



Teaching
Regulation
Agency

Mr Gary Hunt: Professional conduct panel outcome

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

September 2022

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

Teacher:	Mr Gary Hunt
Teacher ref number:	9563118
Teacher date of birth:	16 September 1971
TRA reference:	18713
Date of determination:	7 September 2022
Former employer:	Stone Lodge Academy, Ipswich

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 5 to 7 September 2022 by virtual means, to consider the case of Mr Gary Hunt.

The panel members were Mr Clive Ruddle (lay panellist – in the chair), Ms Jane Gotschel (teacher panellist), and Mr Ian Hylan (teacher panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Ms Matilda Heselton of Browne Jacobson LLP solicitors.

Mr Hunt was present and represented by Mr Kim Vollerthun.

The hearing took place in private and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 24 June 2022.

It was alleged that Mr Hunt was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. He engaged in inappropriate contact with one or more children, specifically by;
 - a. touching Child A [redacted]
 - b. touching Child B [redacted]
2. His conduct as may be found proven at 1 above was conduct of a sexual nature and/or was sexually motivated.
3. He placed Child A and/or Child B at risk of injury and/or harm on one or more occasions by consuming an amount of alcohol which affected his ability to provide adequate care.

Mr Hunt denied the allegations and denied that he is guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

Application for the hearing to take place in private

The panel has considered whether to exercise its discretion under paragraph 11 of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations") and paragraph 4.57 of the Teacher Misconduct Disciplinary Procedures for the Teaching Profession 2018 (the "Procedures") to exclude the public from all or part of the hearing. This follows an application by the TRA that the hearing should be in private. Mr Hunt agreed with the application.

The panel has determined to exercise its discretion under the third bullet point of paragraph 4.57 of the Procedures that the public should be excluded from the hearing.

The panel has taken into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of justice and also to maintain confidence in the teaching profession. On this occasion, however, the panel considers that the request for the hearing to be in heard in private, is a reasonable one, given concerns about the interests of children or vulnerable witnesses. The panel has considered whether there are any steps short of excluding the public that would serve the purpose of protecting the interests of children or vulnerable witnesses.

The panel decided that it would not be practicable to exclude the public from parts of the hearing only.

The panel also considered whether it would sufficiently protect the interests of children or vulnerable witnesses to grant anonymity to those third parties without the need to exclude the public from the hearing. The panel was not satisfied that this would be a sufficient step given the reasons cited in the TRA's application for the hearing to be held in private.

The panel has had regard to whether the TRA's request runs contrary to the public interest. The panel is required to announce its decision in public as to whether the facts have been proven and whether those facts amount to unacceptable professional conduct and/or conduct that may bring the profession in disrepute. In the event that the case continues beyond that stage, any decision of the Secretary of State will also be in public. The panel considers that in the circumstances of this case, the public interest will be satisfied by these public announcements. Those public announcements will ensure that the public confidence in these proceedings and in the standards of the profession are maintained.

Application to treat Child A and Child B as vulnerable witnesses.

The presenting officer applied for Child A and Child B to be treated as vulnerable witnesses, and so vulnerable that they should not be permitted to give oral evidence. Mr Hunt agreed to the application.

The panel directs that both Child A and Child B meet the definition of both a child witness (being under the age of 18 at the start of the hearing) and a vulnerable witness (the panel being satisfied that the quality of their evidence is likely to be adversely affected given that the allegation is of a sexual nature, and they are the alleged victims).

The panel could not be satisfied that Child A and Child B's welfare would not be prejudiced by their giving evidence in these proceedings for the reasons set out in the TRA's application. The panel therefore directed that they should not be permitted to give oral evidence.

The panel went on to consider whether it is fair in the circumstances to allow Child A and Child B's witness statements and Achieving Best Evidence ("ABE") video interviews to be put forward without the opportunity for the witnesses to be cross-examined by Mr Hunt.

The panel had concern as to the welfare of Child A and Child B which it considered to be good reason for Child A and Child B not to be permitted to give oral evidence.

The panel had regard to the seriousness of the allegations in this case, and that it is open to the panel to recommend prohibition in this case if the allegations are found proven. However, the seriousness of the allegations also indicated that there was a public

interest in such allegations being considered in light of the available evidence in order that they can be determined.

