



Teaching
Regulation
Agency

Mr Sheamol Ali: Professional conduct panel outcome

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

October 2022

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

Teacher:	Mr Sheamol Ali
Teacher ref number:	1663835
Teacher date of birth:	12 December 1992
TRA reference:	19861
Date of determination:	13 October 2022
Former employer:	HIE Education Ltd

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 13 October 2022 by way of a virtual hearing, to consider the case of Mr Sheamol Ali.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Ms Geraldine Baird (lay panellist), and Mr Ian Hylan (teacher panellist).

The legal adviser to the panel was Ms Josie Beal of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Kiera Riddy of Browne Jacobson solicitors.

Mr Ali was not present and was not represented.

The hearing took place by way of a virtual hearing in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 3 August 2022.

It was alleged Mr Ali was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a supply teacher at Katharine Lady Berkeley's School between September 2020 and January 2021:

1. On or around 10 January 2021, he was in possession of marijuana (class B controlled drug);
2. His conduct as referred to at 1 above constituted a criminal offence, for which he was given a formal warning on or around 10 January 2021;
3. On or around 26 January 2021, he was found to have taken and/or was in possession of:
 - a. cocaine (class A controlled drug);
 - b. MDMA pills (class A controlled drug);
 - c. marijuana (class B controlled drug);
4. On or around 25 January 2021 and 26 January 2021 he engaged in teaching work whilst under the influence of cocaine.

Preliminary applications

Application to proceed in the absence of the teacher

Mr Ali was not present at the hearing nor was he represented. The presenting officer made an application to proceed in the absence of Mr Ali.

The presenting officer provided a bundle of documents relevant to proceeding in the absence. The bundle of documents contained correspondence between Mr Ali and Browne Jacobson which indicated that he was aware of the proceedings and had received documentation relevant to the proceedings. The bundle also contained a request from Mr Ali for this matter to proceed as a professional conduct panel meeting and an unsigned statement of agreed facts. Mr Ali indicated his intention to sign the statement of agreed facts and informed Browne Jacobson that he had posted a signed

copy. However, Browne Jacobson had not received the signed document at the time of the hearing. Therefore, the matter proceeded as a professional conduct panel hearing.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones [2003] 1 AC 1* (as considered and applied in subsequent cases, particularly *GMC v Adeogba*).

The panel was satisfied that the Notice of Proceedings had been sent to Mr Ali in accordance with the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession May 2020 (the 'Procedures').

The panel concluded that Mr Ali's absence was voluntary and that he was aware that the matter would proceed in his absence.

The panel noted that Mr Ali had not sought an adjournment to the hearing and the panel did not consider that an adjournment would procure his attendance at a hearing. There was no medical evidence before the panel that Mr Ali was unfit to attend the hearing. The panel considered that it was in the public interest for the hearing to take place. It also considered the effect on the witnesses of any delay.

The panel was mindful that it had the benefit of an unsigned statement of agreed facts and representations from Mr Ali in the bundle. Therefore, the panel did not consider that there was a risk of reaching the wrong conclusion as a result of not being able to hear from Mr Ali, or that Mr Ali would be significantly disadvantaged by his non-attendance.

Having decided that it was appropriate to proceed, the panel agreed to seek to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mr Ali was neither present nor represented.

Application to admit additional documents

The panel considered a preliminary application from the presenting officer for the admission of the unsigned statement of agreed facts and correspondence relating to it.

The documents subject to the application had not been served in accordance with the requirements of paragraph 5.37 of the Procedures. Therefore, the panel was required to decide whether the documents should be admitted under paragraph 5.34 of the Procedures.

The panel heard representations from the presenting officer in respect of the application.

The panel considered the additional documents were relevant. Accordingly, the documents were added to the bundle.

Summary of evidence

Documents

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

- Section 1: Notice of Proceedings and Response – pages 4 to 15
- Section 2: Statement of Agreed Facts – pages 17 to 20
- Section 3: Teaching Regulation Agency witness statements – pages 22 to 57
- Section 4: Correspondence – pages 59 to 68
- Section 5: TRA documents – pages 70 to 107
- Section 6: Teacher documents – 109 to 124.

In addition the panel agreed to accept the unsigned statement of agreed facts and correspondence relating to it.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

Witnesses

No witnesses were called to give oral evidence at the hearing.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision.

Mr Ali was employed by HIE Education Ltd, an education supply agency, as a supply teacher. Between 1 September 2020 and 27 January 2021 Mr Ali worked as a supply teacher in the maths department at Katharine Lady Berkeley's School ("the School").

