



Teaching
Regulation
Agency

Mr Liam Shakles: Professional conduct panel meeting outcome

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

July 2022

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

Teacher:	Mr Liam Shakles
Teacher ref number:	1859913
Teacher date of birth:	25 April 1995
TRA reference:	18816
Date of determination:	8 July 2022
Former employer:	Ridgeway Academy, Redditch

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 8 July 2022 by way of a virtual meeting, to consider the case of Mr Liam Shakles.

The panel members were Ms Patricia Hunt (former teacher panellist – in the chair), Mr Stephen Chappell (lay panellist) and Mr Aidan Jenkins (teacher panellist).

The legal adviser to the panel was Ms Olivia Toulson 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 Shakles that the allegations be considered without a hearing. Mr Shakles 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, Mr Shakles or any representative for Mr Shakles.

The meeting took place in private by way of a virtual meeting.

Allegations

The panel considered the allegations set out in the notice of meeting dated 14 June 2022.

It was alleged that Mr Shakles was guilty of having been convicted of a relevant offence, in that he was convicted of:

1. Attempting/engaging in sexual communication with a child between 4 July 2019 and 8 July 2019, contrary to the Sexual Offences Act 2003 s.15A(1).
2. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).
3. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).
4. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).
5. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).
6. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).
7. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).

Mr Shakles admitted the facts of allegations 1 to 7 and that his behaviour amounted to a conviction of a relevant offence, as set out in the response to the notice of proceedings dated 11 March 2022 and in the statement of agreed facts signed by Mr Shakles on 18 January 2022. The panel noted however that in respect of allegation 1, Mr Shakles admitted in the statement of agreed facts that he was convicted of attempting to engage in sexual communications with a child between 4 July 2019 and 8 July 2019 contrary to the Criminal Attempts Act 1981 s1(1), rather than contrary to the Sexual Offences Act 15A(1). This is also reflected in the Certificate of Conviction.

Preliminary applications

There were no preliminary applications.

The panel noted that since the date of the referral to the TRA in this case, new ‘Teacher misconduct: Disciplinary procedures for the teaching profession’ were published in May 2020 (the “May 2020 Procedures”). The panel understands that the earlier provisions contained within the ‘Teacher misconduct: disciplinary procedures for the teaching profession’ updated in April 2018 (the “April 2018 Procedures”) apply to this case, given that those provisions applied when the referral was made. Although the panel has the power to direct that the May 2020 Procedures should apply in the interests of justice or the public interest, the panel had received no representations that this should be the case. For the avoidance of doubt, therefore, the panel confirms that it has applied the April 2018 Procedures in this case.

Summary of evidence

Documents

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

- Section 1: Chronology and list of key people – pages 1 to 2
- Section 2: Notice of referral, response and notice of meeting – pages 3 to 20
- Section 3: Statement of agreed facts and presenting officer representations – pages 21 to 26
- Section 4: Teaching Regulation Agency documents – pages 27 to 67
- Section 5: Teacher documents – pages 68 to 74

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 Shakles on 18 January 2022.

Decision and reasons

The panel carefully considered the case and reached the following decision and reasons:

In advance of the meeting, the TRA agreed to a request from Mr Shakles 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 Shakles commenced employment as an unqualified teacher at Ridgeway Academy ('the School') on 2 September 2019.

On 19 September 2019, Mr Shakles was arrested on suspicion of possession of indecent images of children and attempting to engage in sexual communications with a child.

Mr Shakles' employment was terminated on 4 October 2019.

On 4 March 2021, Mr Shakles was convicted and sentenced at Worcester Crown Court, of six counts of making indecent photographs of children and one count of attempting to engage in sexual communications with a child.

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:

- 1. Attempting/engaging in sexual communication with a child between 4 July 2019 and 8 July 2019, contrary to the Sexual Offences Act 2003 s.15A(1).**
- 2. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).**
- 3. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).**
- 4. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).**
- 5. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).**

- 6. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).**
- 7. Making an indecent photograph or pseudo-photograph of children between 23 February 2015 and 17 September 2019, contrary to the Protection of Children Act 1978 s.1(a).**

The panel considered the statement of agreed facts, signed by Mr Shakles on 18 January 2022. In that statement of agreed facts, Mr Shakles admitted the particulars of allegations 1 to 7 (save that in respect of allegation 1, this was admitted under the Criminal Attempts Act 1981). Further, it was admitted that the facts of the allegations amounted to a conviction of a relevant offence. Nonetheless, the panel made a determination based on the facts and the evidence available to it.

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 panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a copy of the certificate of conviction from Worcester Crown Court, which detailed that Mr Shakles had been convicted of 6 counts of making indecent photographs or pseudo-photographs of children and 1 count of attempting/engaging in sexual communications with someone who he thought was a child.

In respect of the allegations, Mr Shakles was sentenced at Worcester Crown Court on 4 March 2021 to a total of 14 months' imprisonment. In addition, he was placed on the Sex Offenders Register for 10 years; made subject to a Sexual Harm Prevention Order for 10 years; required to forfeit all devices; and ordered to pay a victim surcharge of £100.

On examination of the documents before the panel, the panel was satisfied that the facts of allegations 1, 2, 3, 4, 5, 6, and 7 were proven.

Findings as to 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 Shakles, in relation to the facts it found proved, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Shakles 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 an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Mr Shakles' conduct was of the utmost seriousness and completely incompatible with the standards of behaviour expected of any member of the public, let alone a teacher who is placed in a position of trust with children.

