



Teaching  
Regulation  
Agency

# **Ms Julianne Cox: Professional conduct panel outcome**

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

**February 2023**

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

<b>Teacher:</b>	Ms Julianne Cox
<b>Teacher ref number:</b>	1281422
<b>Teacher date of birth:</b>	4 September 1967
<b>TRA reference:</b>	16897
<b>Date of determination:</b>	23 February 2023
<b>Former employer:</b>	St Helena School, Essex

### **Introduction**

A professional conduct panel of the Teaching Regulation Agency ('the TRA') convened on 25 November 2019 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT to consider the case of Ms Julianne Cox. The hearing was adjourned on 25 November 2019 in order to allow Ms Cox to obtain and provide medical evidence relevant to this matter.

The hearing resumed on 20 February 2023 with a new professional conduct panel ('the panel'), a new presenting officer and a new legal adviser and concluded on 23 February 2023. The hearing took place virtually.

The panel members were Mr Adnan Qureshi (lay panellist – in the chair), Mr Adrian Phillips (lay panellist) and Mrs Melissa West (teacher panellist).

The legal adviser to the panel was Ms Abigail Reynolds of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Louise Ravenscroft of Capsticks Solicitors LLP.

Ms Julianne Cox was present and was not legally represented.

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

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 16 August 2019. The allegations were subsequently amended following an application from the presenting officer at the outset of the hearing, which is set out in more detail below. The amended allegations are as follows:

It was alleged that Ms Cox was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst a teacher at St Helena School, Colchester:

- 1) On or around 5 October 2015, she provided false information to Individual M indicating that her retina had been surgically removed in July 2015;
- 2) On or around 28 April 2016, she provided false information to Individual M that she was undertaking a course of chemotherapy following eye surgery;
- 3) On or around 20 July 2016, she provided false information to Individual A that her right eye had been removed and replaced with a prosthetic eye;
- 4) On or around 17 October 2016, she provided false information to Individual A that she was undertaking a course of chemotherapy following eye surgery;
- 5) On or around 2 November 2016, she provided false information to Individual B in the form of a letter, purportedly from the Neurology Department at Colchester Hospital, but not in fact provided by that hospital;
- 6) On or around 15 November 2016, she provided false information to the administrative staff at Colchester Hospital stating that the School had arranged for her signature to be forged on a consent form for the release of a medical report;
- 7) On or around 1 March 2017, she commenced employment at another school (The Bridge Academy, Hackney) while still under contract at St Helena School; and
- 8) By her conduct set out in paragraphs 1 - 6 above, she:
  - a) was dishonest; and
  - b) failed to act with integrity.

Ms Cox admitted the facts of allegations 1 to 7, as set out in the statement of agreed facts signed by Ms Cox on 5 August 2019, and as admitted orally at the postponed hearing on 25 November 2019 and subsequently at the adjourned hearing on 20, 21, 22 and 23 February 2023. Ms Cox admitted allegation 8 insofar as she accepted that her

actions in respect of allegations 1 to 6 were dishonest, but submitted that she was not aware that her actions were dishonest at the material time.

Ms Cox did not admit that the allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

## **Preliminary applications**

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

### Application for the hearing to be held in private

At the outset of the hearing which was adjourned on 25 November 2019, Ms Cox made an application for the hearing to proceed in private. The panel sitting at this hearing determined that the public should be excluded from all of the hearing and the hearing should proceed in private.

At the outset of the resumed hearing on 20 February 2023, the panel considered and accepted the previous panel's decision that the public should continue to be excluded from all of the hearing. The parties did not object to this. Accordingly, the hearing was heard in private save for the panel's decision which was announced in public in brief terms. The substantive decision was announced in private to enable the parties to make submissions in respect of sanction.

### Application to amend the allegations

The presenting officer made an application to amend allegation 8 to change this from:

*"By your conduct set out in the foregoing paragraphs you:*

- a. were dishonest*
- b. failed to act with integrity."*

to

*“By your conduct set out in paragraphs 1 - 6 above, you:*

*a. were dishonest*

*b. failed to act with integrity.”*

The presenting officer made this application on the basis that the TRA did not consider it would be appropriate to continue with allegations of dishonesty and a failure to act with integrity in respect of allegation 7.

Ms Cox did not object to this application.

The panel was advised that it had the power to amend allegations in accordance with paragraph 4.56 of the 2018 Procedures.

The panel considered that the proposed amendments would not change the nature and scope of the allegations and that there was no unfairness or prejudice caused by the amendment to the allegation. Accordingly, the panel granted this application and considered the amended allegations, which are set out above.

