



Teaching
Regulation
Agency

Mr Peter Sylvester: Professional conduct panel outcome

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

June 2023

Contents

Introduction	3
Allegations	4
Preliminary applications	4
Documents	5
Witnesses	5
Decision and reasons	5
Findings of fact	6
Panel's recommendation to the Secretary of State	10
Decision and reasons on behalf of the Secretary of State	13

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

Teacher:	Mr Peter Sylvester
Teacher ref number:	3460179
Teacher date of birth:	9 October 1962
TRA reference:	19847
Date of determination:	2 June 2023
Former employer:	Greenhead College, Huddersfield

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 31 May 2023 via MS Teams to consider the case of Mr Peter Sylvester, also known as Mr Timothy Peter Sylvester.

The panel members were Mr Duncan Tilley (lay panellist – in the chair), Ms Susan Ridge (lay panellist) and Ms Melissa West (teacher panellist).

The legal adviser to the panel was Mrs Alexandra Byard of Eversheds Sutherland (International) LLP.

The presenting officer for the TRA was Mr Tom Sherrington of Browne Jacobson solicitors.

Mr Sylvester was present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 8 March 2023.

It was alleged that Mr Sylvester was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or having been convicted of a relevant offence, in that:

Mr Sylvester has been convicted, at any time, of a relevant offence in that;

1. In or around 2021, he was convicted at West Yorkshire Magistrates' Court for the offence of assault on 10 October 2020 contrary to Section 39 of the Criminal Justice Act 1988.

He is guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Greenhead College between September 2009 and February 2021;

2. He informed the School on or around 5 November 2020 that he had never previously been involved in a violent incident and/or shown violent behaviour when in fact;
 - a. he had been involved in a violent incident involving Individual A in or around 1996;
 - b. he was convicted on or around 11 March 1997 at Bradford Crown Court of the offence of assault occasioning actual bodily harm;
 - c. he had been subject to a risk assessment in respect of your conduct at allegation 2a on or around 2 February 2009.
3. His conduct as may be found proven at allegation 2 above lacked integrity and/or was dishonest.

Mr Sylvester admits allegation 1, denies allegation 2 save for the factual basis of 2(a), (b) and (c), and denies allegation 3.

Preliminary applications

The presenting officer applied to admit two documents: (1) Mr Sylvester's response to the "Notice of Proceedings form" dated 30 March 2023 (4 pages); and (2) a Police National Computer ("PNC") print-out dated 8 June 2021 (3 pages). Those documents were not served in accordance with the requirements of paragraph 5.36 of the 2020 Procedures, and as such the panel is required to decide whether those documents should be admitted under paragraph 5.33 of the Procedures at the discretion of the panel. The panel took into account the representations from the presenting officer and there were no objections raised

by Mr Sylvester. The panel therefore found that the two documents were relevant and it would be fair to admit the documents. The documents were therefore admitted.

Summary of evidence

Documents

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

Section 1: Chronology – page 6

Section 2: Notice of proceedings and response – pages 8 to 22

Section 3: Teaching Regulation Agency witness statements – pages 23 to 109

Section 4: Teaching Regulation Agency documents – pages 110 to 137

Section 5: Teacher documents – pages 140 to 152

In addition, the panel agreed to accept the following:

1. Mr Sylvester's response to the "Notice of Proceedings form" dated 30 March 2023 (4 pages) – the Chair noted that there was a space in the bundle at pages 23 and 24 – and so this document can be inserted as pages 23, 23A and 24, 24A
2. The PNC print-out dated 8 June 2021 (3 pages) – the Chair noted this can appear at the end of the bundle at pages 153 to 155.

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

Witnesses

The panel heard oral evidence from:

1. Witness A
2. Witness B

Both witnesses were called by the TRA.

The panel also heard evidence from Mr Sylvester.

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Sylvester had been employed at Greenhead College as an Assistant Systems Manager between September 1993 and 1998. He then re-joined the College in February 2009 as a teacher of IT, and later became a Personal Tutor and teacher of the Extended Project Qualification. On 3 June 2021, he was convicted at West Yorkshire Magistrates' Court for the offence of assault. Greenhead College suspended Mr Sylvester on 12 October 2020 and Mr Sylvester resigned on 22 February 2021.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegations against Mr Sylvester proved, for these reasons:

Mr Sylvester has been convicted, at any time, of a relevant offence in that;

- 1. In or around 2021, he was convicted at West Yorkshire Magistrates' Court for the offence of assault on 10 October 2020 contrary to Section 39 of the Criminal Justice Act 1988.**

The panel heard submissions from the presenting officer and accepted the memorandum of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction. The allegation of conviction was therefore, factually found proved.

