



Teaching
Regulation
Agency

Peter Drake: Professional conduct panel outcome

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

March 2021

Contents

Introduction	3
Allegations	4
Preliminary applications	4
Summary of evidence	4
Documents	4
Statement of agreed facts	5
Decision and reasons	5
Findings of fact	5
Panel's recommendation to the Secretary of State	11
Decision and reasons on behalf of the Secretary of State	15

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

Teacher:	Mr Peter Drake
Teacher ref number:	8837961
Teacher date of birth:	19 November 1963
TRA reference:	18537
Date of determination:	15 March 2021
Former employer:	Queen Elizabeth High School, Northumberland

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened remotely on 15 March 2021 to consider the case of Mr Peter Drake.

The panel members were Ms Karen McArthur (lay panellist – in the chair), Mr Neil Hillman (teacher panellist) and Mrs Caroline Tilley (lay panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan LLP, solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Drake that the allegations be considered without a hearing. Mr Drake provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting, in private, without the attendance of the presenting officer, Mr Drake or his representative.

Allegations

The panel considered the allegations set out in the notice of meeting dated 10 March 2021.

It was alleged that Mr Drake was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, whilst employed as a teacher at the Queen Elizabeth High School:

1. He engaged in inappropriate use of school equipment on one or more occasions between February and May 2019, including by:
 - a. making one or more internet searches for sexual material;
 - b. accessing one or more pornographic websites, including on an occasion on or around 13 May 2019 during school hours and whilst on school premises;
 - c. engaging in chat room activity that was of a sexual nature and/or related to a school environment;
2. His behaviour as may be found proven at 1 above was sexually motivated.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

In advance of the meeting, the panel received a bundle of documents, which included:

- Section 1: Chronology – page 2;
- Section 2: Notice of Referral, response and notice of meeting – pages 4 to 9;
- Section 3: Statement of agreed facts and presenting officer representations – pages 10 to 17;
- Section 4: Teaching Regulation Agency documents – pages 19 to 374; and
- Section 5: Teacher documents – pages 376 to 400.

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

Statement of agreed facts

The panel considered a statement of agreed facts signed by Mr Drake on 12 March 2020.

Decision and reasons

The panel announced its decision and reasons as follows:

In advance of the meeting, the TRA agreed to a request from Mr Drake for the allegations to be considered without a hearing.

The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

The panel proceeded to consider the case carefully, having read all of the documents, and reached a decision. It accepted the legal advice provided.

Mr Drake was formerly employed as a science teacher at the Queen Elizabeth High School ("the School"). He commenced work at the School on 1 September 1989.

On 13 May 2019, the School's IT systems flagged that Mr Drake had accessed a number of online websites, using his work laptop, in breach of the School's IT Acceptable Use Agreement ("the Policy").

On 15 May 2019, Mr Drake was suspended from his role due to the nature of the activity identified. Referrals were also made to the police and to the local authority designated officer.

By letter dated 16 May 2019, Mr Drake resigned from his position at the School with immediate effect. No further action was taken by the police or local authority. Mr Drake was subsequently referred to the TRA.

In considering the allegations, the panel did not rely upon any findings made or opinions expressed in the documentation included within the hearing papers. It formed its own, independent view of the allegations based on the evidence presented to it. In addition, whilst there was reference to unsubstantiated allegations unrelated to those set out in the Notice of Meeting, this information was disregarded by the panel.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegations against Mr Drake proved, for these reasons:

1. You engaged in inappropriate use of school equipment on one or more occasions between February and May 2019, including by;

a. making one or more internet searches for sexual material;

Mr Drake admitted the facts of allegation 1(a). He accepted that he undertook internet searches for sexual material, on his school laptop, between February and May 2019 and that, by doing so, he inappropriately used school equipment on more than one occasion.

A list of the titles/applications accessed by Mr Drake was included in the hearing bundle and accepted by Mr Drake.

Mr Drake admitted that he undertook a number of searches using various sexual terms, examples of which were included in his signed statement of agreed and disputed facts ("the Statement").

Given the clear and consistent evidence before the panel, it accepted Mr Drake's admissions and found the facts of allegation 1(a) proved. There was clear evidence to support the fact that these internet searches were undertaken, which Mr Drake fully admitted. Mr Drake should not have behaved in this manner and this certainly amounted to an inappropriate use of the School's equipment.

b. accessing one or more pornographic websites, including on an occasion on or around 13 May 2019 during school hours and whilst on school premises;

Mr Drake admitted the facts of allegation 1(b).

He accepted that, on 13 May 2019, he accessed more than one pornographic webpages and that he did so:

- using his school laptop;
- during school hours; and
- whilst on school premises.

The panel was presented with a copy of Mr Drake's timetable, which corroborated his usage at these times.

