



Teaching
Regulation
Agency

Mr Christopher Sillitoe: Professional conduct panel meeting outcome

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

December 2022

Contents

Introduction	3
Allegations	4
Preliminary applications	4
Summary of evidence	4
Documents	4
Statement of agreed facts	4
Decision and reasons	4
Findings of fact	5
Panel's recommendation to the Secretary of State	7
Decision and reasons on behalf of the Secretary of State	11

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

Teacher:	Mr Christopher Sillitoe
Teacher ref number:	7510190
Teacher date of birth:	16 October 1948
TRA reference:	19392
Date of determination:	19 December 2022
Former employer:	Essex Local Authority

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 19 December 2022 by way of a virtual meeting, to consider the case of Mr Christopher Sillitoe.

The panel members were Mrs Jane Gotschel (teacher panellist – in the chair), Mr Clive Ruddell (lay panellist) and Mrs Christine Cunliffe (teacher panellist).

The legal adviser to the panel was Ms Lucy Churchill 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 Sillitoe that the allegation be considered without a hearing. Mr Sillitoe 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 Louise Murphy-Kent of Kingsley Napley LLP, Mr Sillitoe, or any representative for Mr Sillitoe.

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

Allegations

The panel considered the allegation set out in the notice of meeting dated 5 October 2022.

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

1. On or around 23 September 2021, he was convicted of eight counts of indecent assault on a woman, contrary to the Sexual Offences Act 1956 s.14.

Mr Sillitoe admitted the facts of allegation 1 and that his behaviour amounted to a conviction of a relevant offence falling short of the standards of behaviour expected of a teacher, as set out in the statement of agreed facts signed by Mr Sillitoe on 1 August 2022.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

- Section 1: Chronology and list of key people – pages 3 to 4
- Section 2: Notice of referral, response and notice of meeting – pages 5 to 14
- Section 3: Statement of agreed facts and representations – pages 15 to 23
- Section 4: Teaching Regulation Agency documents – pages 24 to 81

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 Sillitoe on 1 August 2022 and subsequently signed by the presenting officer on 8 August 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 Sillitoe for the allegation 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 Sillitoe was employed by Essex Local Authority and worked as a chemistry teacher from 1 September 1974 to 30 September 1987.

On 6 May 2019, Essex police received a report of historic sexual abuse allegedly conducted by Mr Sillitoe.

On 22 October 2019, Mr Sillitoe was arrested and interviewed by Essex police in relation to historic sexual allegations.

[REDACTED]

On 23 September 2021, Mr Sillitoe was convicted at Basildon Crown Court of 8 counts of indecent assault against a female and sentenced to a custodial sentence of 50 months. Mr Sillitoe was also placed on the sex offenders register indefinitely.

Findings of fact

The findings of fact are as follows:

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

1. On or around 23 September 2021, you were convicted of eight counts of indecent assault on a woman, contrary to the Sexual Offences Act 1956 s.14.

The panel considered the statement of agreed facts signed by Mr Sillitoe on 1 August 2022. In that statement of agreed facts, Mr Sillitoe admitted the particulars of allegation 1. Further, it was admitted that the facts of the allegation amounted to a conviction of a relevant offence.

The panel noted page 8 of the Teacher misconduct: The prohibition of teachers ('the Advice') which states that where there has been a conviction at any time, of a criminal offence, the 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 Basildon Crown Court, which detailed that Mr Sillitoe had been convicted of eight counts of indecent assault on a girl [REDACTED].

In respect of the allegation, Mr Sillitoe was sentenced at Basildon Crown Court on 23 September 2021 to a total of 50 months imprisonment. In addition, he was placed on the Sex Offenders Register, made subject to the Barring List by the Disclosure Barring Service and ordered to pay compensation to Person A.

On examination of the documents before the panel, the panel was satisfied that the facts of allegation 1 were proven.

Findings as to conviction of a relevant offence

Having found the allegation 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 Sillitoe, in relation to the facts it found proved, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Sillitoe 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
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies, and practices of the school in which they teach, 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 noted that Mr Sillitoe's actions were relevant to teaching, working with children and/or working in an education setting, in that the conduct that led to his conviction was in relation to Person A, who was a pupil of Mr Sillitoe's. Further, some of Mr Sillitoe's

conduct took place in the school environment, and on occasion in the presence of another pupil.

The panel noted that the behaviour involved in committing the offences had an impact on the safety or security of pupils.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Sillitoe's behaviour in committing the offences could undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils, parents and others in the community. His conduct ran counter to what should have been at the very core of his practice as a teacher with a duty of care towards children. By virtue of his position, Mr Sillitoe was in a position of trust and responsibility in relation to Person A. Mr Sillitoe seriously abused that position.

The panel noted that Mr Sillitoe's behaviour ultimately led to a sentence of imprisonment, which was indicative of the seriousness of the offences committed.

This was a case involving offences of sexual activity, which the Advice states is more likely to be considered a relevant offence.