#### Application to admit additional documents

The panel considered an application on the third day of the hearing (22 February 2023) from the teacher relating to the admission of an additional document.

The teacher's document was a document titled 'Cavendish Lab PhD Trans' which Ms Cox informed the panel comprised her PhD transcript, which she said was issued in or around 1995 and which Ms Cox submitted was evidence of her PhD qualification.

The document subject to the application had not been served in accordance with the requirements of paragraph 4.20 of the 2018 Procedures. Therefore, the panel was required to decide whether the documents should be admitted under paragraph 4.25 of the 2018 Procedures.

The panel heard representations from the presenting officer respect of the application. The presenting officer did not object to the admission of this additional document.

Ms Cox's PhD qualification was discussed during the course of her oral evidence. The panel therefore considered the additional document was relevant. Accordingly, the document was added to the bundle.

## **Summary of evidence**

### **Documents**

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

- Section 1: Chronology, identification key and list of roles – pages 1 to 3
- Section 2: Notice of hearing – pages 5 to 8
- Section 3: TRA documents – pages 10 to 174
- Section 4: Teacher witness statements – pages 176
- Supplementary bundle – pages 1 to 287

In addition, the panel agreed to accept the following:

- Document titled 'Cavendish Lab PhD Trans'

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

## **Witnesses**

Ms Cox was present at the hearing and therefore provided oral evidence. No further witnesses were called to give oral evidence.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

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

Ms Cox commenced employment at St Helena School ('the School') as a newly qualified teacher of science, on 1 September 2014.

On 16 July 2015, during a risk assessment, Ms Cox reported that she had eye surgery scheduled for 21 to 22 July 2015.

A risk assessment dated 5 October 2015 reported that Ms Cox had discovered cancer in her right eye during the summer of 2015 and that she had undergone surgery on her eye on 20 July 2015 during which her retina was removed.

An updated risk assessment was prepared on 28 April 2016 during which it was reported that Ms Cox was undergoing chemotherapy following eye surgery and that her chemotherapy would continue for between 6 to 18 months.

A referral to [REDACTED] was made on 29 April 2016, and was completed on 11 May 2016.

On 17 June 2016, a request for [REDACTED] was submitted by the School.

A meeting took place on 20 July 2016, between Individual A, [REDACTED] at the School, and Ms Cox, during which Ms Cox informed the School that her right eye had been removed.

On 6 September 2016, the [REDACTED] was conducted, which was completed on 27 September 2016. Following this assessment, the School purchased specialist equipment for Ms Cox to assist with her alleged vision issues.

A further [REDACTED] was made again on 1 October 2016. The report was provided on 25 October 2016.

On 17 October 2016, an email was sent from Ms Cox's school email account to Individual B, [REDACTED] at the School, and Individual A stating that she had resumed chemotherapy.

On or around 1 November 2016, Ms Cox provided the School with a letter which purported to be from Colchester General Hospital and was dated 26 October 2016. However, following a telephone call between Individual B and Individual G of Colchester General Hospital on 1 November 2016, it was confirmed in an email dated 1 November 2016 from Individual G that the letter was not sent from the neurology department at Colchester General Hospital and that the logo used at the bottom of the letter had been obsolete for many months.

On 7 November 2016, a meeting took place between Ms Cox and the School to discuss the concerns regarding the letter. During the meeting, Ms Cox could not explain why the letter allegedly did not come from the Colchester General Hospital, but agreed to sign a medical consent form in order for appropriate medical evidence to be obtained by the School. During this meeting, Ms Cox became unwell and was subsequently absent from work.

Ms Cox was placed on medical suspension on 15 November 2016 on the basis that the lack of information provided by Ms Cox in the form of medical evidence meant that the School could not understand her conditions, namely her eye condition, cancer treatment, [REDACTED].

On the same date, a call was made to the School by Individual G at the Colchester General Hospital, who advised that she had been contacted by Ms Cox to say that the School had forged her signature on the medical consent form.

Between 15 December 2016 and 23 February 2017, requests for references were submitted by Step Teachers Ltd which was completed on 24 February 2017. On 28 February 2017, a reference was also completed for The Bridge Academy and Ms Cox's employment with The Bridge Academy later commenced on 1 March 2017. In the



meantime, Ms Cox had resigned with immediate effect by letter dated 28 February 2017, which was received by the School on 5 March 2017.

