



National College for
Teaching & Leadership

Mr Edward Mott: Professional conduct panel outcome

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

22 May 2015

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

Teacher:	Mr Edward Mott
Teacher ref no:	0522882
Teacher date of birth:	6 February 1977
NCTL case ref no:	12676
Date of determination:	22 May 2015
Former employer:	Collingwood College, Surrey

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 22 May 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Edward Mott.

The panel members were Mr Martin Pilkington (lay panellist – in the chair), Mr Tony James (teacher panellist) and Councillor Gail Goodman (teacher panellist).

The legal adviser to the panel was Mr Paddy Roche of Blake Morgan LLP Solicitors, Oxford.

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 5 May 2015.

It was alleged that Mr Mott was guilty of conviction, at any time, of a relevant criminal offence:

1. On 27 October 2000 he was convicted at South West Surrey Magistrates' Court of driving a motor vehicle with excess alcohol on 21 October 2000 contrary to Section 5(1)(a) of the Road Traffic Act 1988. He was fined £150, ordered to pay costs of £55 and disqualified from driving for twelve months, disqualification to be reduced by three months if a course was completed by 26 May 2001.
2. On 11 September 2003 he was convicted at South East Surrey Magistrates' Court of driving a motor vehicle with excess alcohol on 3 September 2003, contrary to Section 5(1)(a) of the Road Traffic Act 1988. He was fined £300, ordered to pay costs of £55 and disqualified from driving for thirty-six months, disqualification to be reduced by nine months if a course was completed by 10 October 2005.
3. On 25 July 2014 he was convicted at South East Surrey Magistrates' Court of driving a motor vehicle with excess alcohol on 5 July 2014, contrary to Section 5(1)(a) of the Road Traffic Act 1988. He was sentenced on 28 August 2014 to suspended imprisonment of twelve weeks, wholly suspended for twelve months, ordered to pay costs of £55, disqualified from driving for three years from 25 July 2014, ordered to undertake an unpaid work requirement and pay a victim surcharge of £80.

The teacher admitted the facts and admitted that this was a case of conviction of a relevant offence. He requested that the allegations be considered without a hearing.

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 – 12b.
Section 3	Statement of Agreed Facts and Presenting Officer Representations	Pages 14 – 21.
Section 4	NCTL Documents	Pages 23 – 46.
Section 5	Teacher Documents	Pages 48 – 50.

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

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.

The case concerns an allegation that Mr Mott is guilty of conviction of a relevant offence in that on three separate occasions he has been convicted on his own plea of driving with excess alcohol as indicated fully in the particulars of the allegation. The first two incidents of driving with excess alcohol committed in 2000 and 2003 occurred, on Mr Mott's account before he trained as a teacher. The most recent offence in 2014 involved him being stopped by the police while riding a moped, he appeared intoxicated and provided two samples of breath with a lower read of 135 micrograms alcohol, thus very nearly four times the legal limit. Mr Mott in his submission to the presenting officer indicates that he was under great stress at the time caring for his father [redacted]. He says he subsequently sought professional counselling [redacted].

Findings of fact

Our findings of fact are as follows:-

We have found the following particulars of the allegations against Mr Mott proven for these reasons:

1. On 27 October 2000 he was convicted at South West Surrey Magistrates' Court of driving a motor vehicle with excess alcohol on 21 October 2000 contrary to Section 5(1)(a) of the Road Traffic Act 1988. He was fined £150, ordered to pay costs of £55 and disqualified from driving for twelve months, disqualification to be reduced by three months if a course was completed by 26 May 2001.
2. On 11 September 2003 he was convicted at South East Surrey Magistrates' Court of driving a motor vehicle with excess alcohol on 3 September 2003, contrary to Section 5(1)(a) of the Road Traffic Act 1988. He was fined £300, ordered to pay costs of £55 and disqualified from driving for thirty-six months, disqualification to be reduced by nine months if a course was completed by 10 October 2005.
3. On 25 July 2014 he was convicted at South East Surrey Magistrates' Court of driving a motor vehicle with excess alcohol on 5 July 2014, contrary to Section 5(1)(a) of the Road Traffic Act 1988. He was sentenced on 28 August 2014 to suspended imprisonment of twelve weeks, wholly suspended for twelve months, ordered to pay costs of £55, disqualified from driving for three years from 25 July 2014, ordered to undertake an unpaid work requirement and pay a victim surcharge of £80.

