



National College for  
Teaching & Leadership

# **Mr Christopher Morris: Professional conduct panel outcome**

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

**May 2015**

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

<b>Teacher:</b>	Mr Christopher Morris
<b>Teacher ref no:</b>	0662232
<b>Teacher date of birth:</b>	25 May 1981
<b>NCTL case ref no:</b>	12343
<b>Date of determination:</b>	27 May 2015
<b>Former employer:</b>	Thomas Clarkson Academy, Cambridgeshire

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 27 May 2015 at Ramada Hotel & Suites, The Butts, Earlsdon, Coventry CV1 3GG to consider the case of Mr Christopher Morris.

The panel members were Mark Tweedle (teacher panellist – in the chair), Alison Robb-Webb (teacher panellist) and Martin Pilkington (lay panellist).

The legal adviser to the panel was Patricia D’Souza of Eversheds LLP.

The presenting officer for the National College was Michelle Lau of Browne Jacobson LLP.

Mr Christopher Morris was not present and was not represented.

The meeting took place in private and was not recorded, save for the public announcement of the panel’s decision on the facts and whether the facts amounted to conviction, at any time, of a relevant criminal offence, which was recorded.

## B. Allegations

The panel considered the allegations set out in the notice of meeting dated 19 May 2015.

It was alleged that Mr Christopher Morris was guilty of having been convicted of the following relevant criminal offences in that:

On 14 April 2014 you were convicted at the Preston Crown Court for the offences of voyeurism – recording a person doing a private act contrary to the Sexual Offences Act 2003 Section 67(3). You committed these offences on:

- i. 31 August 2006 to 1 September 2009. As a result of your conviction, you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months, placed on the sex offender's notice of 10 years, a sexual offences prevention order for 10 years under section 104 and section 106 Sexual Offences Act 2003. You were also prohibited from using or owning or being in possession of any device capable of storing digital images unless i) you make the device available on request for inspection by a police officer; ii) you were prohibited from using or owning or being in possession of any camera recording device unless i) you make the device available on request for inspection by a police officer. A forfeiture and destruction order was made for the images and tapes under section 143 Powers of Criminal Court (Sentencing) Act 2000.
- ii. 1 January 2011 to 31 December 2011. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months consecutive.
- iii. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.
- iv. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.
- v. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.
- vi. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months consecutive.
- vii. The 1 November 2006 to 30 November 2006. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.

In a Statement of Agreed Facts signed by Mr Morris on 24 March 2015 and by the presenting officer on 7 April 2015, Mr Morris admitted the facts of the allegations and that they amount to convictions, at any time, of relevant offences. He also made the same admissions, in a response to a Notice of Referral Form dated 26 January 2015.

## **C. Preliminary applications**

There were no preliminary applications, but the panel considered a number of preliminary matters.

### **Should the panel proceed with a meeting?**

The panel considered at the outset whether the allegation should be considered at a public hearing at which the parties would be entitled to attend, or a private meeting without the parties present. The panel considered the interests of justice and given that the facts of the allegation have been admitted, that Mr Morris has requested a meeting, the panel was of the view that justice would be adequately served by considering this matter at a meeting.

The panel carefully considered the public interest. The panel noted that if the case proceeded in a meeting, there would be a public announcement of the panel's decision. The panel also had in mind that if a hearing was convened, there would be a cost to the public purse, which may not be justified if the matter could be determined in a meeting. The panel also had regard to the delay that would be caused by convening a hearing and considered it to be in the public interest to reach a final determination in this matter without further delay. The panel therefore decided to proceed with a meeting, but noted that it could, at any stage of the meeting, reconsider this issue.

## **D. Summary of evidence**

### **Documents**

Section 1:	Chronology	Pages 1 – 2
Section 2:	Notice of Referral, response and notice of meeting	Pages 3 – 8c
Section 3:	Statement of Agreed Facts and Presenting Officer Representations	Pages 9 – 15
Section 4:	National College for Teaching and Leadership Documents	Pages 16 – 30
Section 5:	Teacher Documents	Pages 31 – 35

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

## Witnesses

As this was listed as a meeting, the panel heard no oral evidence.