Individual C [REDACTED] telephoned the School on 6 March 2017 and confirmed that Ms Cox had commenced work at The Bridge Academy on 1 March 2017.

A report was made to the Essex Police by Individual B and the Essex Police confirmed on 15 June 2017 that they were carrying out investigations for fraud. A police report was prepared on 18 November 2017 however no further action was taken against Ms Cox.

Ms Cox was invited to a disciplinary hearing by the School which took place on 20 September 2017. Ms Cox did not attend.

The School wrote to Ms Cox on 9 October 2017 and confirmed that, had she not resigned, she would have been dismissed from the School.

## **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:

The panel noted that within a statement of agreed facts, signed by Ms Cox on 5 August 2019, Ms Cox admitted allegations 1 to 7. At the resumed hearing, which commenced on 20 February 2023, the panel noted that the amended allegation 8 was not dealt with within the statement of agreed facts, however, Ms Cox admitted allegation 8 orally at the hearing insofar as Ms Cox accepted that her actions were dishonest but submitted that, at the time of her actions, she genuinely believed that the information she was providing was true.

### **1) On or around 5 October 2015, you provided false information to Individual M indicating that your retina had been surgically removed in July 2015;**

Ms Cox admitted that she provided false information to Individual M indicating that her retina had been surgically removed.

The panel was provided with a copy of a written note of a risk assessment dated 16 July 2015 which stated that Ms Cox *“also takes medication for cancer of retina”*. The panel was also provided with a copy of a formal risk assessment dated 5 October 2015 which stated *“Julianne discovered cancer in her right eye and was given medication to reduce the tumor”*. The risk assessment went further to state *“Julianne underwent surgery on the eye on 20<sup>th</sup> July and her retina was removed and a small part of the nerve. Sadly, Julianne lost the vision in her right eye.”* The risk assessments were prepared by the School based upon information provided to them by Ms Cox regarding her health.

The panel was also provided with a copy of Individual B's witness statement which was provided to Essex Police on 8 August 2017. In this statement, the Individual B recalled that Ms Cox had told other teachers that she had a retina removed and that Ms Cox had told her that she had lost the sight in one of her eyes.

The panel was further provided with a copy of a witness statement dated 19 December 2017 which was taken by the police from Individual D who had seen Ms Cox. This statement recounted that the Individual D had performed an eye test on Ms Cox and confirmed that, as of 8 October 2016, Ms Cox had both of her eyes and that there was no evidence of any surgery. This statement went on to confirm that Ms Cox did not have a false eye.

In oral evidence, Ms Cox admitted that she had never had surgery on her eye and that she had never had cancer of the eye.

The panel found allegation 1 proven.

**2) On or around 28 April 2016, you provided false information to Individual M that you were undertaking a course of chemotherapy following eye surgery;**

Ms Cox admitted that she provided false information to Individual M indicating that she was undertaking a course of chemotherapy following eye surgery.

The panel was provided with a copy of an [REDACTED] referral dated 29 April 2016. This referral was made by Individual B, [REDACTED] at the School. Ms Cox told Individual B that she had discovered cancer in her right eye and had been given medication to reduce the tumour, and this was included in the [REDACTED] form by Individual B. This document went on to refer to Ms Cox's submission that she had "*no continuing issues with the on-going chemotherapy medication*".

The panel was also provided with a copy of an updated risk assessment dated 28 April 2016 in which it was stated that Ms Cox was still visiting a consultant and was taking medication.

The panel was provided with a copy of the witness statement of Individual E at Ms Cox's GP surgery which was given to Essex Police on 13 July 2017. This statement confirmed that Ms Cox's medical records had been researched from birth and that Ms Cox had never had any form of cancer, no treatment for cancer and had never had her eye removed.

In her oral evidence, Ms Cox admitted that she had never had eye surgery and had never undergone chemotherapy.

The panel found allegation 2 proven.

**3) On or around 20 July 2016, you provided false information to Individual A that your right eye had been removed and replaced with a prosthetic eye;**

Ms Cox admitted that she provided false information to Individual A that her right eye had been removed and replaced with a prosthetic eye.

The panel noted an email from Individual A, [REDACTED] at the School, dated 25 July 2016, which set out that she had met with Ms Cox and her partner on 20 July 2016. The email stated that Ms Cox discussed her concerns that adjustments she requested, to help with her eyesight, had not been implemented, that she had received emails from colleagues that she considered to be unsupportive, and that as a result her health and wellbeing had been affected.

