



National College for
Teaching & Leadership

Mark Edwards-Jones: Professional Conduct Panel outcome

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

July 2014

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

Teacher:	Mr Mark Edwards-Jones
Teacher ref no:	7754322
Teacher date of birth:	4 April 1955
NCTL Case ref no:	10616
Date of Determination:	28 July 2014
Former employer:	Hertfordshire County Council

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 28 July 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Mark Edwards-Jones.

The Panel members were Mr Luke Graham (Teacher Panellist – in the Chair), Mr Tony Heath (Lay Panellist) and Mrs Alison Robb-Webb (Teacher Panellist).

The Legal Adviser to the Panel was Mr Graham Miles of Blake Morgan LLP Solicitors.

The Presenting Officer for the National College was Mr Christopher Geering of counsel.

Mr Edwards–Jones was not present but was represented by Mr Cliff Anderson of NASUWT.

The hearing took place in public and was recorded.

B. Allegations

The Panel considered the allegation set out in the Notice of Proceedings dated 16 May 2014

It was alleged that Mr Edwards–Jones had been convicted of a relevant offence, in that whilst employed as a teacher:

1. On 7 October 2011 he was convicted in Wood Green Crown Court of possession of an indecent photographs/pseudo-photographs of children pursuant to s.160 of Criminal Justice Act 1988. He was sentenced to:

a. a Community Service Order, including:

i a supervision requirement for two years,

ii a requirement to participate in Thames Valley Sex Offender Treatment Programme for up to 60 days.

b. an Order under section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 for forfeiture of computer and other equipment containing indecent images seized upon arrest;

c. be placed on the Sex Offenders' Register for five years.

Mr Edwards-Jones admitted the alleged facts and also admitted that his conviction was for a relevant offence.

C. Preliminary applications

None

D. Summary of evidence

Documents

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

Section 1: Chronology on pages 1 - 3:

Section 2: Notice of Proceedings and Response on pages 4 – 12.

Section 3: NCTL documents on pages 13 – 54.

Section 4: Statement of Agreed Facts on pages 55 – 58.

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

Statement of Agreed Facts

The Panel was presented with a Statement of Agreed facts signed by Mr Edwards-Jones on 16 July 2014.

E. 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 hearing.

Between 2008 and 2011, Mr Edwards-Jones was employed as a Science Teacher at the Park Education Support Centre (“the School”), where he was responsible for Key Stage 3 and Key Stage 4 to Year 10 pupils. He remained in that post until he resigned on 17 November 2011.

On 29 September 2010 Mr Edwards-Jones was arrested at his home on suspicion of possessing indecent images of children. When the police attended at his home, he attempted to delete some images. On three different computers examined, the police discovered a total of 218 images which were categorised as Level 1 and three images categorised as Level 2.

Mr Edwards-Jones appeared at Wood Green Crown Court on 7 October 2011 when he pleaded guilty to possessing an indecent photograph or pseudo photograph of a child. He was then sentenced to a community order, as outlined in the charge before the Panel.

Findings of Fact

Our findings of fact are as follows:

It was alleged that Mr Edwards–Jones had been convicted of a relevant offence, in that whilst employed as a teacher:

1. On 7 October 2011 he was convicted in Wood Green Crown Court of possession of indecent photographs/pseudo-photographs of children pursuant to s.160 of Criminal Justice Act 1988. He was sentenced to:

a. a Community Service Order, including:

i a supervision requirement for two years,

ii a requirement to participate in Thames Valley Sex Offender Treatment Programme for up to 60 days.

b. an Order under section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 for forfeiture of computer and other equipment containing indecent images seized upon arrest;

c. be placed on the Sex Offenders' Register for five years.

We are satisfied that the facts have been established based on the admissions of Mr Edwards-Jones, the Agreed Statement of Facts and the certificate of conviction.

Findings as to conviction of a relevant offence

We noted that Mr Edwards-Jones admitted that he was convicted of a relevant offence but we recognised that we had to make our own determination.

