



Teaching
Regulation
Agency

Mr Umar Haque: Professional conduct panel outcome

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

June 2023

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

Teacher:	Mr Umar Haque
Teacher ref number:	2242164
Teacher date of birth:	4 June 1992
TRA reference:	18836
Date of determination:	22 June 2023
Former employer:	The Lantern of Knowledge School, London ('the School')

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 20 to 22 June 2023 by way of a virtual hearing, to consider the case of Mr Umar Haque.

The panel members were Ms Maxine Cole (lay panellist – in the chair), Ms Laura Flynn (teacher panellist) and Mr Richard Young (lay panellist).

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

The presenting officer for the TRA was Ms Sarah Vince of Browne Jacobson LLP solicitors.

Mr Haque was present at the hearing for day one but was not represented. On day two and three of the hearing Mr Haque 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 30 January 2023.

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

1. On or around 2 March 2018, he was convicted by a jury sitting at Central Criminal Court of:
 - a) Engaging in conduct in preparation for terrorist acts, contrary to Section 5(1)A of the Terrorism Act 2006, in that on or before 17 May 2017, with the intention of committing acts of terrorism, he engaged in conduct in preparation for giving effect to that intention, namely:
 - i. Researched methods of terrorist attack; and/or
 - ii. Had planned a terrorist attack within the United Kingdom.
 - b) Engaging in preparatory acts with the intention of assisting others to commit acts of terrorism, contrary to section 5 of the Terrorism Act 2006, in that he led physical exercises and role play at Ripple Road Mosque.
2. On or around 15 January 2018, he was convicted by guilty plea on the first day of trial at Central Criminal Court of:
 - a) Disseminating a terrorist publication, contrary to Section 2 of the Terrorism Act 2006, in that he disseminated a terrorist publication relating to video recordings shown to children in his charge at Ripple Road Mosque; and
 - b) Four offences relating to the collection of information contrary to Section 58(1)B of the Terrorism Act 2000, namely copies of three issues of the Islamic State publication 'Rumiyah' with detailed terrorist advice and links to a series of web-based video recordings with information about the preparation of explosive substances, and possession of a USB device containing five video files downloaded from YouTube, featuring practical instructions that could be useful in manufacturing explosives.

It was also alleged that Mr Haque was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Maktab class, Physical Education class and General Supervision Teacher at the Lantern of Knowledge School from around July 2015 to 11 January 2016 he:

1. Engaged in inappropriate and/or unprofessional behaviour by exposing Pupils to Islamic State propaganda and/or information by:
 - a) Informing the Pupils about Islamic State propaganda;
 - b) Showing Pupils social media video(s) and/or featuring people with guns and/or burning passports and/or beheading;
 - c) Showing videos and/or explaining Islamic State in a positive manner; and
 - d) Discouraging Pupils from disclosing what you had shown and/or taught them about Islamic State, to others.
2. His conduct at allegation 1d was dishonest and/or lacked integrity.
3. His conduct as may be found proven at 1 above demonstrated a lack of tolerance and/or hatred on the grounds of race/religion and/or undermine fundamental British values.

Mr Haque denied the allegations.

Preliminary applications

Application for statement of witness to be admitted as hearsay.

The TRA made an application that the accounts of children that have assisted the criminal prosecution of Mr Haque in relation to the unproven count 4, be admitted as hearsay evidence in the absence of the witnesses. This application was not opposed by Mr Haque. After receiving submissions from the presenting officer and Mr Haque, and receiving legal advice, the panel made the following decision.

The panel carefully considered the submissions made in determining whether it would be fair to admit the accounts as hearsay evidence. The panel noted that the evidence of the children was not the sole or decisive evidence in relation to the allegations. Furthermore, the evidence was not such that the panel felt that it would be unable to test its reliability in the absence of the witnesses.

The panel also considered the submissions made regarding the importance of safeguarding the child witnesses and the risk of re-traumatisation should they be required to give evidence on highly emotive and sensitive events that happened over seven years ago.