Mr Sylvester is guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Greenhead College between September 2009 and February 2021;

- 2. He informed the School on or around 5 November 2020 that he had never previously been involved in a violent incident and/or shown violent behaviour when in fact;**
 - a. he had been involved in a violent incident involving Individual A in or around 1996;**
 - b. he was convicted on or around 11 March 1997 at Bradford Crown Court of the offence of assault occasioning actual bodily harm;**
 - c. he had been subject to a risk assessment in respect of your conduct at allegation 2a on or around 2 February 2009.**

The presenting officer clarified, and Mr Sylvester confirmed, that [REDACTED] who was the subject of allegation 2(b). The panel heard submissions from the presenting officer and heard evidence from Mr Sylvester and concluded that allegation 2(a) was factually proved.

The panel heard submissions from the presenting officer and accepted the PNC as conclusive proof of both the conviction and the facts necessarily implied by the conviction in respect of allegation 2(b).

The panel heard submissions from the presenting officer and heard evidence from Mr Sylvester. Mr Sylvester confirmed that he was subject to a risk assessment in 2009 in relation to his conduct at 2(a). The risk assessment formed part of the bundle and the panel had considered the same. The purpose of the risk assessment was further confirmed by Witness A and Witness B during their evidence. Allegation 2(c) was therefore, factually found proved.

Having satisfied themselves of the facts and the necessarily implied facts of the conviction, the panel then addressed the overarching allegation in 2 that Mr Sylvester informed the School on 5 November 2020 that he had never previously been involved in a violent incident and/or shown violent behaviour. The panel heard evidence from Witness A, Witness B and Mr Sylvester. The panel also considered the minutes taken at the 5 November 2020 meeting which recorded the questions asked and the answers. The panel tested the accuracy of the minutes taken, which recorded the words said by Mr Sylvester, and which form allegation 2. The panel noted that Mr Sylvester accepted that his answers were as set out in the minutes and the panel found that the minutes were accurate in respect of the allegation. The panel went on to consider the entirety of the minutes and, having heard from Witness A and Witness B, found that on the balance of probabilities, the entirety of the minutes taken by Witness A were substantially accurate.

The panel therefore found that Mr Sylvester informed the School on or around 5 November 2020 that he had never previously been involved in a violent incident and/or shown violent behaviour and this allegation 2 is therefore found factually proven.

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

3. His conduct as may be found proven at allegation 2 above lacked integrity and/or was dishonest.

The panel considered the test in the case of *Ivey v Genting Casinos (UK) Ltd*. The test required the panel to first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts.

The panel heard evidence from Mr Sylvester and recognised that he had put forward a defence in that he had misunderstood the question he was being asked. Consequently, in answering, by stating that he had never been involved in a violent incident, he was intending to answer the question he thought he had been asked. For this reason, and with no stronger evidence offered by the TRA, the panel did not conclude that in answering questions in this way, Mr Sylvester had deliberately provided false information.

The panel also considered that the question of whether Mr Sylvester's conduct was honest or dishonest, is to be determined by applying the (objective) standards of ordinary honest people.

Having heard from Witness A, Witness B and Mr Sylvester, the panel found that the minutes for the 5 November 2020 meeting were substantially accurate and showed the chronology of the questions asked. In considering the standards of ordinary honest people, the panel did not consider that Mr Sylvester's misunderstanding of what was being asked was an unreasonable or far-fetched one. On the balance of probabilities, the panel accepted Mr Sylvester's explanation for having answered in the way he did. The panel was satisfied that Mr Sylvester could show, throughout the evidence, that he had made notifications to the school in respect of the 1997 conviction at the relevant time and once presented with the risk assessment, he realised that he had misunderstood the question. The panel found that Mr Sylvester's responses which led to the allegations in 2 and 3, were based on a genuine belief that he was answering a different question and/or answering in the context of the 2020 incident.

In respect of the allegation that Mr Sylvester lacked integrity, the panel considered *Wingate & Another v SRA* and *SRA v Malins*, and noted that professional tribunals must not set unrealistically high standards and does not require professional people to be paragons of virtue. The panel used its knowledge of the teaching profession and determined that this misunderstanding of what was being asked of Mr Sylvester which prompted his responses which led to allegation 2 and 3 did not constitute a lack of integrity on the part of the teacher.

The panel did not find that Mr Sylvester lacked integrity or was dishonest and found allegation 3 not proved.

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 a number of 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 and/or conviction of a relevant offence.

In doing so, the panel had regard to the document *Teacher Misconduct: The Prohibition of Teachers*, which is referred to as "the Advice".

As to allegation 1, the panel was satisfied that the conduct of Mr Sylvester, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Sylvester 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
 - Not undermining fundamental British values, including... the rule of law...

