



Teaching  
Regulation  
Agency

# **Mr Martin Webb: Professional conduct panel meeting outcome**

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

**January 2022**

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

**Teacher:** Mr Martin Webb

**Teacher ref number:** 00/00397

**Teacher date of birth:** 5 May 1962

**TRA reference:** 19544

**Date of determination:** 13 January 2022

**Former employer:** St Joseph's College, Reading

### **Introduction**

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 13 January 2022 by way of a virtual meeting, to consider the case of Mr Martin Webb.

The panel members were Mr Paul McGrath (lay panellist – in the chair), Dr Angela Brown (lay panellist) and Mrs Melissa West (teacher panellist).

The legal adviser to the panel was Mr Robert Kellaway of Birketts 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 Webb that the allegations be considered without a hearing. Mr Webb provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Ruth Miller of Fieldfisher LLP, Mr Webb or any representative of Mr Webb.

The meeting took place in private by way of a virtual meeting, 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 6 January 2022.

It was alleged that Mr Webb was guilty of having been convicted of a relevant offence, in that on or around 8 June 2020 he was convicted of:

1. Making an indecent photograph or PSEUDO-Photograph of a child on 1 October 2019 contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978;
2. Making an indecent photograph or PSEUDO-Photograph of a child on 1 October 2019 contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978; and
3. Making an indecent photograph or PSEUDO-Photograph of a child on 1 October 2019 contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.

Mr Webb admitted the facts of allegations 1 to 3 and that his behaviour amounted to a conviction of a relevant offence, as set out in the response to the notice of proceedings dated 8 February 2021 and in the statement of agreed facts signed by Mr Webb on 3 October 2021.

[Redacted]

## **Summary of evidence**

### **Documents**

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

- Section 1: Chronology, anonymised pupil list and list of key people – pages 1 to 2
- Section 2: Notice of referral, response and notice of meeting – pages 3 to 14B
- Section 3: Statement of agreed facts and presenting officer representations – pages 15 to 19
- Section 4: Teaching Regulation Agency documents – pages 20 to 73
- Section 5: Teacher documents – pages 74 to 82

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

## Statement of agreed facts

The panel considered a statement of agreed facts signed by Mr Webb on 3 October 2021 and signed by the presenting officer on 7 October 2021.

## 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 Webb 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 Webb had been employed by St Joseph's College ('the College'), as the Head of IT Strategy, from 1 September 2017.

On 1 October 2019, Mr Webb was arrested and interviewed by Thames Valley Police, on suspicion of downloading indecent images on his personal computer. Mr Webb was further interviewed by the police on 29 January 2020.

Mr Webb resigned from his role at the College on or around 19 December 2019.

On 8 June 2020, Mr Webb was convicted at Reading Magistrates' Court of three counts of making indecent photographs/pseudo-photographs of a child. Mr Webb was sentenced at Reading Crown Court on 23 July 2020.

## 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:

**Making an indecent photograph or PSEUDO-Photograph of a child on 1 October 2019 contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978;**

**Making an indecent photograph or PSEUDO-Photograph of a child on 1 October 2019 contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978; and**

**Making an indecent photograph or PSEUDO-Photograph of a child on 1 October 2019 contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978.**

The panel considered the statement of agreed facts, signed by Mr Webb on 3 October 2021. In that statement of agreed facts, Mr Webb admitted the particulars of allegations 1, 2 and 3. Further, he admitted the facts of the allegations amounted to a conviction of a relevant offence.

The panel noted page 8 of the Teacher Misconduct: The Prohibition of Teachers (“the Advice”) which states that where there has been a conviction at any time of a criminal offence, the hearing will not re-examine the facts of the case and the panel will accept the conviction as conclusive proof that establishes the relevant fact.

The panel had been provided with a copy of the Certificate of Conviction from The Crown Court at Reading, which detailed that Mr Webb had been convicted of three counts of making indecent photographs/pseudo-photographs of a child contrary to sections 1(1)(a) and 6 of the Protection of Children Act 1978, in respect of his actions on 1 October 2019.

In respect of the allegations, Mr Webb was sentenced at Reading Crown Court on 23 July 2020, as follows: allegation 1, 20 months’ imprisonment (suspended for 24 months), ordered to sign the Sex Offenders Notice for 10 years and Sexual Harm Prevention Order for 10 years; allegation 2, 8 months’ imprisonment (suspended for 24 months); allegation 3, 4 months’ imprisonment (suspended for 24 months). In respect of the allegations, Mr Webb was also sentenced to undertake rehabilitation activity for a maximum of 40 days and participate in the Horizon programme for up to 30 sessions.

On examination of the documents before the panel, the panel was satisfied that the facts of allegations 1, 2 and 3 were proved.

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

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to a conviction of a relevant offence.

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 Webb, in relation to the facts it found proven, involved breaches of the Teachers’ Standards. The panel considered that by reference to Part 2, Mr Webb 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
  - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
  - showing tolerance of and respect for the rights of others

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Mr Webb's conduct was wholly at odds with the standards and behaviour expected of any member of the public, let alone a teacher who is placed in the privileged position of trust with children.