The panel noted that the evidence of Child A and Child B is important and constitutes a critical part of the evidence against Mr Hunt. The panel is to hear oral evidence from Witness A who spoke with Child A and Child B to obtain their wishes and feelings. The panel can therefore hear evidence as to the process in which Child A and Child B were given the opportunity to speak about the matters that are the subject of the allegations. The panel also has the ABE video recordings of Child A and Child B's accounts and can observe the manner in which that evidence was taken. The panel was therefore satisfied that there are means of assessing the reliability of the evidence of Child A and Child B. Child A and Child B's mother who gives evidence of having received Child A and Child B's initial disclosure will not be giving evidence, and the panel separately considered whether [redacted] police interviews ought to be admitted and return to consider this issue below.

No objection has been made by Mr Hunt to the admission of Child A and Child B's statements and recordings of their ABE interviews. The panel will keep in mind whether Child A and Child B had any reasons to fabricate their allegations and examine carefully any evidence presented on this point.

The panel will be provided with a hearsay warning in due course. The panel considered the overall question of fairness given the public interest in determining these allegations and decided to admit the evidence of Child A and Child B. The panel will assess in due course the weight that it would attach to their evidence.

Admissibility of two police statements of Child A and Child B's mother

The panel also noted that the mother who gave evidence of Child A and Child B's first disclosure provided 2 witness statements during the course of a police investigation but is not to be called to give evidence. The panel heard from the presenting officer that the mother has not been asked to give evidence, since the panel has the direct evidence of Child A and Child B, and this person could only give hearsay evidence of what she was told by Child A and Child B. The panel considered that it was fair for the mother's police statements to be admitted in evidence. Mr Hunt had agreed the contents of the bundle containing those statements and may have representations regarding those statements. The mother's evidence is not a critical part of the evidence against Mr Hunt, since the key evidence is that of Child A and Child B themselves. As referred to above, the panel will receive a hearsay warning in due course. The panel therefore decided to admit the statements and will decide what weight to attach to this evidence in due course.

Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 6 to 7

Section 2: Notice of proceedings and response – pages 8 to 19

Section 3: Teaching Regulation Agency witness statements – pages 20 to 41

Section 4: Teaching Regulation Agency documents – pages 42 to 196

Section 5: Teacher documents – pages 197 to 211

The panel also received an application bundle setting out the TRA's applications referred to above, and Mr Hunt's response to the application. The panel also received a second copy of Mr Hunt's witness statement with amended page references contained within it.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the application bundle. The panel members also confirmed that they had viewed the recordings of Child A and Child B's ABE interviews.

Witnesses

The panel heard oral evidence from Witness A – [redacted] who was informed by the mother of Child A and Child B's initial disclosure. This witness was called by the presenting officer.

The panel also heard oral evidence from Mr Hunt.

Decision and reasons

The panel announced its decision and reasons as follows:

From April 2013, Mr Hunt was employed as a teacher at the Stone Lodge Academy ("the School"). In May 2017, he was promoted to the position of deputy headteacher. On 20 January 2019, concerns were raised following an alleged disclosure by Child A and Child B the previous evening. On 5 February 2019, Mr Hunt was arrested. On 10 September 2019, Mr Hunt was dismissed from his position. No further action has been taken with regards to any criminal prosecution of Mr Hunt.

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. You engaged in inappropriate contact with one or more children, specifically by;

a. touching Child A [redacted];

Witness A [redacted] gave evidence that their mother [redacted] had met with her on 29 January 2019. [redacted] The mother informed Witness A that Child A had told her that Mr Hunt [redacted] The mother reported that Child B had then said the same.

[redacted] requested that Witness A speak with Child A and Child B to obtain their wishes and feelings. Witness A explained to the panel the method she had used for this, and that she had avoided the use of leading questions. The panel carefully considered the notes that Witness A made of her separate meetings with Child A and Child B. The notes of her meeting with Child A record “[redacted]”. Given Witness A’s account as to how this meeting was conducted, the panel was satisfied that this was a voluntary disclosure made by Child A.

