



Teaching  
Regulation  
Agency

# **Mr James Quinlan: Professional conduct panel outcome**

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

**April 2021**

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

<b>Teacher:</b>	Mr James Quinlan
<b>Teacher ref number:</b>	1274391
<b>Teacher date of birth:</b>	12 December 1990
<b>TRA reference:</b>	19086
<b>Date of determination:</b>	19 April 2021
<b>Former employer:</b>	The Holland Park School, London

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 19 April 2021, remotely, to consider the case of Mr James Quinlan.

The panel members were Ms Caroline Tilley (lay panellist – in the chair), Mr Paul MacIntyre (teacher panellist), and Mr Alf Bean (lay panellist).

The legal adviser to the panel was Mr Phil Taylor of Eversheds Sutherland (International) 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 Quinlan that the allegations be considered without a hearing. Mr Quinlan provided a signed Statement of Agreed Facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Sey Shabani, or Mr Quinlan.

The meeting took place in private, save for the announcement of the panel’s decision, which was announced in public and recorded.

## Allegations

The panel considered the allegations set out in the notice of meeting dated 22 March 2021.

It was alleged that Mr James Quinlan was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute, in that whilst employed at the Holland Park School:

1. he failed to maintain appropriate professional boundaries and/or developed an inappropriate relationship with Pupil A, including by;
  - a. providing Pupil A with his personal mobile number;
  - b. communicating with Pupil A by the use of his personal mobile phone and/or text message;
  - c. having a photograph of Pupil A as his home screen with the text “I’m your bitch hehe” on his personal mobile phone;
  - d. meeting Pupil A outside of the school premises and/or during weekends;
  - e. kissing Pupil A;
  - f. facilitating and/or allowing Pupil A to enter and/or stay at his home accommodation.
2. After termination of his employment as a Teacher at the Holland Park School, he continued to engage in an inappropriate relationship with Pupil A;
3. His conduct as may be found proven at;
  - a. allegation 1 and/or 2 was conduct of a sexual nature and/or was sexually motivated;
  - b. allegation 1f demonstrated a lack of insight into the conditions of his suspension issued on or around 13 March 2017;
4. His conduct as referred to at allegation 1 constituted a criminal offence, for which he accepted a caution under Section 16 of the Sexual Offences Act 2003 in or around July 2017.

Mr Quinlan has admitted the facts of allegations 1 and 2. He has accepted that in undertaking the actions at allegation 1 he failed to maintain appropriate professional boundaries.

Mr Quinlan has admitted allegation 3, accepting that: his conduct in allegations 1 and 2 was conduct of a sexual nature and was sexually motivated, and that his conduct in allegation 1f demonstrated a lack of insight into the conditions of his suspension issued on or around 13 March 2017.

Mr Quinlan has admitted allegation 4, in that his conduct at allegation 1 constituted a criminal offence for which he accepted a police caution in July 2017.

Mr Quinlan has admitted that the facts of allegations 1 and 2, which he has admitted, amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

This is confirmed in the Statement of Agreed Facts signed by Mr Quinlan on 13 August 2020.

## **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 and response – pages 5 to 14

Section 3: Statement of Agreed Facts and Presenting Officer representations – pages 16 to 23

Section 4: Teaching Regulation Agency documents – pages 25 to 114

Section 5: Teacher documents – pages 116 to 151

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 which was signed by Mr James Quinlan on 13 August 2020.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr James Quinlan 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.

Mr Quinlan had been employed at the Holland Park School (“the School”) as a teacher of Latin to students in Years 7 to 13 from 1 September 2014 to 4 July 2017. In this role he also acted as a pastoral tutor to sixth form students at the School. He was Pupil A’s teacher [REDACTED]

On 10 March 2017, two senior teachers at the School noticed what appeared to be an inappropriate message from Pupil A on Mr Quinlan’s personal mobile phone. A photograph of Pupil A was subsequently found on the home screen of Mr Quinlan’s phone.

