



Teaching  
Regulation  
Agency

# **Mr Muhammad Taimour: Professional conduct panel outcome**

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

**August 2023**

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

**Teacher:** Mr Muhammad Taimour

**Teacher ref number:** 1960195

**Teacher date of birth:** 22 June 1993

**TRA reference:** 20806

**Date of determination:** 31 August 2023

**Former employer:** [REDACTED]

### Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 31 August 2023 on Microsoft Teams to consider the case of Mr Muhammad Taimour.

The panel members were Mrs Joanna Hurren (teacher panellist – in the chair), Mrs Julie Wells (teacher panellist) and Mr Paul Hawkins (lay panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan LLP, solicitors.

The presenting officer for the TRA was Mr Stephen Ferson of 7 Bedford Row.

Mr Taimour was not present and was unrepresented.

The hearing took place in public via Microsoft Teams and was recorded.

### Allegation

The panel considered the allegation set out in the Notice of Proceedings dated 14 February 2023 (“the Notice”) and subsequently in the Notice dated 15 June 2023.

It was alleged that Mr Taimour was convicted of a conviction of a relevant criminal offence in that:

1. On 7 July 2022, you were convicted at Birmingham Crown Court of 11 offences of Sexual assault – intentionally touch female – no penetration between 01/01/2022 and 11/05/2022, contrary to section 3 of the Section Offences Act.

Mr Taimour did not admit the facts of the allegation or that the conviction was a relevant criminal offence.

## Preliminary applications

### Application to admit additional documentation

The panel considered an application from the presenting officer to admit additional documentation which was provided outside of the time periods set out in the Rules, in accordance with Rule 5.33 and Rule 5.34.

The additional documentation consisted of:

- 1) The service bundle which was sent to Mr Taimour, dated up to 21 August 2023
- 2) Notice of Hearing and relevant attached documents, dated 15 June 2023
- 3) Email correspondence from [REDACTED], dated 24 August 2023

The panel heard submissions from the Presenting Officer that the documents were relevant to the issues that it had to determine and the appropriateness of accepting them in the context of a fair hearing.

The panel was of the view that the documents were relevant and that they directly pertained to the issues before them. The panel felt that the documents were helpful as they demonstrate that the teacher has had ample opportunity to consider the documents.

The panel also considered that it was in the interests of justice to allow their inclusion; the panel felt that any risk of prejudice to Mr Taimour was limited and was significantly outweighed by public interest considerations.

### Application to proceed in the absence of Mr Taimour

The panel considered an application from the presenting officer to proceed in the absence of Mr Taimour.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones* [2003] 1 AC 1 (as considered and applied in subsequent cases, particularly *GMC v Adeogba*; *GMC v Visvardis* [2016] EWCA Civ 162).

The panel was satisfied that the Notice had been sent in accordance with Rules 5.23 and 5.24 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures") and that the requirements for service had been satisfied.

Mr Taimour was clearly aware of the proceedings. The documents showed that he had signed and acknowledged receipt of the Notice dated 14 February 2023. Additionally, the

Panel was satisfied that the reply slip from [REDACTED], demonstrated that Mr Taimour had received adequate notice.

The panel felt that Mr Taimour had been given multiple opportunities to engage in these proceedings. Costs to the public and the impact on the people involved was also a direct factor.

The panel went on to consider whether to proceed in Mr Taimour's absence or to adjourn, in accordance with Rule 5.47 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with caution and with close regard to the overall fairness of the proceedings. The panel considered the fact that Mr Taimour was not in attendance and would not be represented at this hearing, should it proceed, and the extent of the disadvantage to him as a consequence.

On balance, the panel decided that the hearing should continue in the absence of Mr Taimour for the following reasons:

- The panel was satisfied that Mr Taimour's absence was voluntary, and he had waived his right to attend.
- There was no indication that Mr Taimour might attend at a future date and no purpose would be served by an adjournment.
- There is a public interest in hearings taking place within a reasonable time. In this instance, the panel was also satisfied that it was in Mr Taimour's interests to proceed to conclude these proceedings.
- There is an obligation on all professionals who are subject to a regulatory regime to engage with their regulator.