We had regard to the guidance in Teacher Misconduct: the prohibition of teachers July 2014, which clearly states 'any activity involving viewing.... (and) possessing...any indecent photograph or image or pseudo photograph or image of a child is likely to be considered to be a "relevant offence"'. We consider this conviction to be a relevant offence, particularly in light of the number of images and the fact that they were held on more than one computer. Furthermore, Mr Edwards-Jones has admitted that his actions were sexually motivated. We had regard to the fact that the Crown Court took into account that immediately prior to his arrest, Mr Edwards-Jones attempted to delete a number of indecent images before they could be viewed by the police.

Panel's recommendation to the Secretary of State

In considering our recommendation, we had regard to the guidance contained in Teacher Misconduct: the prohibition of teachers (July 2014). We recognised that the purpose of a prohibition order is to protect pupils and maintain public confidence in the profession and not to be punitive, although a prohibition order may have a punitive effect. We had regard to the principle of proportionality.

We considered the behaviour to be incompatible with being a teacher for the following reasons:

- (a) This was a serious departure from the personal and professional conduct elements of the Teachers' Standards
- (b) As we have already found, this was a conviction for an offence involving "viewing.... (and) possessing...any indecent photograph or image or pseudo photograph or image of a child."
- (c) The offence was sexually motivated, by Mr Edwards-Jones' own admission

(d) By his own admission, he behaved in a manner which has brought the school into disrepute and, in our judgement, he has brought the profession into disrepute.

In considering mitigation, we have taken into account the fact that Mr Edwards-Jones is of previous good character and that he pleaded guilty when he appeared in the Crown Court. No other mitigation was offered.

We are satisfied that Mr Edwards-Jones' actions were deliberate, as evidenced by the number of images, the number of computers and his attempts to delete images.

We concluded that a prohibition order is necessary in order to protect members of the public (in particular children), to maintain public confidence in the teaching profession and to declare and uphold proper standards of conduct. We consider, therefore, a prohibition order is proportionate. We so recommend.

We considered whether or not Mr Edwards-Jones should be allowed to make a future application to have the prohibition reviewed. We had regard to the question of insight. We were concerned that Mr Edwards-Jones has shown no remorse, nor recognised the wider impact of his actions on children. Subsequent to his conviction, he stated that he believed it was suitable for a teacher to be able to view images in his own home.

We also have serious concerns about his professional judgment. Despite the training he received in 2009 and 2010 in relation to child protection, he still continued to possess and access indecent images of children.

Mr Edwards-Jones also failed to recognise that his actions were wrong and, at various times, has sought to justify that his actions were legitimate.

Today his representative said that Mr Edwards-Jones accepts that prohibition without a period of review is appropriate. The Panel also found this to be the case and recommends to the Secretary of State that there should be no provision for Mr Edwards-Jones to apply for the prohibition order to be set aside.

Decision and reasons on behalf of the Secretary of State

I have given due consideration to the findings and recommendations of the panel in this case.

Mr Edwards-Jones has been convicted of possession of indecent photographs/pseudo photographs of children. Mr Edwards-Jones admitted the facts and that those facts

amounted to conviction of a relevant offence. The panel have made their own determination and agree.

Mr Edwards-Jones behaviour is fundamentally incompatible with being a teacher. He has seriously departed from the standards expected of a teacher. Mr Edwards-Jones actions were deliberate and indeed he attempted to delete a number of the images before the police were able to view them. He has also admitted that his actions were sexually motivated.

Given the circumstances of this case and taking account of the Secretary of State's advice '*Teacher misconduct: the prohibition of teachers*', I agree with the panel that a prohibition order is in the public interest. Mr Edwards-Jones has shown no remorse, nor recognised the wider impacts of his actions on children. I agree that the order should be without provision for Mr Edwards-Jones to apply to have the order set aside.

This means that Mr Mark Edwards-Jones 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 allegation found proved against him, I have decided that Mr Mark Edwards-Jones 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 Mark Edwards-Jones 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: Paul Heathcote

A handwritten signature in black ink, appearing to read 'P Heathcote', with a large, sweeping flourish at the end.

Date: 29 July 2014

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