In addition, the email confirmed that Ms Cox had provided an update over the Easter break. Ms Cox stated that she had had her right eye removed and that she was now wearing a glass eye, something the School had previously been unaware of.

Ms Cox admitted in oral evidence that she did not have a prosthetic eye.

The panel found allegation 3 proven.

**4) On or around 17 October 2016, you provided false information to Individual A that you were undertaking a course of chemotherapy following eye surgery;**

Ms Cox admitted that she provided false information to Individual A that she was undertaking a course of chemotherapy following eye surgery.

The panel noted an email sent from Ms Cox's work email address to Individual B and Individual A dated 17 October 2016. This email stated that she had "*resumed chemotherapy*" and contained text which referred to specific school processes, including passing a thank you card to a colleague for their "*GOB file*", which the panel understood was not a standard term in teaching and was likely to be specific to the School. The email also made reference to a member of staff being a "*149*" for Ms Cox that term, another term which the panel considered to be likely to be specific to the School.

In a further email, dated 20 October 2016, it was stated that Ms Cox had "*been restarted on chemotherapy due to some malign tissue around surgery scars.*"

In evidence, Ms Cox suggested that the email dated 17 October 2016 had been written without her knowledge by her previous partner, who had complete access to her work laptop by 'mirroring' this device. Ms Cox submitted that her partner would have been aware of specific school processes as she often discussed these around him with her friends. However, the panel did not accept Ms Cox's version of events and did not accept that her partner wrote this email, considering that it would be unlikely that Ms Cox's partner would have such detailed knowledge of school processes to include information relating to those processes within an email. The panel further considered that it would be concerning if Ms Cox had allowed her partner access to her school devices given data protection, confidentiality and safeguarding obligations. In any event, the panel noted Ms Cox's admission in the statement of agreed facts signed by Ms Cox on 5 August 2019.

The panel found allegation 4 proven.

**5) On or around 2 November 2016, you provided false information to Individual B in the form of a letter, purportedly from the Neurology Department at Colchester Hospital, but not in fact provided by that hospital;**

Ms Cox admitted that she provided false information to Individual B in the form of a letter purportedly from the Neurology Department at Colchester Hospital.

The panel was provided with a letter dated 26 October 2016 which appeared to be printed on letterhead paper of Colchester Hospital University NHS Trust and was purportedly signed on behalf of Individual F. This letter set out that, following an RHS enucleation that Ms Cox had using gamma surgery, an ON sheath meningioma was noted. Further, it stated that, at the end of a chemotherapeutic-cycle, Ms Cox would require a fine needle biopsy and further MRI.

The panel was provided with a copy of a file note of telephone conversations between the School and Individual G at the Colchester General Hospital. This note identified that a copy of the letter was emailed to Individual G, who confirmed verbally that the Consultant did not write in the way that the letter was presented, that none of the other secretaries had seen the letter and that the logo and letterhead were inconsistent. The School subsequently received a telephone call from Individual H at the Colchester General Hospital who advised that, as the letter fraudulently misrepresented a clinician, they were opening an investigation.

An email from Individual G dated 1 November 2016 confirmed that the letter was not sent from the neurology department at Colchester General Hospital. The email identified that they did have a consultant with that name, but he was a 'Dr' and not a 'Mr', and that the logo at the bottom of the letter had been obsolete for many months.

The panel was further provided with a copy of a note of a meeting on 7 November 2016 between Ms Cox, Individual A and Individual B. This note indicated that Ms Cox had informed the School that she had re-booked her appointment with the neurologist the day after her previous occupational health meeting and had asked them to write a letter, the result being the one she passed to the School. The note further stated that Ms Cox, after being asked about where she was being treated, told Individual A and Individual B that, regarding concerns over the letter, a gentleman she knew in her university days had been causing problems for her and her family. Ms Cox appeared to have no credible explanation for the inconsistencies within the letter.

Ms Cox alleged in her oral evidence that she did not write this letter, but that she found it on her door mat and was handed it by her partner and told to take it into school. Ms Cox alleged that she did not open the letter or read the content prior to submitting it to the School, but instead accepted what her partner had said. The panel did not accept this evidence as credible on the basis that the panel considered it likely that, had Ms Cox genuinely believed herself to be suffering with cancer of the eye, she would have at least read the content of the letter before providing it to her employer. The panel had also been provided with a copy of the envelope which contained the letter and noted that there was nothing on the envelope to identify the sender of the letter. The panel considered it was unlikely that Ms Cox would hand in a letter to the School when she had failed to verify either the content or the sender of the letter. The panel further noted that Ms Cox could not recall clearly what she thought the content of the letter was.