On 26 January 2021 Mr Ali was stopped by the police whilst driving his car. He was subsequently arrested after the police found a quantity of marijuana (a class B drug) and MDMA (a class A drug) in his car. The police undertook a blood test which showed that Mr Ali had cocaine and marijuana in his system. The police did not take any further action in respect of this matter.

It subsequently transpired that prior to the above incident, on 10 January 2021, Mr Ali was approached by police who carried out a search of him and his vehicle. The police found marijuana and gave Mr Ali a formal warning but did not take any further action.

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. On or around 10 January 2021, you were in possession of marijuana (class B controlled drug);

The panel was provided with a letter from Richard Nelson LLP Solicitors dated 13 January 2022, who were instructed by Mr Ali. The letter confirmed that Mr Ali accepted this allegation and apologised for his lapse of judgment.

The panel also took account of the unsigned statement of agreed facts which confirmed that Mr Ali admitted allegation 1. Whilst Mr Ali had not signed the statement of agreed facts, the panel was provided with an email from Mr Ali to the presenting officer in which he confirmed he would be sending the presenting officer a signed copy. This indicated to the panel that Mr Ali accepted the statement of agreed facts.

On consideration of the documentary evidence before it, the panel found allegation 1 proven.

2. Your conduct as referred to at 1 above constituted a criminal offence, for which you were given a formal warning on or around 10 January 2021;

The panel considered the letter from Richard Nelson LLP Solicitors dated 13 January 2022 and noted that Mr Ali accepted this allegation and recognised that the police warning he received was an appropriate way to mark the seriousness of his conduct.

The panel also took account of the unsigned statement of agreed facts which confirmed that Mr Ali admitted allegation 2 and accepted that his conduct constituted a criminal offence and that he was given a warning by the police.

The panel noted that, whilst Mr Ali was not charged with a criminal offence, s5(1) Misuse of Drugs Act 1971 confirms that it is unlawful for a person to have a controlled drug in their possession.

The bundle of documents contained an email from Individual A on 19 November 2021, which stated: *“I can confirm...that Mr Ali was issued with a formal warning re. the cannabis on 10/01/2021 as opposed to a police caution...”*.

On consideration of the documentary evidence before it, the panel found allegation 2 proven.

- 3. On or around 26 January 2021, you were found to have taken and/or were in possession of:**
- a. cocaine (class A controlled drug);**
 - b. MDMA pills (class A controlled drug);**
 - c. marijuana (class B controlled drug)**

The panel considered the letter from Richard Nelson LLP Solicitors dated 13 January 2022 and noted that Mr Ali appeared to accept this allegation. The letter explained that Mr Ali had not taken any drugs on 26 January 2021 and had not been aware that there were controlled drugs in his vehicle when he was stopped by the police on 26 January 2021. Mr Ali and his friends had bought the MDMA pills earlier in the year and he had forgotten that they were still in his vehicle. In summary, Mr Ali accepted that these controlled drugs were found in his possession, but denied that he had taken drugs that day or knew that he had drugs in his possession.

The panel also took account of the unsigned statement of agreed facts which confirmed that Mr Ali admitted allegation 3.

The bundle of documents contained a notification of no further action from Gloucestershire Police which confirmed that Mr Ali was arrested for the possession of a class B drug (cannabis) and a class A drug (MDMA).

The panel considered a toxicology report in the bundle dated 15 July 2021. The toxicology report indicated that a blood test was undertaken at 00.45am on 27 January 2021 whilst Mr Ali was at the police station. The results indicated that both cocaine and marijuana were detected at a level that was below the legal limit in respect of drug driving.

The panel also took into account emails from Individual B:

- On 19 November 2021, which stated: “...following his being stopped on the 26/01/2021 he was found to be under the legal limit for cocaine. I can confirm also that with regard to his arrest for possession of cannabis and MDMA on the 26/01/2021, no further action was taken due to insufficient evidence.”
- On 13 June 2022, which stated: “A roadside drug test was conducted after a s.23 search for drugs was conducted on the vehicle and a cannabis grinder containing cannabis and a ‘deal snap-bag’ containing 3 pills, suspected to be class A drugs were located. Mr Ali, failed the preliminary test, which tested positive for cocaine.”
- On 13 June 2022 which, in response to a question asking which drugs were found to be in Mr Ali’s system, stated “as per the toxicology report, cocaine and cannabis”.

On consideration of the documentary evidence before it, the panel concluded that Mr Ali was in possession of MDMA pills and marijuana on/around 26 January 2021 and was found to have taken cocaine and marijuana on/around 26 January 2021.