The panel concluded that the balance of fairness was in favour of admitting the statement as hearsay evidence. Accordingly, the statements of the witnesses were admitted and were considered in the panel's deliberations.

Application to proceed in the absence of the teacher

Mr Haque attended day one of the hearing unrepresented. Before day two of the hearing commenced, he confirmed that he would not be attending day two or three. Therefore, he was not present at the hearing nor was he represented at day two or day three of the hearing. The presenting officer made an application to proceed in the absence of Mr Haque at the start of the hearing on day two.

The panel considered 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 Haque in accordance with the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession April 2018 (the 'Procedures'). Further, Mr Haque had responded to the Notice of Proceedings on 9 February 2023.

The panel noted that Mr Haque had participated in the hearing on day one and concluded that his absence from the remainder of the hearing was voluntary and that he was aware that the matter would proceed in his absence.

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

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 Haque was neither present nor represented.

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 Procedures apply to this case, given that those provisions applied when the referral was made. Although the panel has the power to direct that the May 2020 Procedures should apply in the interests of justice or the public interest, the panel had received no representations that this should be the case. For the avoidance of doubt, therefore, the panel confirms that it has applied the April 2018 Procedures in this case.

Summary of evidence

Documents

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

- Section 1: Notice of proceedings – pages 5 to 36
- Section 2: TRA witness statements – pages 38 to 85
- Section 3: TRA documents – pages 87 to 190
- Section 4: Teacher documents – pages 192 to 194
- Section 5: Further correspondence sent to teacher – pages 196 to 198
- Section 6: Hearsay application documents – pages 200 to 208

Witnesses

The panel heard oral evidence from the following witnesses called by the TRA:

- Witness A
- Witness B
- Witness C

Decision and reasons

The panel announced its decision and reasons as follows:

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

On 25 May 2017, Mr Haque, along with three co-defendants, was charged and subsequently convicted of offences under the Terrorism Act 2006. In summary, over a period of two months between March to May 2017, Mr Haque planned a variety of differing styles of attack with either the direct or indirect assistance of his associates.

During the course of the police investigation and subsequent criminal trial, evidence was gathered and presented to the court which demonstrated that, whilst employed in a teaching role, Mr Haque had intentionally exposed his pupils to extremist material to inculcate them with the ideology of Islamic State and persuade them into action in due course. It is thought that Mr Haque had contact with upwards of 220 children during this time, between the ages of 9 to 16 years old. Fifty-five children, aged between 11 to 14 years old, were identified as having been exposed to extremism and attempts at radicalisation.

On 2 March 2018, Mr Haque was sentenced to life imprisonment to serve a minimum of 25 years.

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 2 March 2018, you were convicted by a jury sitting at Central Criminal Court of:

a) Engaging in conduct in preparation for terrorist acts, contrary to Section 5(1)A of the Terrorism Act 2006, in that on or before 17 May 2017, with the intention of committing acts of terrorism, you engaged in conduct in preparation for giving effect to that intention, namely:

- i. Researched methods of terrorist attack; and/or**
- ii. Had planned a terrorist attack within the United Kingdom.**

b) Engaging in preparatory acts with the intention of assisting others to commit acts of terrorism, contrary to section 5 of the Terrorism Act 2006, in that you led physical exercises and role play at Ripple Road Mosque.

2. On or around 15 January 2018, you were convicted by guilty plea on the first day of trial at Central Criminal Court of:

a) Disseminating a terrorist publication, contrary to Section 2 of the Terrorism Act 2006, in that you disseminated a terrorist publication relating to video recordings shown to children in your charge at Ripple Road Mosque.

b) Four offences relating to the collection of information contrary to Section 58(1)B of the Terrorism Act 2000, namely copies of three issues of the Islamic State publication 'Rumiyah' with detailed terrorist advice and links to a series of web-based video recordings with information about the preparation of explosive substances, and possession of a USB device containing five video files downloaded from YouTube, featuring practical instructions that could be useful in manufacturing explosives.