Having decided that it was appropriate to proceed, the panel would strive to ensure that the proceedings are as fair as possible in the circumstances, bearing in mind that Mr Taimour was neither present nor represented.

## **Application to anonymise the name and identity of the school**

The Panel heard from the Presenting Officer that the TRA sought to anonymise the name of the school in the proceedings in accordance with Rule 5.88.

The Panel were satisfied that it was in the interests of justice to do so.

The Panel noted that the School was named in open court as it appears within the transcript. However, given that the names of the pupils had been anonymised under s45 Youth Justice Criminal Evidence Act 1999 and s1 Sexual Offences (Amendment) Act 1992 within the criminal proceedings, the panel accepted the submission that the naming of the school could still lead to identification.

The Panel were also advised that a separate application is to be made by the TRA to the Secretary of State for anonymity, should the matter be referred for prohibition.

The Panel ultimately felt that there was no serious risk of prejudice to Mr Taimour, given the circumstances.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology, anonymised pupil list and list of key people – Pages 4 to 6

Section 2: Notice of Hearing and Response – pages 7 to 13

Section 3: Teaching Regulation Agency witness documents – 14 to 137

Section 4: Service Bundle – 138 to 161

Section 5: Notice of Hearing – 162 to 173

Section 6: Email Correspondence – 174 to 175

### **Witnesses**

No witnesses were called, and the panel did not hear oral evidence from Mr Taimour.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

The panel carefully considered this case and reached a decision.

The panel read all of the documents included in the hearing bundle. It accepted the legal advice provided.

Mr Taimour was employed as a teacher at [REDACTED] as a Teacher of Maths.

Mr Taimour started work at the School on 1 September 2020.

On 9 May 2022, pupils raised complaints about the conduct of Mr Taimour.

On 7 July 2022 Mr Taimour pleaded guilty to 11 counts of sexual assault on a female.

Mr Taimour was then sentenced for a total of 3 years' imprisonment at Birmingham Crown Court on 13 September 2022.

## **Findings of fact**

Our findings of fact are as follows:

- 1. On 7 July 2022, you were convicted at Birmingham Crown Court of 11 offences of Sexual assault – intentionally touch female – no penetration between 01/01/2022 and 11/05/2022, contrary to section 3 of the Section Offences Act.**

The panel was presented with a certificate of conviction from the Crown Court at Birmingham, dated 15 March 2023.

This confirmed that Mr Taimour was convicted, on 07 July 2022, of 11 counts of sexual assaults. On 13 September 2022, he was sentenced by the Court to 3 years' imprisonment.

The panel carefully considered all of the evidence within the hearing bundle relating to the circumstances of this offence. This included the remarks of the judge at the sentencing hearing on 13 September 2022, which described the sexual assaults and their impact in stark terms.

The Panel noted that the judge described Mr Taimour's actions as "wicked". It also recognised that it produced a significant detrimental impact for the victims and also for the wider school.

The panel accepted the certificate of conviction as conclusive proof of the commission of the offence by Mr Taimour and accordingly found the facts of the allegation proved.

## **Findings as to conviction of a relevant offence**

Having found the facts proved, the panel went on to consider whether Mr Taimour's conviction was for a relevant criminal offence.

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

The panel was satisfied that the conduct of Mr Taimour in relation to the facts found proved involved breaches of the Teachers' Standards. It considered that by reference to Part Two, Mr Taimour 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.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school ....

The panel considered that Mr Taimour's actions were relevant to teaching, working with children, and working in an education setting. The offence concerned a sequence of sexual offences that amounted to a significant breach of trust. Mr Taimour had a duty to act as a role model and the panel considered that his actions fell very far short of the standard of behaviour expected.