The panel found allegation 5 proven.

**6) On or around 15 November 2016, you provided false information to the administrative staff at Colchester Hospital stating that the School had arranged for your signature to be forged on a consent form for the release of a medical report;**

Ms Cox admitted that she provided false information to the administrative staff at Colchester Hospital stating that the School had arranged for her signature to be forged on a consent form.

The panel was provided with a copy of a note of a meeting on 15 November 2016 between Ms Cox, Individual A and Individual B. The note indicates that Ms Cox signed a medical consent form during this meeting, witnessed by Individual A and Individual B.

The panel was further provided with a note of a telephone conversation between the School and Individual G at the Colchester General Hospital. The School was informed

that Ms Cox had contacted the hospital to say that the School had forged her signature, but had told the hospital to release a report in any event.

Ms Cox admitted in oral evidence that she falsely accused the School of forging her signature.

The panel found allegation 6 proven.

**7) On or around 1 March 2017, you commenced employment at another school (The Bridge Academy, Hackney) while still under contract at St Helena School; and**

Ms Cox admitted that she commenced employment at another school while still under contract at St Helena School.

The panel was provided with a copy of a note of a telephone call between Individual B and Individual I at The Bridge Academy, during which Individual I confirmed that Ms Cox had commenced employment with them on 1 March 2017.

The panel was also provided with a copy of a letter sent by Individual A to Ms Cox dated 8 March 2017 which stated that the School had evidence that she had taken up employment on 1 March 2017 and was considered therefore to be in breach of her employment contract.

The panel found allegation 7 proven.

**8) By your conduct set out in paragraphs 1 - 6 above, you**  
**a) were dishonest; and**  
**b) failed to act with integrity.**

Ms Cox admitted paragraph 8(a) orally at the hearing insofar as she accepted that her actions were dishonest and that she had never had cancer, nor had her eye been removed. However, Ms Cox submitted that, at the time of her dishonest actions, she did not believe that her actions were dishonest and that she believed what she was saying and doing was true.

The panel considered whether Ms Cox had acted dishonestly. In reaching its decision on this, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel firstly sought to ascertain the actual state of Ms Cox's knowledge or belief as to the facts. At the hearing, Ms Cox submitted that, at the time, she genuinely believed the information she was providing was true and was suffering with [REDACTED] which

she intimated manifested itself in [REDACTED]. In written submissions, Ms Cox submitted that she had a [REDACTED].

The panel noted that, since the hearing on 25 November 2019, documentation consisting of Ms Cox's medical records had been obtained. The panel was not satisfied that the extensive medical documentation supported Ms Cox's submissions. The panel noted that, contrary to Ms Cox's submissions, the medical evidence expressly stated that Ms Cox was not suffering with [REDACTED] and that there was no evidence whatsoever of the [REDACTED] referred to by Ms Cox. The medical evidence stated instead that Ms Cox was suffering with [REDACTED] and [REDACTED].

In respect of the medical evidence, the panel noted that Ms Cox had provided a name and address of a [REDACTED] to the TRA following the adjournment of the hearing on 25 November 2019. However, when this individual was contacted, it was confirmed that he had never operated from the address provided by Ms Cox, and that Ms Cox had never been a private patient. Ms Cox submitted that the wrong [REDACTED] had been contacted and that is why records could not be obtained, however the panel did not accept this as a credible account as it had been Ms Cox who had provided the incorrect address in the first instance.

The panel also noted that, despite Ms Cox's submission that she genuinely believed that the information she was providing was true, there was no documentation which indicated that she had told her new school or other medical professionals of her alleged eye cancer. In oral evidence, Ms Cox admitted that she did not tell her new school of her alleged eye cancer, despite stating that she believed herself to be suffering with this illness at the time of her application to the new school.

The panel further noted that, despite Ms Cox's submission in oral evidence that at the time of her police interview her [REDACTED] was getting 'better', the documentation showed that she had in fact denied to the police that she had told the School she had cancer of the eye. Ms Cox informed the police that she did not know where the fake letter from the hospital had come from, that she believed her signature had been forged and that she had cancer of the eye as a child, despite medical records showing that she had never had any sort of cancer. The panel considered this to be inconsistent with Ms Cox's account that she was recovering from her [REDACTED] at the point of the police interview.

In oral evidence, and when questioned regarding inconsistencies with her evidence and the documentation provided, Ms Cox submitted that there were errors within the documentation, including documentation provided by the police and medical professionals. However, Ms Cox could provide no credible explanation as to why there would be such errors within these documents.