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 the Central Criminal Court, which detailed that Mr Haque had been convicted on 2 March 2018 and later sentenced on 27 March 2018, of the following acts: 1) two counts of preparation of terrorism acts; 2) dissemination of terrorist publications; and 3) four counts of collection of information, contrary to the Counter Terrorism Act 2008. The panel noted the Judge's sentencing remarks, which outlined that Mr Haque had pleaded guilty to a number of offences.

In respect of the allegations, Mr Haque was sentenced to life imprisonment, to serve a minimum of 25 years.

On examination of the documents before the panel, the panel was satisfied that the facts of allegations 1(a)(i)-(ii), 1(b), 2(a) and 2(b) were proven.

It was also alleged that you are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Maktab class, Physical Education class and General Supervision Teacher at the Lantern of Knowledge School from around July 2015 to 11 January 2016 you:

- 1. Engaged in inappropriate and/or unprofessional behaviour by exposing Pupils to Islamic State propaganda and/or information by;**
 - a) Informing the Pupils about Islamic State propaganda;**
 - b) Showing Pupils social media video(s) and/or featuring people with guns and/or burning passports and/or beheading;**
 - c) Showing videos and/or explaining Islamic State in a positive manner; and**
 - d) Discouraging Pupils from disclosing what you had shown and/or taught them about Islamic State, to others.**

The panel first noted the similarity of Mr Haque's conduct at the School comparatively to the conduct which he was convicted of whilst responsible for children at Ripple Road Mosque.

The panel noted the witness statement of Witness A, who works with the Counter Terrorism Command Unit, otherwise known as SO15. Witness A submitted that during the investigation and subsequent criminal trial, evidence was gathered and presented to the court that demonstrated that, whilst employed in a teaching role, Mr Haque had intentionally exposed his pupils to extremist material.

From assessing the material gathered during the investigation, Witness A explained that he attended the home address of Child A on 9 June 2017 together with Witness B. The aim of this meeting was to explain the video interview process to Child A and to answer any questions they may have.

The video interview took place on 11 June 2017. During the interview, Witness A asked questions around schooling, teachers, including Mr Haque, and the content of lessons including the points around Islamic State being referenced in class.

Witness A explained that, as the interview lasted for 62 minutes, it is extremely difficult to know exactly what questions were asked, although a good overview of the content of the interview, which arose from questions asked, is contained in the short descriptive note as provided by Witness B. Witness A and Witness B confirmed that this note is an accurate summary of the interview that took place. On 13 December 2022, Witness A was asked to provide his professional view as to whether the account of Child A was compelling evidence/believable. Witness A confirmed that there was nothing to suggest that the account of the child was false.

The panel noted the Record of Video Interview with Child A provided as part of the police investigation, exhibited to Witness A's statement. Child A confirmed that Mr Haque began teaching him when he was in Year 9. He stated that Mr Haque was calm during lessons but would talk about ISIS and terrorism incidents on the news concerning ISIS around once or twice a week. Child A described this as unusual, as no other teacher spoke about such topics. Child A also submitted that Mr Haque showed pupils a video on a projector from YouTube but did not explain the video. Child A stated that the video started with four to five people with guns and ammunition and included the burning of red passports in a fire. Child A further submitted that the video showed "*people having found someone and chopping his head off with a knife or sword*". There was also a black flag, which Child A described as "*the ISIS one*", which Mr Haque said he had at home. Child A also noted that at one point, a student shouted that someone was coming; Mr Haque then turned the video off and told the pupils not to tell anyone that he showed the video.

The panel noted the witness statement of Witness B, who was also part of the Counter Terrorism Command Unit. Witness B explained that he attended the home address of Child A on 9 June 2017, together with Witness A. Witness B ensured the digital recording equipment and camera were working and recording the interview. Witness B then listened to the interview and typed up the short descriptive note as explained by Witness A.