## E. Decision and reasons

The panel announced its decision and reasons as follows:

The panel has now carefully considered the case before it and has reached a decision.

The panel confirms it has read all the documents provided in the bundle in advance of the hearing.

Mr Morris was employed as a science teacher at Thomas Clarkson Academy from 1 September 2009 to August 2014. He was a teacher across the 11 to 18 age range and taught science to GCSE and A-Level students. Between the period 2004 and 2011, Mr Morris set up covert cameras in a bathroom, toilet and spare room without anyone's knowledge. Mr Morris appeared before Preston Crown court on 14 April 2014 and was convicted of 7 counts of the offence of voyeurism to which Mr Morris pleaded guilty.

## Findings of Fact

Our findings of fact are as follows:

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

- 1. On 14 April 2014 you were convicted at the Preston Crown Court for the offences of voyeurism – recording a person doing a private act contrary to the Sexual Offences Act 2003 Section 67(3). You committed these offences on:**
  - i. 31 August 2006 to 1 September 2009. As a result of your conviction, you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months, placed on the sex offender's notice of 10 years, a sexual offences prevention order for 10 years under section 104 and section 106 Sexual Offences Act 2003. You were also prohibited from using or owning or being in possession of any device capable of storing digital images unless i) you make the device available on request for inspection by a police officer; ii) you were prohibited from using or owning or being in possession of any camera recording device unless i) you make the device available on request for inspection by a police officer. A forfeiture and destruction order was made for the images and tapes under section 143 Powers of Criminal Court (Sentencing) Act 2000.**

The panel has seen the Police National Computer (“PNC record”) and the Memorandum of Entry entered in the register of the Preston Magistrates Court (“Memorandum”) contained within the bundle of documents. These both confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 31 August 2006 and 1 September 2009, at Preston, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014. In addition, the PNC record indicates that Mr Morris was sentenced to a sex offenders’ notice for 10 years.

The Certificate of Conviction (“Certificate”), included within the bundle, also indicates that in relation to this offence, Mr Morris was sentenced to 6 months’ imprisonment, was subject to a Sexual Offences Prevention Order for a period of 10 years under section 104 and 106 of the Sexual Offences Act 2003. Mr Morris was also 1. prohibited from using or owning or being in possession of any device capable of storing digital images unless i. he makes the device available on request for inspection by a police officer. 2. prohibited from using or owning or being in possession of any camera recording device unless i. he makes the device available on request for inspection by a police officer. An order was made under section 143 Powers of Criminal Courts (Sentencing) Act 2000 for forfeiture of images and tapes and destruction.

The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

- ii. 1 January 2011 to 31 December 2011. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months consecutive.**

The PNC record and the Memorandum contained within the bundle of documents confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 1 January 2011 and 31 December 2011, at Cambridgeshire, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014.

The PNC record and Certificate indicate that Mr Morris was sentenced to a 6 month consecutive term of imprisonment for this offence. The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

**iii. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.**

The PNC record and the Memorandum confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 31 May 2004 and 1 September 2009, at Preston, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014.

The PNC record and Certificate indicate that Mr Morris was sentenced to a 6 month concurrent term of imprisonment for this offence. The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

**iv. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.**

The PNC record and the Memorandum confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 31 May 2004 and 1 September 2009, at Preston, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014.

The PNC record and Certificate indicate that Mr Morris was sentenced to a 6 month concurrent term of imprisonment for this offence. The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

**v. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.**

The PNC record and the Memorandum confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 31 May 2004 and 1 September 2009, at Preston, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014.

The PNC record and Certificate indicate that Mr Morris was sentenced to a 6 month concurrent term of imprisonment for this offence. The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

- vi. The 31 May 2004 to 1 September 2009. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months consecutive.**

The PNC record and the Memorandum confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 31 May 2004 and 1 September 2009, at Preston, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014.