The panel was not satisfied that the conduct of Mr Sylvester, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education or Working Together to Safeguard Children.

The panel noted that Mr Sylvester's actions took place outside of the education setting. However, the panel considered his actions and subsequent conviction were relevant to teaching, working with children and/or working in an education setting due to the nature of the offence. The panel did consider that Mr Sylvester's actions had the potential to impact on the safety or security of pupils, and that Mr Sylvester's behaviour could affect public confidence in the teaching profession.

The panel also considered whether the 2021 conviction displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found the offence of violence was relevant. The panel noted that Mr Sylvester's behaviour did not lead to a sentence of imprisonment, which was indicative that, whilst still a serious offence, the offence was at the less serious end of the possible spectrum.

The panel concluded that a finding that allegation 1 was a conviction of a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

As to allegation 2, the panel was not satisfied that the conduct of Mr Sylvester, in relation to the facts found proved, involved breaches of the Teachers' Standards, Keeping Children Safe In Education or Working Together to Safeguard Children. The panel did not, therefore, consider that Mr Sylvester's conduct in answering the questions at the meeting on 5 November 2020 in the way he did, which forms the basis of allegation 2, fell significantly short of the standard of behaviour expected of a teacher. The panel considered that this was unlikely to affect the way Mr Sylvester fulfilled his teaching role.

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

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

The panel did not consider that Mr Sylvester's conduct in answering the questions at the meeting on 5 November 2020 in the way he did, which forms the basis of allegation 2,

would be likely to have a negative impact on Mr Sylvester's status as a teacher. The panel did not consider that Mr Sylvester's conduct in allegation 2 had the potential to damage the public perception of the profession. The panel therefore did not find that Mr Sylvester's actions in allegation 2 constituted conduct that may bring the profession into disrepute.

The panel found that Mr Sylvester's conduct in respect of allegation 2 did not amount to unacceptable professional conduct or conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Sylvester and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely, the safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and the interest of retaining the teacher in the profession.

In the light of the panel's findings against Mr Sylvester which involved a conviction of a relevant offence, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Sylvester in respect of a domestic offence, were not treated with the utmost seriousness when regulating the conduct of the profession. The panel found that Mr Sylvester's conduct was outside that which could reasonably be tolerated.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of, both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel had no evidence before it as to the consequences and/or impact of Mr Sylvester's actions for the victim and what Mr Sylvester's insight was in that regard.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is

evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards; and
- 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 disclosure.

The panel was aware that a similar offence had occurred 24 years prior which was also of a violent nature and for which Mr Sylvester received a conditional discharge. The panel considered the length of time between the offences and noted there was a significant gap. However, the panel felt it was appropriate to keep in mind that there was an earlier offence when considering the seriousness of allegation 1 and when considering the risk of repetition.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest, the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider the mitigation offered by the teacher.

The panel found Mr Sylvester's actions in relation to allegation 1 were deliberate. There was no evidence to suggest that Mr Sylvester was acting under extreme duress and, in fact, the panel found Mr Sylvester's actions to be intentional.

The panel heard oral evidence from Witness A and Witness B at the hearing as to Mr Sylvester's character. The panel heard he was in general an open and honest person prior to these allegations and that neither Witness A nor Witness B had any concerns about Mr Sylvester's abilities as an educator. In addition, the hearsay character references from Individual B and Individual C were considered and the panel found these to be consistent with the oral evidence heard in respect of Mr Sylvester's character, in particular:

- *"In my experience Peter was always well-organised and hard working. He also relates very well to others. In his role as a tutor Peter had to interact with colleagues across the college and always communicated very well, forming good relationships with other staff. His sense of humour, care, drive and self organisation enabled him to offer an excellent service to the college during his tenure."* (Individual B)
- *"I have found him to be an open, honest and dedicated teacher."* (Individual C)

The panel considered the focus of both references to be narrow and limited mostly to Mr Sylvester's work as a teacher. Whilst hearsay, both referees were aware of the circumstances which ultimately led to these allegations.

The panel heard from Mr Sylvester who expressed remorse and regret for his actions. The panel also noted that Mr Sylvester had been forthcoming in the criminal investigation and the subsequent TRA investigation. The panel noted that Mr Sylvester had tried to access support, to which he had been signposted, to understand what triggered his behaviour. However, the services he approached were deemed unsuitable for him by the providers. The panel has seen no further evidence that Mr Sylvester is continuing to seek assistance from more suitable providers in order to gain insight as to what triggered his behaviour and how to best manage his emotions in the future.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition. It considered 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. The panel was of the view that prohibition was both proportionate and appropriate. The nature of the offence was one of violence. This was a significant factor in the panel forming the opinion that the public interest considerations outweighed the interests of Mr Sylvester. 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 period after which the order can be reviewed. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are cases involving certain types of conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. Whilst this is not an exhaustive list, the panel considered the circumstances of the case did not fall within the Advice.