The panel also noted the witness statement of Individual A, who was a police officer and worked with the Counter Terrorism Command Unit at the time the incidents took place. It was Individual A's role to support Witness C to engage with the School, identify any young people at risk, and to assist in coordinating the support that may be required. Individual A was required to speak to a number of pupils from the School as part of this

process. The panel noted telephone conversation notes submitted as part of the bundle, which outlined that Mr Haque had showed videos during lessons of battles and fighting.

The panel noted the witness statement of Witness C, who was also part of the Counter Terrorism Command Unit when the incidents took place. Witness C spoke to a number of pupils from the School and provided copies of original notes taken from such assessments. The panel noted Child E's answers to the questions asked during the assessment which were exhibited to Witness C's statement. Child E stated that pupils were shown Islamic State videos during lessons which included fighters with guns, weapons, and explosives as well as people being beheaded. Further, Child E noted that one pupil would stand by the door so that they could warn Mr Haque if another teacher was coming so that he could turn the video off. The panel also noted that Child F stated during his assessment that Mr Haque showed the class videos of Islamic State propaganda.

Mr Haque also confirmed during the hearing that he showed pupils at the School Islamic State content so that they could see both sides.

The panel noted the consistency throughout the statements taken from the children at the School in particular, the content of the videos that were shown and the use of a pupil as a lookout to warn Mr Haque if someone was coming so that he could turn the content off. The panel further noted that the children had only provided the statements once the police investigation had commenced which demonstrated Mr Haque was successful in discouraging pupils to discuss and/or disclose what they had been shown or taught during his lessons.

The panel found allegation 1(a), 1(b), 1(c) and 1(d) proven.

2. Your conduct at allegation 1d was dishonest and/or lacked integrity.

The panel firstly considered whether Mr Haque had failed to act with integrity. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority*. The panel considered that Mr Haque had failed to act within the higher standards expected of a teacher, by exposing pupils to such content and behaviour outlined at allegation 1 and then encouraging them to keep this information concealed, knowing that it could be potentially harmful to pupils.

The panel then considered whether Mr Haque had acted dishonestly in relation to the proven facts of allegation 1d. 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 Mr Haque's knowledge or belief as to the facts. The panel noted Mr Haque's comments during the hearing that he was trying to expose pupils to a balanced view; however, the panel also noted that there was

evidence in the bundle to suggest that Mr Haque's intention was to develop his students to become fighters.

The panel was satisfied that in Mr Haque's mind he knew that it was potentially harmful to pupils to expose them to such content, and to then ask them not to tell anyone in an attempt to conceal such behaviour.

Given the panel's finding as to Mr Haque's state of mind, the panel considered that his conduct, as found proven at allegation 1d, had been dishonest according to the standards of ordinary decent people.

The panel found the facts of allegation 2 proven.

3. Your conduct as may be found proven at 1 above demonstrated a lack of tolerance and/or hatred on the grounds of race/religion and/or undermine fundamental British values

The panel considered that it was clear that Mr Haque's conduct at allegation 1 above demonstrated a lack of tolerance and/or hatred on the grounds of race/religion and/or the undermining of fundamental British values.

The panel also noted Mr Haque's own statements during the hearing, as well as his letter contained in the bundle which do not align with fundamental British values.

The panel also considered the evidence in the bundle where references were made to an attack on the Queen together with videos being shown where red passports were being burnt.

The panel found allegation 3 proven.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence

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

In doing so, the panel had regard to the Advice.

The panel was satisfied that the conduct of Mr Haque, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Haque 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
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- 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.

Relevant Conviction

The panel noted that Mr Haque's actions in relation to the convictions took place outside of the education setting. However, the panel was satisfied that Mr Haque's actions were relevant to teaching, working with children and/or working in an education setting, especially in light of the terrorist content that he was exposing pupils to during teaching.

The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of pupils and/or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Haque's behaviour in committing these 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 Haque was in a position of trust and responsibility in relation to his pupils. He abused that position.

The panel noted that Mr Haque's behaviour ultimately led to a sentence of imprisonment, which was indicative of the seriousness of the offences committed. The child protection and public protection issues engaged by Mr Haque's actions were demonstrated by the Court's sentence.