The panel found allegations 3a, 3b and 3c proven.

4. On or around 25 January 2021 and 26 January 2021 you engaged in teaching work whilst under the influence of cocaine

The letter from Richard Nelson LLP Solicitors dated 13 January 2022 confirmed that Mr Ali denied allegation 4.

Mr Ali admitted that he took a quantity of cocaine during the weekend of 23/24 January 2021 and he accepted that he taught online lessons on 25 and 26 January 2021. Mr Ali acknowledged that the police toxicology report confirmed that there were traces of cocaine in his system on 26 January 2021, but stated that he did not realise the substance would still be in his system 3 days after consumption. Mr Ali confirmed that he did not experience any effects of the substance and he did not consider himself to be under the influence of cocaine at any time on 25 and 26 January 2021.

The letter stated that Mr Ali did not and would not take drugs whilst working as a teacher, nor would he work as a teacher whilst still under the influence of drugs. It further stated that, because of the Coronavirus pandemic, Mr Ali had been teaching remotely, and would not have taken cocaine at the weekend had he been due to teach in person.

The letter referred to the fact that the samples taken from Mr Ali were under the legal limit. As such, Mr Ali did not believe he was under the influence of cocaine whilst teaching on 25 and 26 January 2021.

However, the unsigned statement of agreed facts, which was prepared after the letter dated 13 January 2022, confirmed that Mr Ali admitted allegation 4. The statement of agreed facts also indicated that the legal limit in respect of cocaine is 50 micrograms of cocaine metabolites per litre of blood. When the test was conducted on 27 January 2021, Mr Ali had 44 micrograms of cocaine metabolites per litre of blood.

The bundle of documents contained minutes from an investigatory interview undertaken by HIE Education Ltd. The minutes indicated that Mr Ali admitted to taking “quite a large amount of cocaine” on the weekend of 23/24 January 2021. The minutes also indicated that Mr Ali admitted to recreational drug use with his friends in social environments.

The panel noted that the drug test that took place at 00.45am on 27 January 2021 took place approximately 9 hours after the end of the teaching day on 26 January 2021 and, at that time, Mr Ali was only just under the legal limit for cocaine in respect of driving. It was accepted that Mr Ali had been teaching remotely on 25 and 26 January 2021 and Mr

Ali admitted, as part of the internal investigation, that he had taken a large amount of cocaine over the weekend.

In the panel's view, it was not relevant that Mr Ali was teaching remotely; he was still responsible for the pupils he taught on 25 and 26 January 2021. Similarly, it was not relevant that, when the drug test took place in the early hours of 27 January 2021, Mr Ali was under the legal limit for driving; the cocaine was still in his system and would have been in his system whilst he was teaching. The panel concluded on the balance of probabilities that Mr Ali was under the influence of cocaine when he engaged in teaching work on 25 and 26 January 2021. The panel considered that Mr Ali was aware that he would have been under the influence of cocaine whilst teaching, given his comment that he would not have taken drugs that weekend had he been due to teach in person.

The panel found allegation 4 proven on the balance of probabilities.

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

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

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 Ali, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Ali was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Ali amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel considered whether Mr Ali's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice. The panel found the offence of possession (including for personal use) of a class A drug to be relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel noted that allegations 1, 2 and 3 took place outside the education setting. However, the panel concluded that Mr Ali's conduct was relevant to his role as a teacher, particularly given that Mr Ali was found to have taught pupils whilst under the influence of cocaine. The panel also considered that the possession and/or consumption of drugs and being arrested could result in pupils being exposed to or influenced by Mr Ali's behaviour in a harmful way.

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

The panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

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

Having found the facts of allegations 1, 2, 3 and 4 proved, the panel further found that Mr Ali's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so.

The panel were aware that 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; declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Ali, which involved the possession and/or consumption of drugs and engaging in teaching work whilst under the influence of cocaine, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.

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

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

In view of 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 Ali.

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 Ali. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors.

Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered that Mr Ali's actions were deliberate. There was no evidence to suggest that he was acting under extreme duress.

The panel considered character references provided by Mr Ali, which commented positively on his ability as a teacher. However, the evidence before the panel did not suggest that Mr Ali demonstrated exceptionally high standards of personal and professional conduct or that he had contributed significantly to the education sector.