The Panel also noted that per paragraph 34 of the Advice, it was likely in all circumstances that this would amount to a relevant offence, due to the presence of both sexual activity and sexual communication with a child, within the course of offending.

The panel noted that Mr Taimour's actions, in committing the offence in question, clearly impacted upon the safety and security of learners, namely the victims of the sexual assaults.

The panel also took account of how the teaching profession is viewed by others. The panel considered that Mr Taimour's behaviour in committing the offences was highly likely to affect public confidence in the teaching profession given the influence that teachers may have on pupils, parents and others in the community due to the nature of the offending.

The panel noted that Mr Taimour's behaviour ultimately led to him receiving a sentence of imprisonment, which is indicative of the seriousness of the sexual offences committed.

The panel was not aware of any mitigating circumstances in relation to the commission of the offences and nor does it have clear evidence attesting to Mr Taimour's record as a teacher. There is very limited evidence before the panel as to Mr Taimour's personal circumstances, both now and at the relevant time.

On balance and having carefully considered all of the evidence, the circumstances of the offence and Mr Taimour's position, the panel has found the seriousness of the offending behaviour that led to the conviction is relevant to his ongoing suitability to teach. The panel accordingly considered that a finding that this conviction is a relevant offence is



necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

## **Panel's recommendation to the Secretary of State**

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

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

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

In light of the panel's findings against Mr Taimour, which involved a conviction for multiple serious sexual offences, resulting in a custodial sentence, there was a strong public interest consideration in respect of the safeguarding of pupils and the protection of members of the public.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Taimour were not treated with the utmost seriousness when regulating the conduct of the profession. He had been found by the court to have carried out a number of very serious offences.

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

The panel also considered whether there was a public interest in retaining Mr Taimour in the profession.

No doubt had been cast upon Mr Taimour's abilities as an educator, nevertheless, as the evidence before it was limited, the panel did not consider that there was a particularly strong public interest consideration in retaining him in the profession.

In view of the public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Taimour.

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 Taimour.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- actions or behaviours that undermine ... the rule of law;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image, or indecent pseudo photograph or image, of a child, or permitting such activity, including one-off incidents;
- 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 safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- a deep-seated attitude that leads to harmful behaviour;
- violation of the rights of pupils;
- sustained or serious bullying (including cyberbullying), or other deliberate behaviour that undermines pupils, the profession, the school or colleagues;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

The panel noted that Mr Taimour had signed to say that he would adhere to the school's safeguarding policies and had acknowledged Part 1 of *KCSIE September 2021*, on the 3 September 2021, this was only four months prior to the offending.

The Panel also considered that it should attach appropriate weight and seriousness to online behaviours including, but not limited to: online misconduct; facilitating online

abuse; or facilitating inappropriate relationships (including both online only relationships and where online relationships move into contact relationships).

Notably, Mr Taimour had utilised Snapchat to send images and communications of a sexual nature to students. It was also apparent that he had requested sexual images and content from students via the same platform.

Even though some of the behaviours found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

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

- There was some, limited evidence of remorse insofar as Mr Taimour had entered guilty pleas to the offences.
- The pre-sentence report refers to "genuine remorse" in relation to the offending.
- There were no previous convictions or regulatory findings recorded against Mr Taimour.

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

- Mr Taimour's actions were deliberate.
- There was no suggestion that that Mr Taimour acted under extreme duress.
- Mr Taimour has been convicted of multiple serious sexual offences and received a custodial sentence.
- Mr Taimour's actions amounted to a clear breach of the Teachers' Standards.
- Mr Taimour had not attended to give evidence. In those circumstances, the panel was unable to address what insight Mr Taimour may have gained. There was no reference to what lessons had been learnt and what he would do differently. There was no expression of regret or remorse in relation to the impact on the victims.