The panel also had serious concerns as to the credibility of Ms Cox's evidence, noting a number of inconsistencies. In particular, when questioned about her PhD qualification, Ms Cox expressly stated that she did not attend the University of Cambridge. Ms Cox's evidence was that she completed her PhD at Cavendish College, but could not provide an explanation when it was put to her that a Cavendish College, Cambridge had not existed since 1892 and had no current internet presence. The following day, Ms Cox submitted that she had studied at Cavendish Laboratory College, Cambridge. Ms Cox provided an 'Official Transcript' which she alleged was a document provided by her university in 1995, although in fact the title of the document was spelt as 'Offcial [sic] Transcript'. This document stated that it was issued by the University of Cambridge, which contradicted Ms Cox's previous evidence that she had not attended this university as she was not "intelligent" enough and would not be accepted into this university.

The panel questioned the authenticity of the document in light of obvious errors and inconsistencies, including spelling mistakes, issues with the document's watermark, a reference to a UK Government Department not in existence at the time the document was allegedly produced and references to American federal law. Ms Cox, in evidence, admitted that there were inconsistencies but could not account for them, and made reference to her partner and suggested that he may have fraudulently created the document. Ms Cox did not inform the panel that she believed or suspected that her partner had altered the document when she asked for it to be admitted. She only made this assertion when inconsistencies in respect of the document were put to her. No further evidence was adduced as to the authenticity of her PhD qualification.

For the reasons set out above, the panel was not persuaded by Ms Cox's evidence that she was not aware that what she was doing was dishonest at the material times. The panel found Ms Cox's evidence to be inherently contradictory and that Ms Cox lacked credibility.

Next, the panel considered whether Ms Cox's conduct was dishonest by the standards of ordinary decent people. The panel found that Ms Cox was objectively dishonest, including by misleading the School and providing false information. It was plainly dishonest to provide false information.

In summary, the panel considered that Ms Cox had been dishonest.

The panel then considered whether Ms Cox had failed to act with integrity. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority*. The panel considered that Ms Cox had failed to act within the higher standards expected of a teacher by providing false information to the School, which in particular resulted in the School increasing their expenditure in an attempt to support Ms Cox with her fictitious illnesses.



The information about her health was relevant to the School, and would be relevant at any School, because teachers are placed in a position of trust and are expected not to mislead their employer.

The panel found that Ms Cox had not acted with integrity.

The panel found allegation 8 proven.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.
- Teachers must have 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 Ms Cox amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Ms Cox's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The panel found that the offence of fraud or serious dishonesty was 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.

Accordingly, the panel was satisfied that Ms Cox was guilty of unacceptable professional conduct in respect of her conduct as described in allegations 1-8.

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 Ms Cox's actions as described in allegations 1, 2, 3, 4, 5, 6 and 8 constituted conduct that may bring the profession into disrepute. The panel did not consider that allegation 7 constituted conduct that may bring the profession into disrepute because the panel did not think that this conduct in itself would amount to conduct which would damage the public's perception of a teacher, being principally an internal issue.

Having found the facts of allegations 1 to 8 proved, the panel further found that Ms Cox's conduct in respect of allegations 1 to 8 amounted to unacceptable professional conduct and that Ms Cox's conduct in respect of allegations 1 to 6 and 8 amounted to 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 was 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 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 the light of the panel's findings against Ms Cox, which involved providing false information to the School, being dishonest and lacking integrity, there was a strong public interest consideration in protecting the public confidence. The panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Cox 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 Ms Cox 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 Ms Cox. 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 Ms Cox. 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;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests;
- collusion or concealment including:
  - lying to prevent the identification of wrongdoing.

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 noted the written and oral representations of Ms Cox, in which she referred to a number of difficulties she was experiencing at the time the incidents occurred. Ms Cox explained that her time at the School was difficult for various reasons. Firstly, Ms Cox asserted that she experienced racism from pupils whilst being at the School, and jokes from other staff members about being "*sensitive*" regarding her race. Whilst the panel understands that it can be very difficult to discuss issues of racism, the panel was

provided with no documentary evidence showing that Ms Cox had made any reports of behaviour of this kind.

Ms Cox also submitted that a few weeks later she was asked to work with Individual J as she was short in her timetable. Ms Cox explained that she found it difficult to work with this member of staff, as the staff member was [REDACTED] by coincidence “*in a very painful way.*” Ms Cox explained that her [REDACTED]. Ms Cox stated that Individual J had [REDACTED]. The panel noted that these were very serious allegations but that the panel was not provided with any documentary evidence in support of these matters.