The panel concluded that the evidence before it was consistent with Mr Drake's admissions and found the facts of allegation 1(b) proved. Mr Drake's access to the sites in question was clearly evidenced and the panel was satisfied that this amounted to an inappropriate use of the School's equipment, which he accepted.

c. engaging in chat room activity that was of a sexual nature and/or related to a school environment;

Mr Drake admitted the facts of allegation 1(c).

He accepted that, on 12 May 2019, he used his school laptop to engage in chat room activity on a website entitled '*playnaughty.com*'. He accepted that this activity was of a sexual nature and related to a school environment.

Specifically, Mr Drake admitted that he sent a number of messages to a user called '*wantedlady12*', including comments such as:

- *"I see. And does your lover like you shaved like a schoolgirl."*

Mr Drake also admitted sending messages to another user called '*docetteen*', advertised to be aged 19, including numerous comments describing a specific, overtly sexual fantasy and sexual activity. Some messages related to a school environment, such as:

- A message from Mr Drake stating "*You are 15*", to which the other user replies "*no sir im 14 I will be 15 in 3 months*" (sic).
- *"I have lots of scenarios – you want the role of a younger girl for an older man or something you would like to put forward to me?"*

Given the clear evidence before the panel, it accepted Mr Drake's admissions. The messages themselves were included in evidence and Mr Drake accepted that he was the author.

This was, clearly, conduct that was of a sexual nature, given the content. Mr Drake made numerous, overtly sexual comments whilst engaging in this activity.

It was also the case that, at least to some extent, Mr Drake engaged in role-play scenarios related to a school environment.

Finally, this was a clear instance of an inappropriate use of the School's equipment.

The Committee therefore found the facts of allegation 1(c) proved.

2. Your behaviour as may be found proven at 1 above was sexually motivated.

Having found the facts of allegations 1(a) to 1(c) proved, the panel went on to determine whether Mr Drake's conduct in relation to those allegations was sexually motivated.

As Mr Drake readily accepted, this was conduct of a clearly sexual nature. The panel's findings in relation to these allegations were such that Mr Drake had accessed

pornographic websites, undertaken searches for sexually explicit terms and engaged in chat room activity that was overtly sexual.

The only appropriate conclusion, given the circumstances, was that Mr Drake was sexually motivated, which he admitted. The panel concluded that the reasonable and common sense inference to draw was that Mr Drake was, by his actions, motivated by a desire to derive sexual gratification from his behaviour.

On that basis and in light of Mr Drake's admission, the panel found allegation 2 proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. Mr Drake admitted both aspects. Whilst the panel took these admissions into account, it made its own judgment as to whether the threshold was crossed in the circumstances of this case.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Mr Drake in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Drake was 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.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel also considered whether Mr Drake's conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct.

The panel found that none of these offences was relevant. Whilst the offence of sexual activity was broadly relevant, the panel had in mind that Mr Drake had not committed a criminal offence. However, although there was no evidence to suggest that any of the sites accessed were illegal, aspects of his behaviour remained extremely concerning, particularly given his professional status.

Having carefully considered all of the evidence and having regard to Mr Drake's breaches of the Teachers' Standards, the panel was satisfied that his conduct fell significantly short of the standards expected of the profession.

The extent and duration of the conduct in question, and the consequent breaches of the Policy, was a matter of particular concern as was the nature of some of the searches and comments evidenced.

Mr Drake acknowledged that he was aware of the Policy and that it required staff to:

- Maintain a professional level of conduct in their personal use of technology, both on and off site.
- Not use the School ICT systems for private purposes.
- Ensure that use of the school laptop at home is done responsibly and professionally.
- Ensure that School computer and internet use is appropriate to education.
- Not post indecent remarks or inappropriate images on any social networking platform.

In the light of Mr Drake's knowledge and understanding of these requirements, together with his extensive experience, the extent of his failings were very serious. His behaviour was extremely unprofessional.

The panel noted that the majority of the conduct found proven took place outside the education setting. In large part, this was conduct that took place in the course of Mr Drake's private life albeit using school equipment.

However, Mr Drake had a professional responsibility and was required to behave appropriately at all times.

Further and in any event, he blurred the boundary between his personal and professional life by:

- using his school laptop;
- engaging in some of this activity during school hours and whilst on school premises; and
- engaging in chat room activity that related to the school environment.

In relation his conduct in relation to allegation 1(b), Mr Drake acknowledged that when accessing the sites in question, he was in the proximity of pupils and there was a risk that

pupils could have seen the pornographic webpages. This was, in the panel's view, a serious failing on his part. Had this risk materialised, pupils could have been detrimentally affected.

It was also an aggravating feature that this behaviour meant that Mr Drake was, albeit to a limited extent, engaging in such activities at a time when he was being paid to perform his duties as a teacher. This, coupled with the use of a school laptop, meant that Mr Drake had abused the trust placed in him by the School.