Mr Quinlan met with the headteacher of the School on 13 March 2017, and was informed that he was to be suspended whilst an investigation was conducted. The conditions of the suspension were that Mr Quinlan must not enter School premises, and that he must not have contact with any of the School’s employees or students. The police were informed of the investigation, and Mr Quinlan was arrested at his home on 19 March 2017, in the presence of Pupil A.

The School convened a disciplinary hearing on 4 July 2017. Mr Quinlan was invited to the hearing but declined to attend. The hearing resulted in Mr Quinlan’s summary dismissal on the grounds of gross misconduct.

Following a police investigation, Mr Quinlan was arrested and subsequently accepted a police caution under Section 16 of the Sexual Offences Act 2003.

## **Findings of fact**

The findings of fact are as follows:

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

Whilst employed at the School:

- 1. you failed to maintain appropriate professional boundaries and/or developed an inappropriate relationship with Pupil A, including by:**
  - a. providing Pupil A with your personal mobile number**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan, as well as other written evidence in the bundle including accounts from Pupil A. The panel considered also that, on the

balance of probabilities, Mr Quinlan must have provided his personal mobile number to Pupil A in order for later events to have taken place as alleged. The allegation was therefore found proved.

**b. communicating with Pupil A by the use of your personal mobile phone and/or text message**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan, written accounts from Pupil A, and written evidence indicating that two of Mr Quinlan's colleagues had seen a message from Pupil A on Mr Quinlan's personal mobile phone. The allegation was therefore found proved.

**c. having a photograph of Pupil A as your home screen with the text "I'm your bitch hehe" on your personal mobile phone**

The allegation was admitted and supported by evidence presented to the panel, notably a copy of a photograph matching this description which was provided in the bundle, as well as the Statement of Agreed Facts signed by Mr Quinlan, documents arising from the School's disciplinary hearing, and written accounts from Pupil A. The allegation was therefore found proved.

**d. meeting Pupil A outside of the school premises and/or during weekends**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan and written accounts from Mr Quinlan, Pupil A, and Pupil A's mother. The allegation was therefore found proved.

**e. kissing Pupil A**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan, and a written account of Mr Quinlan's admission to the police. The panel saw no evidence to suggest that the facts as alleged did not occur and the allegation was therefore found proved on the balance of probabilities.

**f. facilitating and/or allowing Pupil A to enter and/or stay at your home accommodation;**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan. The panel noted the police account that a person, later known to be Pupil A, had been found at Mr Quinlan's address when the police attended to arrest him. On the balance of probabilities, the allegation was therefore found proved.

**2. After termination of your employment as a Teacher at the Holland Park School, you continued to engage in an inappropriate relationship with Pupil A;**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan and written accounts from Pupil A. The panel noted that the relationship between Mr Quinlan and Pupil A had only come about as a result of Mr Quinlan's position as a teacher, and that even after the termination of his employment with the School, Mr Quinlan's behaviour would be regarded as inappropriate. The allegation was therefore found proved.

**3. Your conduct as may be found proven at:**

**a. allegation 1 and/or 2 was conduct of a sexual nature and/or was sexually motivated**

The panel took time to consider whether, on the balance of probabilities, reasonable persons would think the actions found proven at 1 and 2 could be sexual. The panel was satisfied that this was the case. It then asked itself whether, in all the circumstances of the conduct in the case, it was more likely than not that Mr Quinlan's purpose of such actions was sexual. The panel again concluded that this was the case.

The panel carefully considered all the circumstances of the case, and determined that on the balance of probabilities, sexual motivation on the part of Mr Quinlan could be inferred. The panel considered that it had been provided with strong evidence to support this conclusion. This included that the allegation had been admitted in full by Mr Quinlan in the signed Statement of Agreed Facts in which he agreed that his conduct in relation to allegation 1 and 2 was conduct of a sexual nature and was sexually motivated. The allegation was supported by other evidence in the bundle, including further written accounts from Mr Quinlan.

On the balance of probabilities, the panel therefore found this allegation to be proved in all parts.