The PNC record and Certificate indicate that Mr Morris was sentenced to a 6 month consecutive term of imprisonment for this offence. The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

- vii. The 1 November 2006 to 30 November 2006. As a result of your conviction you were sentenced at the Preston Crown Court on 20 May 2014 to imprisonment for 6 months concurrent.**

The PNC record and the Memorandum confirm that Mr Morris was convicted of the offence of voyeurism – recording another person doing a private act on or between 1 November 2006 and 30 November 2006, at Preston, with the intention that he would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to his recording the act with that intention. The Memorandum also confirms that Mr Morris pleaded guilty to this offence on 14 April 2014.

The PNC record and Certificate indicate that Mr Morris was sentenced to a 6 month concurrent term of imprisonment for this offence. The panel noted that Mr Morris has admitted having been convicted of this offence. This allegation is therefore found proven.

## **Findings as to conviction of a relevant offence**

In considering the allegations that the panel has found proven, the panel has had regard to the definitions in the Teacher Misconduct – The Prohibition of Teachers advice, which the panel refers to as the ‘guidance’.

The panel is satisfied that the conduct of Mr Morris in relation to the facts it has found proved, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Morris 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
  - showing tolerance of and respect for the rights of others;
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs.

The panel was satisfied that the conduct of Mr Morris in relation to the facts found proven, namely his convictions for voyeurism involved breaches of the Teachers' Standards. Recording those involved in private acts showed a lack of tolerance and respect for the rights of others and disregard for the rule of law. It was an infringement of the individual liberty of the victims.

The panel noted that the behaviour involved in committing the offences could have had an impact on the well-being of members of the public, as Mr Morris was convicted of seven counts of voyeurism over a lengthy period of time between 31 May 2004 and 31 December 2011. Mr Morris accepts that the purpose of his actions was to obtain sexual gratification. Even though, in his letter to the National College, included in the bundle, Mr Morris considers he committed such offences almost 10 years ago, before he became a teacher, the period of these offences relate to as recently as December 2011 (just over 3 years ago). Mr Morris taught at the Thomas Clarkson Academy during the period 1 September 2009 to August 2014; therefore the offence referred to in allegation 1ii was committed during a period of time when he was teaching (as the date range for this allegation is 1 January 2011 to 31 December 2011).

The panel has also taken account of how the teaching profession is viewed by others. The panel considered that Mr Morris' behaviour in committing the offence could affect the public confidence in the teaching profession given the influence that teachers may have on pupils, parents and others in the community.

The panel has noted that Mr Morris' behaviour has ultimately led to him receiving a sentence of imprisonment which is indicative of the seriousness of the offences committed. The guidance indicates that it is likely that all offences that led to a term of imprisonment will be considered to be a "relevant offence".

The panel has taken into account the mitigation evidence provided by Mr Morris. He indicates in his letter to the National College (included in the bundle of documents) that he takes enormous pride in his work as a secondary school teacher and treats his position very seriously and has always worked with professionalism and pride. He is "extremely remorseful" over the offences he committed and he considers that he has experienced a period of rapid maturity over the last 2 years, which is partly due to the fact he became a father in this period. Mr Morris considers that he does not pose a risk to children or adults and he made gross errors of judgment outside of the education or workplace environment.

The panel also had regard to the character reference provided by the Principal of the Thomas Clarkson Academy to the National College. This reference indicated that Mr Morris was a good teacher across the 11-18 age range, was diligent, would give his time to support students who were underachieving as well as helping those who sought to achieve the highest grades. In addition, Mr Morris supported students with a variety of pastoral issues such as behaviour and attendance and he fostered good relationships with students and parents. Mr Morris followed the Thomas Clarkson Academy's safeguarding procedures "assiduously" and took appropriate steps to work with a classroom door open if a female student asked to speak to him when he was alone. The Principal indicated that in particular, she would have no reason to believe that the trust that students placed in him would ever be abused.

Although the panel finds the evidence of Mr Morris' teaching proficiency to be of note, the panel has found the seriousness of the offending behaviour that led to the conviction is relevant to Mr Morris' ongoing suitability to teach.