The panel noted that Mr Shakles' actions took place outside of the education setting and did not involve any pupils or members of staff at the school. The panel were aware that an offence can be considered relevant even if it did not involve misconduct in the course of teaching, however, the panel believed that Mr Shakles' criminal conduct was highly relevant to teaching, working with children and working in an education setting. The panel noted that the offences took place over a significant period of time and appeared to escalate in that period from viewing images to attempting to communicate with someone who he thought was a child. The offences involved a large number of images, many of which fell within the most serious category, Category A. The panel further noted that the Worcester Crown Court sentencing Judge described Mr Shakles as having "an entrenched sexual interest in very young children", noting that he "deliberately took steps to gain employment in a school on a teacher training programme despite the fact that he was well aware that he had this serious and entrenched interest in young girls". The panel noted that Mr Shakles believed he was communicating with a 12 year old girl.

The panel noted that the behaviour involved in committing the offence 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 Shakles' behaviour in committing the offence 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 Shakles' behaviour ultimately led to a sentence of imprisonment and the imposition of a Sexual Harm Prevention Order for 10 years, which was indicative of the seriousness of the offences committed.

This was a case involving an offence of sexual communication with an individual that he thought was a child and activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo

photograph or image of a child, or permitting any such activity, including one-off incidents which the Advice states is more likely to be considered a relevant offence.

The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Shakles' 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.

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 safeguarding and wellbeing of pupils and 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 Shakles, which involved making indecent photographs of children and attempting to engage in sexual communications with an individual who he believed was a child, there was a strong public interest consideration in respect of the protection of pupils given the serious findings of inappropriate relationships with children.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Shakles 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 Shakles was outside that which could reasonably be tolerated.

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Shakles.

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 Shakles. 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;
- 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;
- 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;
- 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.

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 no evidence that Mr Shakles actions were not deliberate.

There was no evidence to suggest that Mr Shakles was acting under extreme duress, and, in fact, the panel found Mr Shakles actions to be calculated and motivated.

The panel noted 3 character references submitted on behalf of Mr Shakles. In particular, the panel noted the following comments from two of them:

- [REDACTED]:
 - *"My last note is I trust Liam around me and my kid. What I seen of Liam over these years is a kind man who would put others first and himself last, he always helpful and learned a lot for him myself over the years."*
- [REDACTED]:
 - *"In regard to his offence it is most out of character to the man I have know all my adult life. If I had been told about the offence without mentioning [REDACTED] Shakles, he would have been the last person I would have thought of."*

The panel considered the references provided but did not consider that they attracted much significance when taking into account the gravity of the offences.

No evidence was submitted to attest to Mr Shakles' history as a teaching professional or which showed that Mr Shakles demonstrates exceptionally high standards in both personal and professional conduct or that he has contributed significantly to the education sector.

[REDACTED] and which started on 11 October 2019, occurring every 2-3 weeks. It is unclear to the panel if this is on-going at the moment.

- [REDACTED]:
 - *“Liam is committed, to seeking assistance for the issues that led him to getting into difficulties with the Criminal justice system.”*
 - *“[REDACTED], and has been honest and transparent, about his issues and sincerely desires not to repeat the offences, which led him to trouble. He is open to receiving additional assistance from the Probation Service if this is offered, and is [REDACTED] as arranged by himself.”*

Whilst the panel noted that although the [REDACTED] stated that the risk of reoffending was considered minimal, the panel could not confidently share the same view.

No other evidence was submitted to show that Mr Shakles had insight or remorse for his actions.

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 Shakles 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 Shakles. The seriousness of the offences and imposition of a sexual harm prevention order for a period of 10 years, and the lack of insight or remorse, was a significant factor 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. These behaviours include commission of a serious criminal offence involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child and engaging in sexual communications with someone he thought was a child. The panel found that Mr Shakles was responsible for making indecent images of children and attempting to engage in sexual communications with an individual whom he thought was a child.

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 relevant convictions.

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

In particular, the panel has found that Mr Liam Shakles 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 an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also state that, “Mr Shakles’ conduct was of the utmost seriousness and completely incompatible with the standards of behaviour expected of any member of the public, let alone a teacher who is placed in a position of trust with children.”

The findings of a relevant offence are particularly serious as they include findings of attempting / engaging in sexual communication with a child and the making of indecent photographs or pseudo-photos of children.

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 a relevant conviction, 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 Shakles, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed, “The panel further noted that the Worcester Crown Court sentencing Judge described Mr Shakles as having “an entrenched sexual interest in very young children”, noting that he “deliberately took steps to gain employment in a school on a teacher training programme despite the fact that he was well aware that he had this serious and entrenched interest in young girls” 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, “Whilst the panel noted that although the [REDACTED] stated that the risk of reoffending was considered minimal, the panel could not confidently share the same view. No other evidence was submitted to show that Mr Shakles had insight or remorse for his actions.” In my judgement, the lack of full insight or remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing 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 panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Shakles’ behaviour in committing the offence 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 specific findings in this case and the impact that such findings have 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 Shakles himself. The panel comment “No evidence was submitted to attest to Mr Shakles’ history as a teaching professional or which showed that Mr Shakles demonstrates exceptionally high standards in both personal and professional conduct or that he has contributed significantly to the education sector.”

A prohibition order would prevent Mr Shakles 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 seriousness of the offences and imposition of a sexual harm prevention order for a period of 10 years, and the lack of insight or remorse, was a significant factor in forming that opinion.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Shakles 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 full 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 that no provision should be made for a review period.

I have considered the panel’s comments “The panel found that Mr Shakles was responsible for making indecent images of children and attempting to engage in sexual communications with an individual whom he thought was a child.”

I have considered whether not allowing a 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 nature of the offences and the lack of insight or remorse mean that allowing a no review period is necessary.

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 Liam Shakles 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 Liam Shakles 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 Liam Shakles 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 read 'Alan Meyrick', with a vertical line at the end.

Decision maker: Alan Meyrick

Date: 21 July 2022

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