**b. allegation 1f demonstrated a lack of insight into the conditions of your suspension issued on or around 13 March 2017;**

The allegation was admitted and supported by evidence presented to the panel, notably the Statement of Agreed Facts signed by Mr Quinlan. The panel carefully considered the wording of Mr Quinlan's suspension and the facts as found proven at 1f, and found this allegation to be proved.

**4. Your conduct as referred to at allegation 1 constituted a criminal offence, for which you accepted a caution under Section 16 of the Sexual Offences Act 2003 in or around July 2017.**



The panel was provided with evidence of the police caution, and considered that this established that Mr Quinlan had made a clear admission of guilt in respect of committing the offence for which the caution had been given. The panel gave significant, although not conclusive, weight to the existence of the caution in its considerations. The allegation was admitted by Mr Quinlan and was supported by other evidence presented to the panel, notably the signed Statement of Agreed Facts. The panel therefore found this allegation proved.

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

Having found all of 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.

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 Quinlan in relation to the facts found proved, involved significant breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Quinlan 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, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position; and
  - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also noted the Preamble to the Teachers’ Standards, which includes the statement that “Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct”, and that teachers “forge positive professional relationships”.

The panel was satisfied that the conduct of Mr Quinlan fell seriously short of the standards expected of the profession.

The panel also considered whether Mr Quinlan'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 the offence of sexual activity was relevant, and that Mr Quinlan's conduct displayed behaviours associated with this offence. The panel also took into account that Mr Quinlan had accepted a police caution under Section 16 of the Sexual Offences Act 2003.

The panel noted that elements of allegations 1 and 2 took place entirely, or in part, outside the education setting. However, these were facilitated by Mr Quinlan's role as Pupil A's teacher. The panel considered that Mr Quinlan was in a position of trust and had a duty of care towards Pupil A, and the conduct which the panel had found proven would have affected the way in which he fulfilled his teaching and pastoral roles. The panel also considered that Mr Quinlan's conduct may have had the potential to pupils being exposed to or influenced by his behaviour in a harmful way. Mr Quinlan was in a position of influence as a teacher of children in years 7 to 13, and as a tutor to sixth form students. His conduct had involved receipt of inappropriate messages on his personal phone which had been left in a classroom where it could have been seen by pupils.

In addition, Mr Quinlan was a relatively experienced teacher who should have been well aware of the conduct expected of him, but nevertheless entered into and continued a relationship with a pupil under his care.

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

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.

The findings of misconduct are serious and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The panel therefore found that Mr Quinlan's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of allegations 1, 2, 3 and 4 proved, the panel further found that Mr Quinlan'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, declaring and upholding proper standards of conduct and the interest of retaining the teacher in the profession.

The panel's findings against Mr Quinlan involved failing to adhere to professional boundaries and lack of insight. The panel found there to be a strong public interest consideration in respect of the protection of pupils, and declaring and upholding proper standards of conduct. This was particularly the case given the findings of conduct of a sexual nature, sexual motivation, and the commission of a criminal offence (for which Mr Quinlan accepted a caution under Section 16 of the Sexual Offences Act 2003) relating to one of his pupils.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Quinlan was outside that which could reasonably be tolerated. The panel considered that, whilst no doubt has been cast on Mr Quinlan's ability as an educator, any interest in retaining him in the profession is outweighed in this case by his breach of the trust placed in him.

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 Quinlan.

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 Quinlan. 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 were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils;
- abuse of position or trust; and
- sexual misconduct, for example, 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.

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.

There was evidence that some of Mr Quinlan's actions were deliberate. There was no evidence to suggest that Mr Quinlan was acting under duress.

It was noted that Mr Quinlan had a previously good history and had cooperated with the TRA including by making full and frank admissions. The panel took note of Mr Quinlan's written mitigation, written accounts provided by the School, positive comments said to have made online by Mr Quinlan's former pupils, and submissions made by Pupil A and Pupil A's mother. The panel noted that Mr Quinlan and Pupil A remain in a stable relationship some 4 years following the incidents which gave rise to the case before it.