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 Taimour of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. It decided that the public interest considerations outweighed the interests of Mr Taimour. The nature and gravity of the offence was a significant factor in forming that opinion. As noted above, in acting as he did, the court had concluded that Mr Taimour had committed a series of highly consequential sexual assaults. There was, accordingly, a particularly strong public interest consideration in terms of public confidence in the teaching profession and the declaring of proper standards of conduct in this case. Mr Taimour's behaviour led to him receiving a lengthy sentence of imprisonment, which is indicative of the gravity of the offences.

Accordingly, having carefully considered all of the circumstances in this case including the mitigating factors that were present, the panel makes 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 identified the following behaviours as clearly present in this case:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents;

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.

The panel considered that Mr Taimour's conduct is at the most serious end of the spectrum having regard to the nature and circumstances of the offences, including the impact on the victims. Further, there was limited evidence of remorse, regret, or insight.

The panel concluded that the public interest considerations present in this case, as set out above, pointed heavily in favour of there being no review period. On balance, the panel accordingly considered the findings indicated a situation in which a review period would not be appropriate. The panel took particular account of the aggravating factors identified above. It therefore 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 the allegations proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Mr Taimour 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.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school.

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

The findings of misconduct are particularly serious as they include a finding involving a conviction for multiple sexual offences.

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 Taimour, 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/or safeguard pupils. The panel has observed, "In light of the panel's findings against Mr Taimour, which involved a conviction for multiple serious sexual offences, resulting in a custodial sentence, there was a strong public interest consideration in respect of the safeguarding of pupils and the protection of members of the public." 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, "Mr Taimour had not attended to give evidence. In those circumstances, the panel was unable to address what insight Mr Taimour may have gained. There was no reference to what lessons had been learnt and what he would do differently. There was no expression of regret or remorse in relation to the impact on the victims." In my judgement, the lack of evidence of insight or remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils.' I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "The panel also took account of how the teaching profession is viewed by others. The panel considered that Mr Taimour's behaviour in committing the offences was highly likely to affect public confidence in the teaching profession given the influence that teachers may have on pupils, parents, and others in the community due to the nature of the offending." I am particularly mindful of the finding of a conviction for serious sexual offences 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 a relevant offence, 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 Taimour himself and the panel's comment, "No doubt had been cast upon Mr Taimour's abilities as an educator, nevertheless, as the evidence before it was limited, the panel did not consider that there was a particularly strong public interest consideration in retaining him in the profession."

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

In this case, I have placed considerable weight on the panel's comments concerning the lack of insight or remorse. The panel has said, "The panel considered that Mr Taimour's conduct is at the most serious end of the spectrum having regard to the nature and circumstances of the offences, including the impact on the victims. Further, there was limited evidence of remorse, regret, or insight."

I have also placed considerable weight on the finding "The panel was of the view that prohibition was both proportionate and appropriate. It decided that the public interest considerations outweighed the interests of Mr Taimour. The nature and gravity of the offence was a significant factor in forming that opinion. As noted above, in acting as he did, the court had concluded that Mr Taimour had committed a series of highly consequential sexual assaults. There was, accordingly, a particularly strong public interest consideration in terms of public confidence in the teaching profession and the declaring of proper standards of conduct in this case. Mr Taimour's behaviour led to him receiving a lengthy sentence of imprisonment, which is indicative of the gravity of the offences."

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

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

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

I have considered the panel's comments "The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel identified the following behaviours as clearly present in this case:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or

had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;

- any sexual misconduct involving a child;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents;

The panel decided that the findings indicated a situation in which a review period would not be appropriate.”

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 seriousness of the findings and the lack of either insight or remorse.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

**This means that Mr Muhammad Taimour is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England.** Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Taimour 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 Taimour has a right of appeal to the Queen’s Bench Division of the High Court within 28 days from the date he is given notice of this order.



**Decision maker: Sarah Buxcey**

**Date: 4 September 2023**

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