In relation to allegations 1(a) and 1(c), the conduct found proven did not take place on the School's premises. However, the panel was nevertheless satisfied that it was relevant to the way Mr Drake could have been perceived as fulfilling his teaching duties. It involved the use of school equipment for a purpose way beyond its intended use and in breach of the Policy. It could, potentially, have led to pupils being exposed to or influenced by the behaviour in a harmful way.

The panel also considered the fact that Mr Drake had engaged with unknown persons in chat rooms in an explicitly sexual manner. Such conduct, in the panel's view, presents a risk for someone of Mr Drake's status. His conduct, in relation to each of the allegations, was ill-advised and, in the panel's view, displayed a concerning lack of judgment and professionalism.

Accordingly, the panel was satisfied that Mr Drake was guilty of unacceptable professional conduct.

In considering whether Mr Drake's conduct was such that it may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way they behave. In relation to online behaviour and other conduct in one's private life, how a teacher behaves may well influence the perception of the individual as an educator.

In this instance, the findings of misconduct were serious and the conduct displayed would be likely to have a negative impact on Mr Drake's status as a teacher, potentially damaging the public perception.

In addition to its findings set out above, the panel considered that a member of the public would be troubled to learn that school equipment was used in this way. They would similarly be troubled to learn that, with reference to allegation 1(b), some of this conduct took place during school hours.

The panel therefore found that Mr Drake's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of particulars 1(a) to (c) and 2 proved, the panel further found that Mr Drake's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was 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 had to consider whether it would be an appropriate and proportionate measure, and whether it would be 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 had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely the protection of pupils, the maintenance of public confidence in the profession and the declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Drake, which involved some degree of risk to pupils' being exposed to potentially harmful and offensive material, there was a strong public interest consideration in respect of the protection of pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Drake were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel also decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Drake was outside that which could reasonably be tolerated.

The panel did not consider that there was a particularly strong public interest consideration in retaining Mr Drake in the profession, particularly in the absence of positive references or testimonials. His future intentions were also unknown. However, no doubt had been cast upon Mr Drake's abilities as an educator. He had an otherwise long and unblemished career. He had been engaged by the School over a period of some 30 years. There was, therefore, every possibility that he could make a valuable contribution to the profession if he was to return to it.

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 Drake.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Drake. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved.

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; and
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered the following mitigating factors were present in this case:

- Mr Drake was an experienced teacher who had an otherwise good record. He had not been subject to any previous regulatory or disciplinary proceedings.
- Mr Drake had engaged with the TRA and, ultimately, made full admissions.
- There was some evidence that Mr Drake had sought some assistance with certain aspects of his behaviour, albeit there was very limited evidence available in relation to this.
- The panel was concerned, with reference to the specific allegations before it, with a relatively narrow period in the context of Mr Drake's career as a whole.
- Mr Drake had shown some regret and remorse for his actions.

Weighed against this, the aggravating features in this case were that:

- Mr Drake's actions were deliberate and premeditated. He was not acting under duress.
- Given he was an experienced teacher, Mr Drake ought to have known what was required of him in terms of his duties and responsibilities. His actions amounted to a clear breach of the Policy.

- Mr Drake was in a position of responsibility and had an obligation to act as a role model. He failed in his duties in that regard.
- Mr Drake's actions amounted to a clear breach of the Teachers' Standards.
- This was conduct of a sexual nature and Mr Drake was motivated by a desire to seek sexual gratification.
- In the panel's view, Mr Drake had shown only limited insight. For example, there was limited reference to what lessons he had learnt and what he would do differently.
- His conduct had an impact upon the School and he had presented a risk of harm to pupils.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate nor appropriate response to not recommend a prohibition order.

Recommending that the publication of adverse findings was sufficient would, in this case, unacceptably compromise the public interest considerations present, despite the severity of the consequences for Mr Drake of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. It decided that the public interest considerations outweighed the interests of Mr Drake.

It did consider, given the mitigating factors present and the effect of these events upon Mr Drake, that the risk of repetition was low.

However, the panel concluded that the conduct was too serious to recommend that the publication of adverse findings would be sufficient.

This was serious and concerning behaviour. Whilst an isolated episode in the context of Mr Drake's career as a whole, the conduct in question persisted for several months. Within that time, Mr Drake's inappropriate activity was prolific.

Certain sites accessed, some of the searches undertaken and aspects of the chat room activity were very concerning and called into question Mr Drake's professionalism and judgment.

That he had used school equipment to engage in this activity, including during school hours amounted to a serious failing on his part and was a breach of the trust vested in

him by the School. As the panel had found, his conduct could have impacted on pupils had they observed Mr Drake behaving in this way. That he had acted in this way, knowingly taking this risk, was an aggravating feature of Mr Drake's conduct.