Ms Cox alleged that her [REDACTED] was assaulted by Individual K at [REDACTED] school. Ms Cox explained that Individual K was the [REDACTED]. The panel was not provided with any documentary evidence in support of this.

In addition, Ms Cox alleged that Individual L joined the School [REDACTED], did not teach [REDACTED] students the full curriculum and eventually Ms Cox inherited [REDACTED] class. Ms Cox became stressed and received no support from the School. Subsequently, Ms Cox alleged that the reason she did not receive a pay rise was as a result of her class not doing well in exams. The panel was not provided with any documentary evidence in support of this.

Ms Cox alleged that, at this time, she was [REDACTED]. Ms Cox alleged that her partner convinced her that she had cancer of the eye.

As a result of the difficulties Ms Cox was experiencing, Ms Cox believed that she “[REDACTED]”. Ms Cox submitted that she became [REDACTED].

The panel considered the evidence Ms Cox provided in mitigation. Whilst the panel did see evidence that Ms Cox was suffering with some [REDACTED] and it was sympathetic of the personal circumstances Ms Cox said that she was contending with at the time, it did not find this mitigation to be particularly compelling. In particular, the panel did not feel that the mitigation explained or excused Ms Cox’s conduct.

The panel found that Ms Cox’s actions were deliberate.

There was no evidence to suggest that Ms Cox was acting under extreme duress. Whilst the panel noted the representations Ms Cox made about [REDACTED], the panel did not conclude that this amounted to extreme duress. Whilst the panel understood how difficult [REDACTED] can be, it did not consider that this would justify the false information Ms Cox chose to provide to her employer about her health, [REDACTED]. Furthermore, the medical evidence provided to the panel did not support the submissions Ms Cox made about alleged [REDACTED] at the time the allegations took place. In fact, the panel found Ms Cox’s actions to be calculated and motivated.

Ms Cox submitted that she was a strong and passionate teacher and that no pupil had ever suffered harm whilst being taught by her. Ms Cox submitted that safeguarding was of key importance to her. Ms Cox further submitted that, since the time of the allegations, she had developed as a teacher.

However, no character references were provided and no evidence was submitted to attest to Ms Cox's history or ability as a teacher. No evidence was submitted which demonstrated exceptionally high standards in both personal and professional conduct or that she contributed significantly to the education sector.

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 found that the allegations related to serious matters involving a sustained pattern of dishonesty. Having heard oral evidence from Ms Cox, the panel was not convinced that Ms Cox understood the gravity of her misconduct. This is because Ms Cox, throughout her evidence, placed blame on others when questioned regarding inconsistencies in her evidence. Despite there being no evidence (medical or otherwise) to support her submissions, Ms Cox continued to allege that the reason for her conduct was illness resulting in [REDACTED]. The panel was mindful that the hearing was adjourned in 2019 to allow Ms Cox to provide medical evidence in respect of her health and state of mind at the time. The panel considered that Ms Cox had had more than enough time to obtain and provide evidence in this regard. The panel did not accept Ms Cox's account and found that this indicated that Ms Cox did not show genuine insight or remorse in respect of her actions.

The panel also considered the way in which Ms Cox conducted herself during the hearing. As set out above, the panel did not find Ms Cox to be a credible witness during these proceedings and noted inconsistencies in the oral and documentary evidence she provided. The panel was concerned that this demonstrated a continuing pattern of dishonest behaviour. Not only did this demonstrate a lack of insight and remorse, it also indicated to the panel that there was a risk of repetition of similar misconduct in the future.

The panel was mindful that Ms Cox was still working as a teacher. Ms Cox told the panel that she had only told one individual at her current school about the TRA proceedings. Ms Cox confirmed that this person was not the [REDACTED], but submitted that it may have been someone in [REDACTED]. Ms Cox's evidence on this point was unclear, and the panel was unable to establish exactly who had been informed. The panel considered that Ms Cox should have disclosed these proceedings to the [REDACTED] of the school she is currently working for and it was concerned that she had not done so. This was further evidence that Ms Cox showed no genuine insight or remorse into her conduct.

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 Ms Cox 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 Ms Cox. The seriousness of the misconduct and the lack of insight and remorse were significant factors in forming that opinion.

