Relevant Offences:-

1. Offence: Cause/incite prostitution of/pornography involving child 13 to 17 on 21/12/10.

Court: St Albans Crown; 14/09/12.

Sentence: Suspended imprisonment 6 months, wholly suspended 24 months; programme requirements; sexual offences prevention order 5 years; sex offenders notice 5 years; supervision requirement; costs £450.00; forfeiture and destruction of laptop.
2. Offence: Possessing an indecent photograph or pseudo-photograph of a child on 11/07/11 – 16/08/11.

Court: St Albans Crown; 14/09/12.

Sentence: No separate penalty.
3. Offence: Cause/incite prostitution of/pornography involving child 13 to 17 on 21/12/10 – 16/08/11.

Court: St Albans Crown; 14/09/12.

Sentence: Suspended imprisonment 6 months wholly suspended 24 months; programme requirement.

C. Summary of Evidence

Documents

In advance of the Meeting the Panel received a bundle of documents which included the following sections:-

1. N/A.
2. Notice of Referral, Response and Notice of Meeting Pages 1-5C.
3. Statement of Agreed Facts, Representations of Presenting Officer and Representations of Teacher Pages 6-42.

D. Decision and reasons

The Panel announced its decision and reasons as follows:-

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

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

The case concerns an allegation that while employed as a Teacher at Mandeville Primary School, Sawbridgeworth, Hertfordshire on a fixed term contract, Tejinder Mand was arrested and interviewed by the Police on suspicion of engaging with a female aged 13 – Girl A – over the internet on an MSN Account. It is alleged that Mr Mand represented to the girl that he was aged 17 and conversed with her asking questions such as, “what’s your sexiest outfit” and “what’s the naughtiest thing you’ve done”. He provided Girl A with an email address and his mobile telephone number. He asked for pictures of her and she confirmed that she had sent five pictures of herself in which she was wearing clothes. Further, he asked her to go onto her webcam and take her top off which she refused to do.

Subsequently, on examination of Mr Mand’s personal laptop, the Police discovered emails between him and another girl - Girl B (age 14) - sent in July and August 2011. It was clear that Girl B had sent to him pictures of herself posing in front of a mirror in various states of undress. In total there were 14 images which, in due course, became the subject of a criminal charge. Those images were categorised at the lowest level of seriousness in accordance with the Sentencing Council’s Guidelines.

Mr Mand was interviewed under caution by the Police on two separate occasions, in August 2011 and May 2012, where he made admissions in relation to the allegations made. He said he was not preying on young girls and he thought that what he had done was “a bit of harmless fun and escapism.”

In due course, Mr Mand was charged with an offence of possessing indecent photographs of a child and two further offences of causing or inciting a child under 18 to be involved in pornography. He pleaded guilty before the Magistrates’ Court and was committed to St Albans Crown Court for sentencing. He appeared at St Albans Crown Court on 14 September 2012 and was sentenced to concurrent terms of imprisonment totalling 6 months, suspended for 24 months, with ancillary orders also being made.

Mr Mand does not deny the facts of this case and accepts the convictions to which he was made subject.

In mitigation he says that he has lost his job where he was respected and valued, his financial independence, his partner, his security and self-esteem. He is acutely conscious of the shame and guilt he has caused to his family and that he has destroyed their trust in

him. He says he has become a recluse and has lost all confidence in himself. The effect of his conduct, his arrest and his appearance before the Court has led to depression, panic attacks, loss of weight, appetite and sleep.

The case papers contain at Pages 7 to 13 a Statement of Agreed Facts.

Findings of Fact

Our findings of fact are as follows:-

We found the following particulars of the allegation against Mr Tejinder Mand proved:-

1. Offence: Cause/incite prostitution of/pornography involving child 13 to 17 on 21/12/10.

Court: St Albans Crown; 14/09/12.

Sentence: Suspended imprisonment 6 months, wholly suspended 24 months; programme requirements; sexual offences prevention order 5 years; sex offenders notice 5 years; supervision requirement; costs £450.00; forfeiture and destruction of laptop.
2. Offence: Possessing an indecent photograph or pseudo-photograph of a child on 11/07/11 – 16/08/11.

Court: St Albans Crown; 14/09/12.

Sentence: No separate penalty.
3. Offence: Cause/incite prostitution of/pornography involving child 13 to 17 on 21/12/10 – 16/08/11.

Court: St Albans Crown; 14/09/12.

Sentence: Suspended imprisonment 6 months wholly suspended 24 months; programme requirement.

Our reasons are that the facts of this case are admitted by the Teacher as set out in the Statement of Agreed Facts (Pages 7 to 13 of the case papers).

We are satisfied both from the Statement of Agreed Facts and the supporting documents in the case papers – including the Police National Computer record – that Mr Tejinder Mand was convicted as alleged. Having entered guilty pleas before East Hertfordshire Magistrates' Court on 27 July 2012 he was committed for sentence to St Albans Crown Court where he received a term of suspended imprisonment on 14 September 2012.

Findings as to conviction of a relevant offence

These were serious convictions involving young girls whom Mr Mand had contacted and engaged with over the internet. In sentencing Mr Mand the Crown Court Judge observed that he had “incited a child to be involved in pornography by pretending to be a 17 year old on the MSN network and inciting her to go on web cameras and take her top off.” Thereafter he contacted a 14 year old girl who sent through 14 pictures of herself in various states of undress including one photograph where she was completely bare.

The Judge concluded that Mr Mand was “plainly not dangerous” and took into account his early guilty pleas and other mitigation. However he declared that “a custodial sentence is inevitable” but felt able to suspend the sentence of imprisonment he imposed.