The panel noted that the offences had taken place outside of the school setting and had not involved pupils of the College where Mr Webb worked or other members of staff. The panel was aware that an offence can be considered relevant even if it did not involve misconduct in the course of teaching. The panel concluded that Mr Webb's criminal conduct, making indecent photographs or pseudo-photographs of children, was relevant to his ongoing suitability to teach. Mr Webb's offences were grave and extremely serious.

The panel noted that the behaviour involved in committing the offences could have had an impact on the safety or security of pupils and/or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Webb's behaviour in committing the offences could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.

The panel noted that Mr Webb's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the grave seriousness of the offences committed.

This was a case of offences involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting any such activity, which the Advice states is more likely to be considered a relevant offence.

The panel also found that the seriousness of the offending behaviour that led to the convictions was relevant to Mr Webb's ongoing suitability to teach. The panel considered that a finding that these convictions were for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

In summary, the panel found the facts of allegations 1, 2 and 3 proven and that the proven facts amounted to a relevant offence.

## Panel's recommendation to the Secretary of State

Given the panel's findings in respect of a conviction of a relevant offence, 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 protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Webb which involved the three counts of making indecent or pseudo-photographs of children, there was a strong public interest consideration in respect of the protection of pupils.

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

The panel 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 Webb was outside that which could reasonably be tolerated.

On the evidence before it, the panel did not consider there to be a substantial or significant public interest consideration in retaining Mr Webb within the profession.

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 Webb.

In carrying out the balancing exercise, the panel had regard to the public interest considerations as well as the interests of Mr Webb. 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;



- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting such activity, including one-off incidents;
- 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.

Even though 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 that Mr Webb's actions were deliberate.

There was no evidence to suggest that Mr Webb was acting under duress.

Whilst evidence, including past work references, was submitted to attest to Mr Webb's previous good history as a teacher, the panel did not consider this to be significant mitigation given the nature and severity of the misconduct found proved.

In an undated letter to the TRA, Mr Webb stated that he was ashamed and deeply remorseful for his actions. Mr Webb had pleaded guilty to the offences and had accepted the allegations at the start of the TRA proceedings.

Mr Webb stated he had been working with the probation service and said he was engaging wholeheartedly with the rehabilitation requirements. The panel noted a letter from Individual A, dated 26 March 2021, which stated that Mr Webb had a requirement to attend the Horizon Programme and was working hard to address the issues which led to his offending behaviour. Individual A stated Mr Webb had reflected upon what he needed to focus on in order to achieve a better life and to extend his support network.

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 Webb of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations significantly outweighed the interests of Mr Webb. The seriousness of the convictions was a significant factor in forming that opinion. Mr Webb's conduct had been at the most serious end of the spectrum.

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 includes any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child. The panel had found that Mr Webb was responsible for making indecent or pseudo-photographs of children. The panel was in no doubt that Mr Webb's misconduct was of the most serious kind and his conduct was incompatible with being a teacher.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, 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 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 a relevant conviction.

The panel has made a recommendation to the Secretary of State that Mr Martin Webb should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Webb 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
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
  - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also state that in their view, "Mr Webb's conduct was wholly at odds with the standards and behaviour expected of any member of the public, let alone a teacher who is placed in the privileged position of trust with children."

The findings of misconduct are particularly serious as they include a finding of relevant conviction for making indecent images of a child.

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 Webb, 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, "The panel noted that the behaviour involved in committing the offences could have had an impact on the safety or security of pupils and/or members of the public." 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 an undated letter to the TRA, Mr Webb stated that he was ashamed and deeply remorseful for his actions. Mr Webb had pleaded guilty to the offences and had accepted the allegations at the start of the TRA proceedings."

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “The panel considered that Mr Webb’s behaviour in committing the offences could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.”

I am particularly mindful of the finding of a relevant conviction for making indecent images of a child 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 a relevant conviction, 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 Webb himself. The panel say, “Whilst evidence, including past work references, was submitted to attest to Mr Webb’s previous good history as a teacher, the panel did not consider this to be significant mitigation given the nature and severity of the misconduct found proved.”

A prohibition order would prevent Mr Webb from teaching and 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 panel’s comments, “The panel had found that Mr Webb was responsible for making indecent or pseudo-photographs of children. The panel was in no doubt that Mr Webb’s misconduct was of the most serious kind and his conduct was incompatible with being a teacher.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Webb 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 serious circumstances in this case, even where it is backed up by some remorse, 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 that no provision should be made for a review period.

I have considered the panel's comments "The panel was in no doubt that Mr Webb's misconduct was of the most serious kind and his conduct was incompatible with being a teacher.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions for a review period."

I have considered whether allowing for a no review period reflects the seriousness of the findings and is proportionate to achieve the aim of maintaining public confidence in the profession. In this case, the advice published by the Secretary of State, and the serious nature of the case mean that a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. The panel say, "Mr Webb's conduct had been at the most serious end of the spectrum."

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 Martin Webb 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 Martin Webb 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 Martin Webb 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.



**Decision maker: Alan Meyrick**

**Date: 18 January 2022**

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