Child A was subsequently visited by the police and Child A described the incident in very similar terms as those [redacted] had used when speaking with Witness A.

An ABE interview was conducted by the police on 4 March 2019 with Child A. The panel noted that during the interview it was first established that Child A understood what was a truth and what was a lie. The panel also noted that those interviewing Child A were careful not to suggest answers to Child A and avoided leading questions. During that interview Child A described that [redacted] Mr Hunt, [redacted].

For these proceedings, Child A gave evidence that [redacted].

The panel considered that Child A had generally been consistent in [redacted] accounts describing what had happened. Any variation in Child A’s account between 2019, and [redacted] more recent one for the purpose of these proceedings is not material and can be explained by the passage of time.

Mr Hunt denies that this incident happened. When asked why Child A and Child B would have made such allegations, he stated that he did not know and that he had been shocked by them. [redacted] He questioned whether the allegations had been influenced [redacted]. Alternatively, he wondered if the children had heard something in the playground, that had led Child A and Child B to allege this.

The panel noted the language used by Child A in that [redacted] referred to Mr Hunt not keeping [redacted] and Child B safe. The panel were curious as to the use of this word and sought to interrogate it, to assess whether the children had been influenced in what they were saying. Questions were asked of Witness A as to whether this was language that it might be expected that a child would use. Witness A explained that the children had weekly one hour personal social and health education lessons and were familiar with

the concept of being safe. This was a rolling programme that was revisited annually in line with the children's development. She explained that keeping safe was part of the School culture, and that it was terminology that the children were familiar with.

The panel were alive to the possibility of Child A and Child B having been influenced [redacted] in making the allegations. [redacted] in respect of the allegations of touching neither children spoke of having been influenced [redacted] in any way.

The panel noted that Child A had not been able to be specific as to the age [redacted] had been when the incident occurred. Witness A gave oral evidence that children differ as to their ability to understand the concept of time. The panel did not consider that Child A's inability to provide a specific age affected the credibility of [redacted] account.

The panel considered that Child A had given cogent evidence, appropriate to [redacted] age, and that [redacted] account was credible. The panel therefore found this allegation proven.

b. touching Child B in [redacted].

In Witness A's meeting with Child B to obtain [redacted] wishes and feelings, Child B made no disclosure. However, Witness A confirmed that during her initial meeting with Child A and Child B's mother, the mother had said that Child B had initially made similar allegations to Child A. Child A and Child B's mother made a police witness statement on 31 January 2019 to that effect.

At a subsequent meeting with the police, Child B made no disclosure of the matters alleged. Following that meeting, their mother made a second witness statement to the police stating that on 4 February 2019, Child B had said [redacted].

An ABE interview was conducted by the police on 4 March 2019 with Child B. The panel noted that during the interview it was first established that Child B understood what was a truth and what was a lie. The panel also noted that those interviewing Child B were careful not to suggest answers to Child B and avoided leading questions. During that interview Child B stated that Mr Hunt had put [redacted] Child B was shown pictures as to what [redacted] meant by [redacted], and Child B pointed to [redacted].

In [redacted] statement for these proceedings, Child B made no reference to the alleged incident. [redacted] simply stated that [redacted] did not "want to share anything more [redacted].

As referred to above, the panel carefully considered the possibility of Child A and Child B having been influenced [redacted] in making the allegations. However, in respect of the allegations of touching, neither child spoke of having been influenced [redacted] in any way.

The panel considered that Child B had given cogent evidence, appropriate to [redacted] age, and that [redacted] account was credible. Although Child B had not repeated the allegation on each occasion that [redacted] had the opportunity to, and that there were minor variations in [redacted] account, the panel considered that this was understandable given [redacted] age. The panel therefore found this allegation proven.

2. Your conduct as may be found proven at 1 above was conduct of a sexual nature and/or was sexually motivated.

The panel considered the definition of sexual in s87(1)(b) of the Sexual Offences Act and decided that the conduct found proven at allegation 1 above was conduct of a sexual nature. The conduct found proven was such that a reasonable person would consider that because of its nature it was sexual.