Our reasons are that the convictions are admitted by Mr Mott and we have seen within the case papers a copy of the relevant court registers setting out the fact of his convictions on all three occasions.

Findings as to conviction of a relevant offence

In this case Mr Mott accepts that he has been convicted on three separate occasions over a period of nearly fifteen years of driving motor vehicles with excess alcohol. The most recent conviction in 2014, when he was riding a moped, disclosed a breath alcohol reading which was nearly four times the legal limit and he was thus totally unfit to be in control of a motor vehicle on a public road. He was sentenced to a term of imprisonment which was suspended by the Magistrates. He was also required to undertake unpaid work for the benefit of the community.

Taken on its own this was a very serious offence which was, to some extent, aggravated by his earlier convictions although they are very old. By comparison with the most recent conviction the offences in 2000 and 2003 also involved more modest breath alcohol readings of 55 and 46 micrograms of alcohol respectively. We also note that these offences occurred before Mr Mott had joined the teaching profession. We therefore judge that only the offence in 2014 constitutes conviction of a relevant offence as the circumstances of this conviction are very different. The 2014 conviction is, in our view, relevant to his fitness to be a teacher as Mr Mott himself acknowledges.

Panel's recommendation to the Secretary of State

Mr Mott has been convicted of a serious offence involving alcohol and has been sentenced to a term of suspended imprisonment. We are required to consider the public interest in determining whether a prohibition order is appropriate. The public interest includes:

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

Mr Mott rode a moped with a breath alcohol reading of 135 micrograms and we judge that all the public interest elements are engaged by his conduct. Teachers should behave as role models and we recommend that a prohibition order should be imposed in this case.

One of the written testimonials in the case papers which he has obtained suggests that Mr Mott has been a "very accomplished drama teacher". He has indicated that this incident occurred at a time when he was under considerable stress dealing with his father's [redacted] illness. We also note that following his conviction he sought professional counselling [redacted]. None of those mitigating circumstances, in the view

of the panel, serve to excuse or reduce Mr Mott's responsibility for his conduct which we have reflected in our recommendation that a prohibition order should be visited on him.

However we note that Mr Mott is in his late thirties and it would seem that he has qualities to offer the profession. Taking account of the mitigation outlined above we believe it would be proportionate to allow the teacher the opportunity to make an application for review of any prohibition order that may be imposed after 3 years have elapsed from the making of the order.

Decision and reasons on behalf of the Secretary of State

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

The panel have found that Mr Mott's most recent conviction for driving a motor vehicle whilst under the influence of excess alcohol amounted to a conviction of a relevant offence. Mr Mott was more than four times over the legal limit and received a suspended prison sentence.

The panel have found a number of public interest considerations to be in play in this case and have recommended that a prohibition should be imposed. I agree with their recommendation that a prohibition order is both appropriate and proportionate.

The panel have seen testimonials, one of which describes Mr Mott as being a very accomplished drama teacher. The incident took place when Mr Mott was under considerable stress relating to his father's illness and he has subsequently sought professional counselling. In the circumstances I agree with the panel's recommendation that Mr Mott should be allowed to apply to have the order set aside after a minimum period of 3 years has elapsed.

This means that Mr Edward Mott is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 3 June 2018, 3 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Edward Mott remains prohibited from teaching indefinitely.

This order takes effect from the date on which it is served on the teacher.

Mr Edward Mott 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. Keen', with a large, sweeping flourish extending to the right.

Date: 26 May 2015

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