This was a case concerning an offence involving terrorism which the Advice states is more likely to be considered a relevant offence.

The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Haque's ongoing suitability to teach. The panel considered that a finding that these convictions were relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Unacceptable professional conduct and conduct that may bring the profession into disrepute

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

The panel also considered whether Mr Haque'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 terrorism 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.

The panel noted the level of Mr Haque's deceptiveness to use a pupil to keep watch for other teachers whilst he showed unacceptable and extremist content when he was supposed to be teaching Islamic Studies.

The panel considered that the primary concern as a teacher should be keeping children safe and Mr Haque deliberately averted this to cause harm to children. This was despite evidence that he had received Safeguarding Awareness Training on 11 May 2015. The panel also noted the evidence in the bundle that suggested some of the children were scared during these lessons and reported having flashbacks which is evidently unacceptable.

The panel received legal advice as to the possibility of findings being cumulated in accordance with guidance given in the judgment of *Schodlok v General Medical Council [2015]*. However, as the panel concluded that each of the allegations 1(a-d), 2 and 3 based on the particulars found proved amounted to unacceptable professional conduct, the panel did not need to determine whether it would be appropriate to cumulate any of those allegations.

Accordingly, the panel was satisfied that Mr Haque 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 considered the wholly inappropriate behaviour that had been found proven against Mr Haque and considered this was not behaviour that the public would expect to see from any teacher in a school. The panel went on to note the detrimental impact Mr Haque's conduct will have on the way the public, in particular the parents of the children taught by Mr Haque, will view the teaching profession.

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

Having found the facts of allegations 1(a), 1(b), 1(c), 1(d), 2 and 3 proved, the panel further found that Mr Haque'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, conduct that may bring the profession into disrepute and 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.

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 safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In the light of the panel's findings and the nature of the offences, there was a strong public interest consideration in respect of the protection of pupils and other members of

the public. Mr Haque's actions raised obvious and significant public and child protection concerns. The panel also noted the serious detrimental impact that Mr Haque's actions may have had on those pupils that he taught at the time of the events and in the future.

The panel also considered the potential consequences of a teacher with extremist views, who should be acting as a role model, being around pupils that are at an age where they are forming their views of how the world behaves.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Haque was not treated with the utmost seriousness when regulating the conduct of the profession. The panel noted the highly influential role that teachers have in pupils' lives and the trust that parents put in those teachers when sending their children to school.

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present. The conduct found against Mr Haque was serious and wholly inappropriate behaviour that could not be tolerated by the profession. The panel noted that there is an expectation that all members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times which Mr Haque had fallen far short of.

In view of the clear public interest considerations that were present, the panel considered carefully whether it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Haque. 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 Haque. 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;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures;
- 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);
- violating of the rights of pupils;

- actions or behaviours that undermine fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs; or that promote political or religious extremism. This would encompass deliberately allowing the exposure of pupils to such actions or behaviours, including through contact with any individual(s) who are widely known to express views that support such activity, for example by inviting any such individuals to speak in schools;
- a deep-seated attitude that leads to harmful behaviour; and
- 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.

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 Haque's actions were not deliberate. In fact, the panel considered that Mr Haque was well aware of what he had been doing. The panel noted that there would be a high risk of Mr Haque repeating this type of behaviour in the future given that there was evidence from Mr Haque that confirmed that *"it does not bother me an inch that the Teaching Regulation Agency seek to impose upon me a lifetime ban from teaching for indeed I will merely be re-employed by The Islamic Caliphate (The Islamic State) in the future..."*.

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

No evidence was submitted which attested to Mr Haque's history or ability as a teacher. Nor was any evidence submitted which demonstrates exceptionally high standards in both personal and professional conduct or that he contributed significantly to the education sector.