The panel noted that Mr Morris states, in his written representations, that his offences of voyeurism did not relate to children or vulnerable adults. However, the panel considers this argument to be irrelevant. Given the serious nature of Mr Morris' convictions for seven counts of voyeurism, which resulted in a custodial sentence of 18 months, the admission that he was seeking sexual gratification and his disregard for the rights of others, leads the panel to conclude that he has been convicted of one or more relevant offences.

Furthermore, the panel considers that a finding that these convictions are relevant offences is necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

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

Given the panel's findings in respect of conviction of relevant offences, 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 has considered the particular public interest considerations set out in the guidance and having done so has found a number of them to be relevant in this case, namely the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel considers that public confidence in the profession could be seriously weakened and other members of the public may not be protected if conduct such as that found against Mr Morris were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Morris 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 Morris.

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 Morris. The panel took further account of the guidance, 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
- actions or behaviours that undermine fundamental British values, democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs; or that promote political or religious extremism. This would encompass deliberately allowing the exposure of pupils to such actions or behaviours, including through contact with any individual(s) who are widely known to express views that support such activity, for example by inviting any such individuals to speak in schools
- a deep-seated attitude that leads to harmful behaviour
- abuse of position of trust (particularly involving vulnerable pupils) or the violation of the rights of pupils
- sexual misconduct, eg involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures

If a person has more than one conviction, then any convictions (including spent convictions) are included under the definition of "relevant matters" for the purposes of the Police Act 1997.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case. The evidence indicated that Mr Morris' commission of the offences of voyeurism was deliberate and there was no evidence that he was acting under duress.

The panel has had further regard to the reference provided by Mr Morris' former employer which indicates that Mr Morris was a good teacher and role model. There was no evidence provided in the bundle which indicated that Mr Morris had been subject to any previous disciplinary matters.

Taking all of the above into account, 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 Morris. Being convicted of and imprisoned for 18 months for seven offences of voyeurism which took place over a period of seven years was the conclusive 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 for them to decide to recommend that a review period of the order should be considered. The panel were mindful that the guidance advises 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 two years.

The guidance indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours includes serious sexual misconduct, for example where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons. The Certificate included in the bundle indicates that Mr Morris' commission of the offences of voyeurism were for the purpose of sexual gratification. The panel considers that Mr Morris' behaviour was sexually motivated and had the potential to result in harm to the person or persons recorded. Therefore, the panel found that there was evidence of serious sexual misconduct.

The panel noted Mr Morris' remorse and his reference to his "proven track record" of upholding proper standards of conduct within the profession. The panel also took into account the support of his previous Principal and noted that Mr Morris considered that not being able to teach would be a "tremendous" loss to him and his family. In weighing up the public interest, the panel considered that Mr Morris had shown insufficient insight into his actions and that there was evidence of a deep seated attitude that could lead to harmful behaviour, given that Mr Morris' seven convictions covered a seven year period. The panel decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions for a review period.

## Decision and reasons on behalf of the Secretary of State

I have carefully considered the findings and recommendations of the panel in this case. Mr Morris has been convicted of several offences of voyeurism – recording a person doing a private act contrary to the Sexual Offences Act 2003 Section 67(3).

The panel have found the facts proved and consider them to be convictions of relevant offences.

In considering whether to recommend a prohibition order the panel have considered the particular public interest considerations set out in the guidance and having done so has found a number of them to be relevant in this case, namely the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

Mr Morris' actions were deliberate and he was not acting under duress. The offences were judged serious enough to merit a custodial sentence. I agree with the panel's recommendation that it is both appropriate and proportionate to impose a prohibition order upon Mr Morris.

The panel consider that Mr Morris has shown insufficient insight into his actions and that there is evidence of a deep seated attitude that could lead to harmful behaviour, given that Mr Morris' seven convictions covered a seven year period. They have recommended that the prohibition order should be without provisions for a review period and I agree.

**This means that Mr Christopher Morris 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 Christopher Morris 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 Christopher Morris 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: 28 May 2015**

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