The Advice also indicates that there are cases involving certain types of conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel noted that one of the listed types of conduct is violence and therefore in the circumstances did fall within the Advice. The panel found that Mr Sylvester was responsible for his actions which led to the conviction of a relevant offence. These actions were deliberate and serious.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period. The panel considered not less than 5 years to be appropriate. The panel felt that

the severity of the offence, keeping in mind the historic conviction for a similar offence, justified this longer 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 sanction.

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to a relevant conviction. In this case, the panel has also found some of the allegations not proven. I have therefore put all those matters entirely from my mind.

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

In particular, the panel has found that Mr Sylvester 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
 - Not undermining fundamental British values, including... the rule of law...

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

The findings of misconduct are particularly serious as they include a finding of a relevant conviction for assault and that the offence committed by Mr Sylvester involved physical violence.

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 Sylvester, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel observed, “However, the panel considered his actions and subsequent conviction were relevant to teaching, working with children and/or working in an education setting due to the nature of the offence. The panel did consider that Mr Sylvester’s actions had the potential to impact on the safety or security of pupils...”. A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which were set out as follows,” The panel heard from Mr Sylvester who expressed remorse and regret for his actions. The panel also noted that Mr Sylvester had been forthcoming in the criminal investigation and the subsequent TRA investigation. The panel noted that Mr Sylvester had tried to access support, to which he had been signposted, to understand what triggered his behaviour.” However, noting that Mr Sylvester had not been able to access suitable support from providers he had been initially signposted to, the panel also stated that, “The panel has seen no further evidence that Mr Sylvester is continuing to seek assistance from more suitable providers in order to gain insight as to what triggered his behaviour and how to best manage his emotions in the future.” In my judgment this indicates that Mr Sylvester may not have achieved full insight into his actions and, allied to the fact that he has a previous conviction for a similar offence involving physical violence, means that there is a risk of repetition in the future. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “In the light of the panel’s findings against Mr Sylvester which involved a conviction of a relevant offence, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Sylvester in respect of a domestic offence, were not treated with the utmost seriousness when regulating the conduct of the profession. The panel found that Mr Sylvester’s conduct was outside that which could reasonably be tolerated.” I have given this element considerable weight in reaching my decision.

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

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

I have also considered the impact of a prohibition order on Mr Sylvester himself. The panel heard evidence as to Mr Sylvester’s character and records that “The panel heard

he was in general an open and honest person prior to these allegations and that neither Witness A nor Witness B had any concerns about Mr Sylvester's abilities as an educator. In addition, the hearsay character references from Individual B and Individual C were considered and the panel found these to be consistent with the oral evidence heard in respect of Mr Sylvester's character." However, the panel also observed that this evidence was "...narrow and limited mostly to Mr Sylvester's work as a teacher." The panel does not record that it had heard any evidence that Mr Sylvester had contributed significantly to the education sector.

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

In this case, I have placed considerable weight on the panel's comments concerning the lack of insight or remorse. In particular, I have given significant weight to the panel's observation that, "The panel has seen no further evidence that Mr Sylvester is continuing to seek assistance from more suitable providers in order to gain insight as to what triggered his behaviour and how to best manage his emotions in the future."

I have also placed considerable weight on the finding of the panel that "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. The panel was of the view that prohibition was both proportionate and appropriate. The nature of the offence was one of violence. This was a significant factor in the panel forming the opinion that the public interest considerations outweighed the interests of Mr Sylvester."

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a five-year review period. In doing so, the panel noted that "The Advice also indicates that there are cases involving certain types of conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel noted that one of the listed types of conduct is violence and therefore in the circumstances did fall within the Advice. The panel found that Mr Sylvester was responsible for his actions which led to the conviction of a relevant offence. These actions were deliberate and serious."

The panel went on to state that, "The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period. The panel considered not less than five years to be appropriate. The panel felt that the severity of the offence, keeping in mind the historic conviction for a similar offence, justified this longer review period."

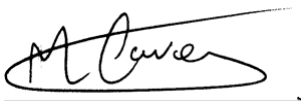
I have considered whether a five-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the offence for which Mr Sylvester was convicted, which involved physical violence, and the absence of evidence that Mr Sylvester had achieved full insight into his behaviour.

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

This means that Mr Peter Sylvester is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 13 June 2028, five years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Peter Sylvester remains prohibited from teaching indefinitely.

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

Mr Peter Sylvester 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: 8 June 2023

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