The panel noted that on day one of the hearing, Mr Haque had started to submit what the panel considered to be mitigation evidence on the grounds of his age at the time of his actions. Mr Haque was told that he would have the opportunity to address the panel on mitigation at a later stage in the hearing. However, due to Mr Haque's decision to not attend the hearing on day two and three the panel did not get to hear Mr Haque's full submissions on mitigation. No other mitigation evidence had been submitted by Mr Haque for the panel to consider.

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 Haque 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 Haque. The panel noted that the harmful impact of Mr Haque's behaviour together with the seriousness of the offences and potential dangerousness of Mr Haque were significant factors 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 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. One of these behaviours include terrorism. The panel found that Mr Haque had been convicted for offences contrary to the Terrorism Acts 2000 and 2006.

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. The panel found that Mr Haque was responsible for being dishonest and/or lacking integrity.

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 allegation proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute and a relevant conviction.

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

In particular, the panel has found that Mr Haque 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
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- 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 Haque fell significantly short of the standards expected of the profession.

The finding of misconduct is particularly serious as it concerns convictions for engaging in conduct in preparation for terrorist acts and engaging in preparatory acts with the intention of assisting others to commit acts of terrorism. They also involve exposing children to extremist material, including video images featuring beheading.

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 Haque, 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 primary concern as a teacher should be keeping children safe and Mr Haque deliberately averted this to cause harm to children. This was despite evidence that he had received Safeguarding Awareness Training on 11 May 2015. The panel also noted the evidence in the bundle that suggested some of the children were scared during these lessons and reported having flashbacks which is evidently unacceptable." 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, "There was no evidence that Mr Haque's actions were not deliberate. In fact, the panel considered that Mr Haque was well aware of what he had been doing. The panel noted that there would be a high risk of Mr Haque repeating this type of behaviour in the future given that there was evidence from Mr Haque that confirmed that *"it does not bother me an inch that the Teaching Regulation Agency seek to impose upon me a lifetime ban from teaching for indeed I will merely be re-employed by The Islamic Caliphate (The Islamic State) in the future..."*. The panel goes on to say that "There was no evidence to suggest that Mr Haque was acting under extreme duress, and, in fact, the panel found Mr Haque's actions to be calculated and motivated". Given the lack of evidence of insight and remorse there is, in my judgment, a risk that these behaviours could be repeated in the future and this puts at risk the wellbeing of pupils. I have therefore given this element very considerable weight in my considerations.

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 Haque's behaviour in committing these 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 Haque was in a position of trust and responsibility in relation to his pupils. He abused that position." I am particularly mindful of the finding of dishonesty 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, conduct that could bring the profession into disrepute and a relevant conviction, 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 Haque himself. The panel observe, “No evidence was submitted which attested to Mr Haque’s history or ability as a teacher. Nor was any evidence submitted which demonstrates exceptionally high standards in both personal and professional conduct or that he contributed significantly to the education sector”.

A prohibition order would prevent Mr Haque 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 seriousness of the offences that Mr Haque has been convicted of, which resulted in sentence of life imprisonment with a minimum term of 25 years. I have also taken into account the impact of Mr Haque’s actions on his pupils both through exposing them to harmful content and by involving them in his dishonesty.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Haque has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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.

In doing so 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 panel also noted that the Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours include terrorism. The panel found that Mr Haque had been convicted for offences contrary to the Terrorism Acts 2000 and 2006.

The panel also said “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. The panel found that Mr Haque was responsible for being dishonest and/or lacking integrity.”

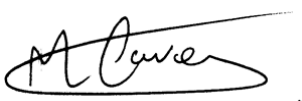
I have considered whether not allowing a review period reflects the seriousness of the findings and is proportionate to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. This element is the seriousness of the finding of convictions for engaging in conduct in preparation for terrorist acts and engaging in preparatory acts with the intention of assisting others to commit acts of terrorism, dishonesty and the lack of 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 Umar Haque 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 allegation found proved against him, I have decided that Mr Haque 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 Haque 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 'M. Cavey', enclosed in a thin black rectangular border.

Decision maker: Marc Cavey

Date: 27 June 2023

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