The panel had concluded that several behaviours found proved in this case indicated that a prohibition order would be appropriate. In particular, the panel felt that public confidence in the profession could be weakened if conduct of this nature was not treated with the utmost seriousness.

Accordingly, the panel made 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 to recommend that a review period of the order should be considered. The panel was mindful that the Advice states 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 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. However, the panel did not consider that any of these behaviours were present in this case.

The panel decided that its findings indicated a situation in which a review period would be appropriate.

In arriving at that decision, the panel took account of the fact that Mr Drake was an experienced teacher with an unblemished record. He had also received some treatment for what he described as this addictive behaviour. Whilst there was a risk of harm, no pupils were, as a matter of fact, directly impacted by his actions. Whilst the panel did have concerns about the extent of the insight Mr Drake had shown, given his long service and the likely effect of these events upon him, it concluded that the risk of repetition, of the same or similar behaviour as that found proven, was limited. Further, Mr Drake could, potentially, make a positive impact at any school he may eventually work in subject to gaining full insight into his behaviour.

As such, the panel decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period.

In terms of the length of that review period, the panel concluded that a review period of 2 years was proportionate in this case, given the seriousness of Mr Drake's conduct. That period is, in the panel's view, both sufficient and necessary to meet the public interest. It would allow Mr Drake to have an opportunity to reflect on the panel's findings and, finally, gain insight into the nature and implications of his actions. It would also afford him the

opportunity to rehabilitate from his self-declared addiction and to demonstrate that he has done so.

In summary, the panel therefore decided that its findings indicated a situation in which a review period would be appropriate and that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period of 2 years.

Decision and reasons on behalf of the Secretary of State

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

In considering this case, I have also given very careful attention to the Advice that the Secretary of State has published concerning the prohibition of teachers.

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Mr Peter Drake should be the subject of a prohibition order, with a review period of 2 years.

In particular, the panel has found that Mr Drake 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.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel finds that the conduct of Mr Drake fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of inappropriate use of school equipment, internet searches for sexual material, accessing pornographic websites, engaging in chat room activity, behaviour found to be sexually motivated.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published

finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Drake, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, "Mr Drake acknowledged that when accessing the sites in question, he was in the proximity of pupils and there was a risk that pupils could have seen the pornographic webpages. This was, in the panel's view, a serious failing on his part. Had this risk materialised, pupils could have been detrimentally affected". A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "In the panel's view, Mr Drake had shown only limited insight. For example, there was limited reference to what lessons he had learnt and what he would do differently." In my judgment, the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "In the light of the panel's findings against Mr Drake, which involved some degree of risk to pupils' being exposed to potentially harmful and offensive material, there was a strong public interest consideration in respect of the protection of pupils". I am particularly mindful of the finding that Mr Drake's conduct was a breach of the trust vested in him by the school and could have had a negative effect on pupils and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an "ordinary intelligent and well-informed citizen."

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Drake himself. The panel comment "Mr Drake was an experienced teacher who had an otherwise good record. He had not been subject to any previous regulatory or disciplinary proceedings" and "There

was some evidence that Mr Drake had sought some assistance with certain aspects of his behaviour, albeit there was very limited evidence available in relation to this”.

A prohibition order would prevent Mr Drake from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the following comments from the panel, “Mr Drake was in a position of responsibility and had an obligation to act as a role model. He failed in his duties in that regard. This was conduct of a sexual nature and Mr Drake was motivated by a desire to seek sexual gratification”.

I have also placed considerable weight on the finding of the panel that “This was serious and concerning behaviour. Whilst an isolated episode in the context of Mr Drake's career as a whole, the conduct in question persisted for several months. Within that time, Mr Drake's inappropriate activity was prolific”.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Drake has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 2 year review period.

I have considered the panel’s comments “the panel concluded that a review period of 2 years was proportionate in this case, given the seriousness of Mr Drake's conduct. That period is, in the panel's view, both sufficient and necessary to meet the public interest. It would allow Mr Drake to have an opportunity to reflect on the panel's findings and, finally, gain insight into the nature and implications of his actions. It would also afford him the opportunity to rehabilitate from his self-declared addiction and to demonstrate that he has done so”.

I have considered whether a 2 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, a number of factors mean that a 2 year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the extent of insight or remorse shown given Mr Drake's long service and the potential risk to pupils accessing pornographic material on school equipment, which was found to be sexually motivated.

For these reasons, I have not agreed with the panel and I consider therefore that a 4 year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Peter Drake 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 25 March 2025, 4 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 Drake remains prohibited from teaching indefinitely.

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

Mr Drake 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.

A handwritten signature in black ink, appearing to read 'SABuxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 18 March 2021

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