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 and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Quinlan of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Quinlan, despite the submissions which had been made in his support. The fact that Mr Quinlan had been in a position of trust and responsibility towards Pupil A and had embarked on a relationship with her while she was a student in his care were significant factors in forming that opinion. 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. One of these behaviours is serious sexual misconduct, such as where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons. The panel found that Mr Quinlan, while in a position of trust, was responsible for engaging in and continuing a relationship with a pupil. However, the panel also noted that there was no evidence of serial offending on the part of Mr Quinlan, and that Mr Quinlan is now in a stable relationship with Pupil A, with the support of Pupil A's family.

The panel considered written and oral statements made by Mr Quinlan and noted that he has shown some insight into his behaviour and remorse as to the difficulties he has caused. The panel again took note of comments made by the School in relation to Mr Quinlan's abilities as a teacher and pastoral tutor. The panel also took account of Mr Quinlan's previous good history and the time during which Mr Quinlan has been away from teaching. The panel was of the view that Mr Quinlan potentially has more to offer to the teaching profession, but that an appropriate period of time is needed during which he should further reflect on his conduct and seek to rebuild the trust of others.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a review period of not less than 3 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 conduct that may bring the profession into disrepute.

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

In particular, the panel has found that Mr Quinlan 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
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position; and
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The findings of misconduct are particularly serious as they include a finding of sexual misconduct, including a police caution under Section 16 of the Sexual Offences Act 2003.

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 Quinlan, 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, "that Mr Quinlan was in a position of trust and had a duty of care towards Pupil A, and the conduct which the panel had found proven would have affected the way in which he fulfilled his teaching and pastoral roles. The panel also considered that Mr Quinlan's conduct may have had the potential to pupils being exposed to or influenced by his behaviour in a harmful way. Mr Quinlan was in a position of influence as a teacher of children in years 7 to 13, and as a tutor to sixth form students. His conduct had involved receipt of inappropriate messages on his personal phone which had been left in a classroom where it could have been seen by pupils." 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, "noted that he has shown some insight into his behaviour and remorse as to the difficulties he has caused." In my judgement, the lack of full insight

means that there is some risk of the repetition of this behaviour and this puts at risk the future well-being of pupils. 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, "The findings of misconduct are serious and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception." I am particularly mindful of the finding of sexual misconduct in this case 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 Quinlan himself. The panel comment that it "took note of comments made by the School in relation to Mr Quinlan's abilities as a teacher and pastoral tutor. The panel also took account of Mr Quinlan's previous good history and the time during which Mr Quinlan has been away from teaching. The panel was of the view that Mr Quinlan potentially has more to offer to the teaching profession,..."

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

I have placed considerable weight on the finding of the panel that, "Mr Quinlan had been in a position of trust and responsibility towards Pupil A and had embarked on a relationship with her while she was a student in his care..."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Quinlan 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.

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 3 year review period.

I have considered the panel's comments "that there was no evidence of serial offending on the part of Mr Quinlan, and that Mr Quinlan is now in a stable relationship with Pupil A, with the support of Pupil A's family." Also the comments, "that an appropriate period of time is needed during which he should further reflect on his conduct and seek to rebuild the trust of others."

I have considered whether a 3 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, I disagree with the panel. In my view the panel has placed too much weight on the fact that the relationship with Pupil A is on-going and has the support of Pupil A's parents. The panel has also said that a three year review period will allow time for further reflection. In my view the serious nature of the findings means that a no review is more appropriate. Mr Quinlan embarked on a relationship which was a clear breach of trust. Even during his suspension he continued the relationship. The law is very clear and the advice published by the Secretary of State is clear. The on-going nature of the relationship and the approval of the parents does not in my view sufficiently mitigate against following the advice, which is clear that, "there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours is serious sexual misconduct, such as where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons. The panel found that Mr Quinlan, while in a position of trust, was responsible for engaging in and continuing a relationship with a pupil." In my view these factors combined with the evidence of only "some" insight and remorse" properly suggest a no review prohibition.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

**This means that Mr James Quinlan 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 James Quinlan 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 James Quinlan 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 blue ink, appearing to be 'A. C. M.' with a flourish at the end.



**Decision maker: Alan Meyrick**

**Date: 5 May 2021**

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