We have no doubt that the convictions are such that they are relevant to Mr Mand’s fitness to be a teacher, especially as they concern his conduct towards young girls and were regarded by the Judge as being so serious that a sentence of imprisonment, albeit suspended, must be imposed. In addition his name was put on the Sex Offenders list.

We believe that this sort of conduct has an impact both on the safety and security of pupils, the public perception of the profession and its collective reputation. As a teacher Mr Mand is required to exhibit consistently high standards of both personal and professional conduct and to uphold public trust in the profession through his behaviour. Judged against those standards this case discloses that Mr Mand has fallen very short.

We note also that he himself acknowledges in his completed Notice of Referral form that these are convictions of relevant offences (page 5 of case papers).

Panel’s recommendation to the Secretary of State

At the time of these incidents Mr Mand was in his early 30’s. Although the children whom he contacted over the internet were not his own pupils Mr Mand totally failed to treat them with respect and dignity. He deliberately misrepresented who he was, pretending to be someone of an age more similar to theirs, by sending a picture of a much younger man over the Internet.

The case papers establish that he had contacted Girl A in December 2010. In the following month (January 2011) he had child protection training but, even then, he either did not appreciate that his own admitted conduct was entirely inappropriate and in breach of safeguarding principles or chose to ignore the training. Worse still he even continued to correspond with Girl A once he had discovered that she was aged 13. In addition, he made and sustained contact with Girl B in the summer of 2011 in spite of the very recent safeguarding training.

We are very concerned that this contact with both girls contained sexual content. We note that at a point in his Caution Interview he asserted that it had, “not all been one sided” although he accepted he was wrong (page 140). This assertion alone is worrying as it

suggests that he did not take full responsibility for initiating and continuing the exchanges with two girls very much younger than himself and this causes us great anxiety. We also note his comments to the Police that, at the time, what he did was “not preying on young girls, and he just thought it was a bit of harmless fun and escapism” (page 140). That observation, if true, betrays a profound lack of appreciation of how his conduct should properly be viewed and that this was criminal conduct. We have to say that we find it difficult to accept that it really reflected his true appreciation of what he was up to.

We are also concerned to note the suggestion that Mr Mand affirmed that he may have had sexual chats with other underage females which is contained in the letter dated 24 August 2011 from Hertfordshire Constabulary (page 108).

Mr Mand claims he was going through a bad period, although elsewhere in his personal statement (page 19) he says “it was a time when things were going right for myself personally” and “I had the perfect foundations.” We have concerns, even now, that he still does not fully recognise the full responsibility he carries for his admitted conduct. We recognise that Mr Mand was made subject to a suspended sentence of imprisonment and has now had considerable time to reflect on the potentially damaging effect on the girls he contacted and deceived and the inappropriateness of what he did.

We give Mr Mand credit for his previous good record in the profession but we have found much of his representations to be entirely self-centred concentrating on the dramatic impact this case has had on him, his family and his career.

Mr Mand’s conduct clearly represents a fundamental breach of the personal and professional standards expected of members of the profession and continued even after he was made aware of Girl A’s age – she being only 13 when he first made contact with her. The contact with the two girls continued over many months and only ceased when he was arrested and interviewed by the Police and his laptop seized. There was persistent and sustained contact with young girls which included an element of planned deception in the submission of the photograph of a younger man which he sent through at the outset. We have also noted that within the case papers there is no expression of regret from him which focuses on the damaging impact on the young recipients of his interest.

We are required to act in the public interest and an important part of our responsibility is to maintain public confidence in the profession and uphold proper standards of conduct.

We have very serious concerns about this case. We have no doubt that a Prohibition Order should be imposed in the public interest and appreciate that Mr Mand is still subject, at present, to the sentence of suspended imprisonment imposed on him. He will also be subject, for a rather longer period, to the other ancillary orders imposed by the Crown Court Judge.

We have also considered very carefully whether we should afford the teacher the opportunity to make an application for the Prohibition Order to be set aside at any time in the future, should he wish to do so. We have decided that there are elements of both his

conduct and his attitude to what he did, set out above, which cause us such grave misgivings that there should be no review period. Such an outcome would accord with the final submissions made by Mr Mand's Counsel in the sentence hearing before the Crown Court, "He knows that he can never go back to teaching again..." (page 148)

Decision and reasons on behalf of the Secretary of State

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

The panel in this case has found that the convictions are relevant ones. The convictions are very serious and are of the type of conduct that has an impact both on the safety and security of pupils, the public perception of the profession and its collective reputation. Teachers are required to exhibit consistently high standards of both personal and professional conduct and to uphold public trust in the profession through their behaviour. Judged against those standards this case discloses that Mr Mand has fallen very short indeed.

The panel has recommended prohibition. In my view, having weighed the public interest and the interests of Mr Mand, I believe that this is the right decision. The convictions are very serious ones and fall clearly within the guidance set out by the Secretary of State as being likely to lead to a prohibition order.

I have also considered the matter of a review period. The panel has recommended that there be no review period. I have considered whether that is proportionate. I have also referred to the advice published by the Secretary of State.

Mr Mand has showed almost no insight and does not seem to understand the seriousness of his conduct. In my view this case falls clearly within the guidance as one that is likely not to attract a review period. I support that recommendation.

This means that Mr Tejinder Mand 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 Tejinder Mand 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 Tejinder Mand 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.



NAME OF DECISION MAKER: Alan Meyrick

Date: 27 June 2014

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