The panel also found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Sillitoe's suitability to teach. The panel considered that a finding that this conviction was for a relevant offence 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;

- 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 nature of the offences for which Mr Sillitoe was convicted, the panel considered there was an extremely strong public interest consideration in respect of the protection of pupils and other members of the public. His actions raised obvious and significant public and child protection concerns, as was clearly recognised by the court when imposing a sentence.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Sillitoe was not treated with the utmost seriousness when regulating the conduct of the teaching 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 Sillitoe 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 Sillitoe. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest.

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 Sillitoe. 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 serious criminal offences, 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;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- any abuse of any trust, knowledge or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;

- 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;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children;
- violating of the rights of pupils;
- deliberate behaviour that undermines pupils, the profession, the school or colleagues;
- dishonesty or lack of integrity.

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 Sillitoe's actions were not deliberate.

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

The panel considered that the following mitigating factors are present in this case:

- Mr Sillitoe had engaged with the TRA, and made full admissions.

Weighed against this, the aggravating features in this case were that:

- Mr Sillitoe's actions were deliberate and involved a number of offences on separate occasions. Mr Sillitoe's conduct took place over several years, ending with full sexual intercourse when Person A [REDACTED]. The criminal offending continued up until her [REDACTED] and the sexual activity continued into her thirties.
- Mr Sillitoe was aware that what he was doing was wrong. The panel noted the judges' comments contained in the sentencing remarks that Mr Sillitoe's conduct "*demonstrates, plainly, that you knew that what you were doing was quite wrong, indeed criminal.*" Further, Mr Sillitoe also involved her best friend, by "*insisting that she stand lookout for the two of you.*"
- His conduct amounted to a clear breach of the Teachers' Standards and raised serious public protection and child protection concerns.
- Mr Sillitoe was convicted of very serious offences concerning a vulnerable child in his care and was sentenced to a total term of 50 months imprisonment.
- Mr Sillitoe's actions had a severe, detrimental impact on Person A. Her victim statement recorded that she considered Mr Sillitoe had "*ruined her life, stolen*

her youth, taken her chances of a family from her.”

- Mr Sillitoe refused to answer Police questions in February 2019 when he was arrested and, at the lower court, falsely claimed that none of the activity had happened before she was [REDACTED].
- In these proceedings, there was little evidence of regret, remorse, or insight on the part of Mr Sillitoe. The sentencing remarks reported that, whilst his counsel stated that he was remorseful, the judge considered “*that a great deal of your sorrow is mainly for yourself.*”

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 Sillitoe 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 Sillitoe. The seriousness of the offences together with a lack of insight and 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 serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons and any sexual misconduct involving a child. The panel found that Mr Sillitoe was responsible for a conviction for eight counts of indecent assault.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weight in favour of a longer review period. The panel found that Mr Sillitoe was not responsible for any such behaviours.

In the panel's view, Mr Sillitoe's behaviour demonstrated a flagrant disregard for the safeguarding of pupils, and his unrelenting abuse of Person A caused her serious harm. 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 the single allegation proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Mr Sillitoe 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
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies, and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also, “noted that Mr Sillitoe’s actions were relevant to teaching, working with children and/or working in an education setting, in that the conduct that led to his conviction was in relation to Person A, who was a pupil of Mr Sillitoe’s. Further, some of Mr Sillitoe’s conduct took place in the school environment, and on occasion in the presence of another pupil.”

The findings of misconduct are particularly serious as they include a finding of eight counts of indecent sexual assault.

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 Sillitoe, 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, “In light of the nature of the offences for which Mr Sillitoe was convicted, the panel considered there was an extremely strong public interest consideration in respect of the protection of pupils and other members of the public. His actions raised obvious and significant public and child protection concerns, as was clearly recognised by the court when imposing a sentence.” A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “In these proceedings, there was little evidence of regret, remorse, or insight on the part of Mr Sillitoe. The sentencing remarks reported that, whilst his counsel stated that he was remorseful, the judge considered *“that a great deal of your sorrow is mainly for yourself.”*

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 Sillitoe’s behaviour in committing the offences could undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils,

parents and others in the community. His conduct ran counter to what should have been at the very core of his practice as a teacher with a duty of care towards children. By virtue of his position, Mr Sillitoe was in a position of trust and responsibility in relation to Person A. Mr Sillitoe seriously abused that position.”

I am particularly mindful of the finding of indecent assault in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Sillitoe himself. The panel comment “Mr Sillitoe had engaged with the TRA, and made full admissions.”

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

In this case, I have placed considerable weight on the panel’s comments, “The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Sillitoe. The seriousness of the offences together with a lack of insight and 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 Sillitoe 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 "In the panel's view, Mr Sillitoe's behaviour demonstrated a flagrant disregard for the safeguarding of pupils, and his unrelenting abuse of Person A caused her serious harm. The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions for a review period."

I have considered whether not allowing for 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 factors which mean that a review period should not be allowed are the serious nature of the offending and the lack of either insight or remorse.

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 Christopher Sillitoe 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 Christopher Sillitoe 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 Christopher Sillitoe 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: Alan Meyrick

Date: 20 December 2022

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