The panel took into account written representations from Mr Ali, in which he expressed remorse for his conduct. The panel also considered the letter from Richard Nelson LLP Solicitors dated 13 January 2022, which stated that, in the run up to January 2021, Mr Ali was experiencing pressure [Redacted] expectations. Furthermore, the letter referred to the difficulties of the Coronavirus pandemic and Mr Ali's relative lack of experience as a teacher. The letter also stated that Mr Ali had not taken drugs since the incident and no longer associated himself with the friend group that encouraged and/or influenced this behaviour.

Whilst the panel took account of the mitigation provided by Mr Ali, it did not consider it to be particularly compelling. The panel noted that Mr Ali appeared to show some insight and remorse in respect of his conduct. However, it considered that there was scope for Mr Ali to further reflect on his conduct and take steps to demonstrate the changes referred to in the correspondence before the panel.

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 Ali 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 Ali. The serious nature of the allegations was a significant factor in forming that opinion. In the panel's view, it was wholly inappropriate for Mr Ali to have taught whilst under the influence of drugs and, furthermore, to have been found in possession of drugs on two occasions in a short space of time. 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 also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. This includes the possession (including for personal use) of a class A drug.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period of five years.

The panel considered that this would allow Mr Ali sufficient time to reflect on his actions and demonstrate the steps he has taken to ensure that his conduct is not repeated. The panel was also of the view that the length of the review period took into account the remorse and insight Mr Ali had shown, and reflected the fact that, whilst his conduct was serious, it was not at the most serious end of the spectrum.

Decision and reasons on behalf of the Secretary of State

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

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

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

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

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position

- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are serious as they include a finding of possession of class A and B drugs, engaging in teaching work whilst under the influence of drugs.

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 Ali, 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 safeguard pupils. The panel has observed, "In light of the panel's findings against Mr Ali, which involved the possession and/or consumption of drugs and engaging in teaching work whilst under the influence of cocaine, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "The panel took into account written representations from Mr Ali, in which he expressed remorse for his conduct. The panel also considered the letter from Richard Nelson LLP Solicitors dated 13 January 2022, which stated that, in the run up to January 2021, Mr Ali was [Redacted]. Furthermore, the letter referred to the difficulties of the Coronavirus pandemic and Mr Ali's relative lack of experience as a teacher. The letter also stated that Mr Ali had not taken drugs since the incident and no longer associated himself with the friend group that encouraged and/or influenced 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 was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Ali was outside that which could reasonably be tolerated.” I am particularly mindful of the finding of possession and consumption of class A drugs in this case and the impact that such a finding has on the reputation of the profession and the damaging effects of drugs in wider society.

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 Ali himself and the panel comment “The panel considered character references provided by Mr Ali, which commented positively on his ability as a teacher. However, the evidence before the panel did not suggest that Mr Ali demonstrated exceptionally high standards of personal and professional conduct or that he had contributed significantly to the education sector.”

A prohibition order would prevent Mr Ali 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 “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 Ali. The serious nature of the allegations was a significant factor in forming that opinion. In the panel’s view, it was wholly inappropriate for Mr Ali to have taught whilst under the influence of drugs and, furthermore, to have been found in possession of drugs on two occasions in a short space of time. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.”

I have also placed considerable weight on the finding of the panel that “Whilst the panel took account of the mitigation provided by Mr Ali, it did not consider it to be particularly compelling. The panel noted that Mr Ali appeared to show some insight and remorse in respect of his conduct. However, it considered that there was scope for Mr Ali to further reflect on his conduct and take steps to demonstrate the changes referred to in the correspondence before the panel.” In my judgement, the lack of full insight means that

there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils”.

I have also taken into account the published Advice concerning the prohibition of teachers, particularly where an individual has displayed behaviours associated with any of the offences listed in that Advice, which include possession of a class A drug and that it is likely a teacher’s behaviour will be considered incompatible with being a teacher if there is evidence of factors, including – serious departure from the personal and professional conduct of the Teachers’ Standards.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Ali 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 insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 5 year review period.

I have considered the panel’s comments “The panel considered that this would allow Mr Ali sufficient time to reflect on his actions and demonstrate the steps he has taken to ensure that his conduct is not repeated. The panel was also of the view that the length of the review period took into account the remorse and insight Mr Ali had shown, and reflected the fact that, whilst his conduct was serious, it was not at the most serious end of the spectrum.”

In this case, factors mean that allowing a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings and the lack of full insight.

I consider therefore that a five year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Sheamol Ali is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England. He may apply for the prohibition order to be set aside, but not until 20 October 2027, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Ali remains prohibited from teaching indefinitely.

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

Mr Sheamol Ali 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.

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

Decision maker: Sarah Buxcey

Date: 17 October 2022

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