In submissions, Ms Cox requested that the panel consider an alternative sanction to prohibition. She suggested that the panel may wish to allow her to continue to teach, subject to conditions such as being monitored and being required to attend [REDACTED] at her own expense. However, the panel is unable to make a recommendation to that effect, although the panel has, of course, considered whether it would be appropriate to recommend that a prohibition order is not made and whether the publication of the findings made by the panel would be sufficient (as outlined above).

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 behaviours that, if proved, would militate against the recommendation of a review period. The panel found that Ms Cox was not responsible for any such behaviours.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours include fraud or serious dishonesty which the panel found to be relevant in this case.

The panel concluded that Ms Cox had acted in a particularly concerning manner. She had lied to her employer about serious health conditions. For the reasons set out above, the panel did not consider the evidence Ms Cox gave about the reason for her dishonesty to be compelling. The panel therefore considered that Ms Cox was deliberately dishonest about serious issues. The gravity of Ms Cox's misconduct meant that, in the panel's view, it amounted to fraud or serious dishonesty at the most serious end of the spectrum. Of particular concern was the lack of insight and remorse Ms Cox showed at the hearing. Ms Cox had the benefit of some 7 years to reflect on her behaviour and develop insight yet,

despite this, she had failed to demonstrate sufficient insight and remorse at the hearing, and went so far as to provide what the panel considered to be dishonest evidence. The panel was concerned that a longer review period would be unlikely to assist Ms Cox in developing insight. The panel also considered Ms Cox's lack of credibility at the hearing in terms of the evidence she gave (as described above) and its concern in respect of the high likelihood of the repetition of her conduct given that the panel believed she continued her pattern of dishonesty throughout the hearing.

Given the seriousness of the misconduct, the panel's concerns about there being a pattern of continuing dishonesty and the lack of insight and remorse, 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 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 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 Ms Julianne Cox should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Ms Cox is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.
- Teachers must have 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 Ms Cox fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of dishonesty which involved providing false information to the School.

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 Ms Cox, 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/safeguard pupils. The panel has observed, “the panel did not find Ms Cox to be a credible witness during these proceedings and noted inconsistencies in the oral and documentary evidence she provided. The panel was concerned that this demonstrated a continuing pattern of dishonest behaviour. Not only did this demonstrate a lack of insight and remorse, it also indicated to the panel that there was a risk of repetition of similar misconduct in the future.” A prohibition order would therefore prevent such a risk from being present in the future.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “The panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Cox was not treated with the utmost seriousness when regulating the conduct 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.

In this case, I have placed considerable weight on the panel’s comments concerning the lack of insight or remorse. The panel has said, “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 Ms Cox. The seriousness of the misconduct and the lack of insight and remorse were significant factors in forming that opinion.”



I have also considered the impact of a prohibition order on Ms Cox herself, the panel comment “Ms Cox submitted that she was a strong and passionate teacher and that no pupil had ever suffered harm whilst being taught by her. Ms Cox submitted that safeguarding was of key importance to her. Ms Cox further submitted that, since the time of the allegations, she had developed as a teacher. However, no character references were provided and no evidence was submitted to attest to Ms Cox’s history or ability as a teacher. No evidence was submitted which demonstrated exceptionally high standards in both personal and professional conduct or that she contributed significantly to the education sector.” A prohibition order would prevent Ms Cox from teaching and would clearly deprive the public of her contribution to the profession for the period that it is in force.

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Cox has made and is making 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.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel’s comments “The gravity of Ms Cox’s misconduct meant that, in the panel’s view, it amounted to fraud or serious dishonesty at the most serious end of the spectrum. Of particular concern was the lack of insight and remorse Ms Cox showed at the hearing. Ms Cox had the benefit of some 7 years to reflect on her behaviour and develop insight yet, despite this, she had failed to demonstrate sufficient insight and remorse at the hearing, and went so far as to provide what the panel considered to be dishonest evidence. The panel was concerned that a longer review period would be unlikely to assist Ms Cox in developing insight. The panel also considered Ms Cox’s lack of credibility at the hearing in terms of the evidence she gave (as described above) and its concern in respect of the high likelihood of the repetition of her conduct given that the panel believed she continued her pattern of dishonesty throughout the hearing.”

I have considered whether 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. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the dishonesty found 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 Ms Julianne Cox 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 her, I have decided that Ms Cox shall not be entitled to apply for restoration of her eligibility to teach.

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

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

A handwritten signature in black ink, appearing to read "John Knowles". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

**Decision maker: John Knowles**

**Date: 28 February 2023**

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