With regard to Mr Hunt's motivation for his actions, the panel noted that this can only be proved by inference. The panel considered whether the lack of evidence of the conduct having been repeated indicated that the actions could have been unintentional. However, the evidence of Child A and Child B indicated that Mr Hunt would not have had further opportunity to repeat the conduct, [redacted] The touching was unlikely to have been accidental given the reference to touching Child A and Child B [redacted] and there is no proper justification for it. It is more likely than not, therefore, that the touching was sexually motivated.

The panel therefore found this allegation proven.

The panel found the following particulars of the allegations against you not proved, for these reasons:

3. You placed Child A and/or Child B at risk of injury and/or harm on one or more occasions by consuming an amount of alcohol which affected your ability to provide adequate care.

Child A and Child B gave evidence of Mr Hunt drinking beer and wine, and that on occasions he would fall asleep [redacted]. Mr Hunt stated in evidence that he would occasionally take a 5 minute nap through sheer tiredness. [redacted].

Whilst the police found empty bottles at Mr Hunt's residence, the panel did not consider this helped with understanding Mr Hunt's alcohol consumption as there was no evidence as to the period over which those bottles had accumulated.

The panel were unable to assess whether Mr Hunt fell asleep [redacted] as a result of drinking alcohol [redacted]. Similarly, the panel did not feel that it had clear evidence of how long Mr Hunt was asleep for, how often this occurred, how much he had been drinking, or the environment in which Child A and Child B were at the time. The panel was satisfied that Mr Hunt consumed alcohol in the children's presence but could not

reach a conclusion either that the consumption of alcohol had led to Mr Hunt falling asleep, or that in doing so, he had placed the children at risk of injury or harm.

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

Having found allegation 1 and 2 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 Hunt, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel noted that Teachers’ Standards require that a teacher is expected to demonstrate consistently high standards in their personal conduct, as well as their professional conduct. The panel considered that, by reference to Part 2, Mr Hunt was in breach of the requirement to uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.

The panel was satisfied that the conduct of Mr Hunt fell significantly short of the standard of behaviour expected of a teacher.

The panel found that the offence of sexual activity was relevant. 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.

However, the panel noted that the conduct found proven took place outside the education setting, [redacted]. There was no indication of his conduct having affected the way Mr Hunt fulfilled his teaching role, or that it may lead to pupils being exposed to or influenced by the behaviour in a harmful way. Individual A at the School in which Mr Hunt worked confirmed he had never had any concerns as to how Mr Hunt conducted his duties.

Accordingly, the panel was not satisfied that Mr Hunt was guilty of unacceptable professional conduct.

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils 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 that they behave.

In considering the question of whether Mr Hunt’s actions constituted conduct that may bring the profession into disrepute, the panel also considered whether Mr Hunt’s conduct

displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offence of sexual activity was relevant.

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 conduct that may bring the profession into disrepute.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on Mr Hunt's status as a teacher.

The panel considered that Mr Hunt's conduct could potentially damage the public's perception of a teacher.

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

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of 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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Hunt and whether a prohibition order is necessary and proportionate. 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 the maintenance of public confidence in the profession to be relevant in this case.

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

There is evidence of Mr Hunt being a competent teacher, Individual A having provided positive evidence to the police regarding the conduct of his duties, and he had received a promotion to deputy head. However, the panel considered that the adverse public interest consideration above outweighed any interest in retaining Mr Hunt in the profession, since his behaviour is fundamentally incompatible with maintaining confidence in the profession.

The panel carefully considered the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. Sexually motivated conduct towards children undermines public trust in the profession.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15.

- abuse of position or trust...
- 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, taking account of the public interest and the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider whether there were mitigating circumstances.

The panel concluded that Mr Hunt's actions were deliberate and sexually motivated.

There was no evidence to suggest that Mr Hunt was acting under extreme duress, e.g., a physical threat or significant intimidation. [redacted]. However, there was no [redacted] evidence before the panel for it to consider whether this had any impact upon his actions.

There is evidence that Mr Hunt was a competent teacher. However, there was no evidence that Mr Hunt demonstrates exceptionally high standards in both his personal and professional conduct or that he has contributed significantly to the education sector.

The panel has been provided with a reference from an associate professor of education, who was Mr Hunt's personal tutor whilst he was undertaking modules towards his PG Diploma in Education Studies. The panel did not consider this reference was relevant to Mr Hunt's ethical standards or professional conduct.

Mr Hunt has not expressed any remorse or insight. Mr Hunt declined to present any oral evidence in mitigation, nor did he make any representations at this stage, and stated that he continued to deny the allegations.

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 would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Hunt 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 Hunt. The seriousness of his conduct fundamentally undermines trust in the profession. 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 for it to decide to recommend a review period of the order. 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 cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. These cases include serious sexual misconduct, e.g., where the act was sexually motivated; and also include any sexual misconduct involving a child. The panel found that Mr Hunt was responsible for engaging in inappropriate contact with two children, which was sexually motivated.

Mr Hunt has not expressed any remorse or insight and continues to deny the allegations. There are no mitigating circumstances that would indicate that a review period would be appropriate. As such, the panel, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provision 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 some of the allegations proven and found that those proven facts amount to conduct that may bring the profession into disrepute. In this case, the panel has found allegation 3 not proven. In addition the panel was not satisfied that Mr Hunt was guilty of unacceptable professional conduct. I have therefore put those matters entirely from my mind.

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

In particular, the panel has found that Mr Hunt is in breach of the following standards:

“The panel was satisfied that the conduct of Mr Hunt, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel noted that Teachers’

Standards require that a teacher is expected to demonstrate consistently high standards in their personal conduct, as well as their professional conduct. The panel considered that, by reference to Part 2, Mr Hunt was in breach of the requirement to uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.”

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

The findings of misconduct are particularly serious as they involve inappropriate contact with two children, which was 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 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 Hunt, and the impact that will have on the teacher, is proportionate and in the public interest.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “Mr Hunt has not expressed any remorse or insight. Mr Hunt declined to present any oral evidence in mitigation, nor did he make any representations at this stage, and stated that he continued to deny the allegations.” In my judgement, the lack of insight or remorse means that there is some risk of the repetition of this behaviour. 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 carefully considered the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. Sexually motivated conduct towards children undermines public trust in the profession.” I am particularly mindful of the finding of inappropriate and sexual motivated conduct with children 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 conduct that may bring the profession into disrepute in this case, 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 Hunt and the panel comment "There is evidence that Mr Hunt was a competent teacher. However, there was no evidence that Mr Hunt demonstrates exceptionally high standards in both his personal and professional conduct or that he has contributed significantly to the education sector."

In addition I have considered the following "The panel noted that the conduct found proven took place outside the education setting, [redacted]. There was no indication of his conduct having affected the way Mr Hunt fulfilled his teaching role, or that it may lead to pupils being exposed to or influenced by the behaviour in a harmful way. Individual A at the School in which Mr Hunt worked confirmed he had never had any concerns as to how Mr Hunt conducted his duties."

A prohibition order would prevent Mr Hunt 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 panel's comments concerning public interest:

"There is evidence of Mr Hunt being a competent teacher, Individual A having provided positive evidence to the police regarding the conduct of his duties, and he had received a promotion to deputy head. However, the panel considered that the adverse public interest consideration above outweighed any interest in retaining Mr Hunt in the profession, since his behaviour is fundamentally incompatible with maintaining confidence in the profession."

I have also placed considerable weight on the finding of the panel that "The touching was unlikely to have been accidental given the reference to touching Child A and Child B [redacted], and there is no proper justification for it. It is more likely than not, therefore, that the touching was sexually motivated."

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

Although the conduct took place outside the education setting, the findings of the panel are serious. The published Advice is clear with cases that involve serious sexual misconduct and sexual misconduct involving a child.

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 "Mr Hunt has not expressed any remorse or insight and continues to deny the allegations. There are no mitigating circumstances that would indicate that a review period would be appropriate. As such, the panel, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provision for a review period."

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. Various factors, including the seriousness of the findings, involving sexual misconduct with children and the lack of evidence of remorse or insight mean that that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

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 Gary Hunt 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 Hunt 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 Gary Hunt has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.



Decision maker: Sarah Buxcey

Date: 13 September 2022

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