



Teaching  
Regulation  
Agency

# **Mr Bolanle Kareem: Professional conduct panel outcome**

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

**September 2023**

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

<b>Teacher:</b>	Mr Bolanle Kareem
<b>Teacher ref number:</b>	3462091
<b>Teacher date of birth:</b>	1 August 1962
<b>TRA reference:</b>	18960
<b>Date of determination:</b>	14 September 2023
<b>Former employer:</b>	Medway Secure Training Centre

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 14 September 2023, by virtual means, to consider the case of Mr Bolanle Kareem.

The panel members were Ms Nicola Hartley, lay panellist – in the chair, Mr Nathan Cole teacher panellist, and Mrs Julie Wells, teacher panellist.

The legal adviser to the panel was Ms Eleanor Brown, Eversheds Sutherland (International ) LLP.

The presenting officer for the TRA was Ms Matilda Heselton of Browne Jacobson Solicitors.

Mr Bolanle Kareem was not 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 30 June 2023.

It was alleged that Mr Kareem was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as an IT Teacher at Medway Secure Training Centre he:

1. On one or more occasions in or around November 2019, he showed to his students/allowed his students to access pornographic material during class time.

2. On two occasions in or around November 2019 he failed to discipline and/or report students who were simulating sex acts adequately or at all.
3. His conduct as at Allegation 1 demonstrated a lack of insight with regard to concerns and/or management advice relating to his conduct in allowing students to access explicit imagery in approximately:
  - a. May 2019;
  - b. July 2019.
4. His conduct at Allegation 2 demonstrated a lack of insight with regard to concerns and/or management advice relating to your failure to report student behaviour in approximately July 2019.

The teacher does not admit the allegations. Further the teacher does not admit the allegations amount to unacceptable professional conduct and / or conduct that may bring the profession into disrepute.

## **Preliminary applications**

### ***Admission of late documents***

The presenting officer applied to admit 13 pages of additional documents to include documents relating to contact with the teacher to notify him of the proceedings and the hearing and secondly, a 3 page document which noted the relevant timings of the CCTV footage relevant to the allegations.

Both documents were not served in accordance with the requirements of paragraph 4.20 of the Teacher misconduct: disciplinary procedures for the teaching profession: Updated April 2018 (“the Procedures”), and as such the panel is required to decide whether those documents should be admitted under paragraph 4.25 of the Procedures at the discretion of the panel.

The panel took into account the representations from the presenting officer as to the admission of the documents.

Under paragraph 4.18 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case. The panel is satisfied that the documents are relevant to the case as they relate to the notice of the proceedings served on the teacher. The documents do not include hearsay evidence and therefore, witnesses will not be required to be cross examined on them.

By reason of the above, the panel has decided to admit both documents and these should be paginated as set out with the document section below.

### ***Proceeding in absence of the teacher***

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

After consideration, the panel was satisfied that the TRA complied with the service requirements of paragraph 19(1) (a) to (c) of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations"). The panel was also satisfied that the Notice of Proceedings complied with paragraphs 4.11 and 4.12 of the Procedures.

The panel determined to exercise its discretion under paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took as its starting point the principle from R v Jones that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the panel recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in GMC v Adeogba & Visvardis.

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel has firstly taken account of the various factors drawn to its attention from the case of R v Jones:

1. The teacher was aware of the proceedings and the hearing and responded to confirm he would likely not attend. Therefore, the panel considered that the teacher had waived his right to be present at the hearing in the knowledge of when and where the hearing is taking place.
2. The teacher was given the opportunity to provide evidence to the panel but did not do so.
3. Further, the panel had the benefit of some representations made by the teacher as part of his disciplinary case at Medway Secure Training Centre to ascertain some lines of his defence to the allegations and / or evidence in mitigation. The panel has not identified any significant gaps in the documentary evidence provided to it. Should such gaps arise during the course of the hearing, the panel may take such gaps into consideration in considering whether the presenting officer has discharged the burden of proof. The panel can also adjourn the hearing for such documents to become available. The panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.

4. The panel recognised that the allegations against the teacher are serious and that there is a real risk that if proven, the panel will be required to consider whether to recommend that the teacher ought to be prohibited from teaching.
5. The panel recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession. The conduct alleged is said to have taken place whilst the teacher was employed at the Medway Secure Training Centre. The Medway Secure Training Centre has an interest in this hearing taking place in order to move forwards.
6. The panel also noted that there is one witness present at the hearing who is prepared to give evidence, and that it would be inconvenient for them to return again. Further, delaying the case may impact upon the memory of that witness particularly taking into account the fact that the allegations happened over three years ago.

Taking all of the above into account, and the fact that a delay to the hearing was unlikely to guarantee the teacher's attendance in the future, the panel decided to proceed with the hearing in the absence of the teacher. The panel considers that in light of the teacher's waiver of his right to appear; by taking such measures referred to above to address that unfairness insofar as is possible; and taking account of the inconvenience an adjournment would cause to the witnesses; that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time is in favour of this hearing continuing today.

### ***Application to amend the allegations***

An application has been made by the presenting officer to amend the Notice of Proceedings by amending allegation 2 to read as follows (amendment underlined):

*On or around two occasions in or around November 2019 he failed to discipline and/or report students who were simulating sex acts adequately or at all.*

The panel has the power to, in the interests of justice, amend an allegation or the particulars of an allegation, at any stage before making its decision about whether the facts of the case have been proved.

Before making an amendment, the panel is required to consider any representations by the presenting officer and by the teacher. As the teacher was not in attendance, the panel only received representations from the presenting officer. However, notwithstanding the teacher's absence, the panel considered that the amendment proposed did not change the nature, scope or seriousness of the allegation. There is no prospect of the teacher's case being presented differently had the amendment been

made at an earlier stage, and therefore no unfairness or prejudice caused to Mr Kareem. The panel therefore decided to amend the allegation as proposed.

## Summary of evidence

### Documents

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

Section 1: Chronology and anonymised pupil list – pages 5 to 6

Section 2: Notice of proceedings and response – pages 8 to 19

Section 3: Teaching Regulation Agency witness statements – pages 21 to 77

Section 4: Teaching Regulation Agency documents – pages 79 to 174 and accompanying CCTV footage showing recordings of the teacher's lessons relevant to the allegations

Section 5: Teacher documents – none.

The presenting officer also provided a late bundle of documentation of 13 pages which was accepted by the panel as pages 179 to 191 of the bundle which included:

1. A letter from Equity Law Solicitors to Browne Jacobson Solicitors dated 10 September 2020;
2. A telephone attendance note written by Browne Jacobson Solicitors of a conversation between Browne Jacobson Solicitors and Equity Law Solicitors dated 9 June 2023;
3. A letter from Browne Jacobson Solicitors to Mr Kareem dated 27 July 2023;
4. A telephone attendance note written by Browne Jacobson Solicitors of a conversation between Browne Jacobson Solicitors and Mr Kareem dated 11 September 2023;
5. A further telephone attendance note written by Browne Jacobson Solicitors of a conversation between Browne Jacobson Solicitors and Mr Kareem dated 11 September 2023.

The presenting officer also provided a document which identified relevant times of the CCTV footage relating to the allegations for specific review by the panel.

The panel members confirmed that they had read all of the documents within the bundle and the additional bundle in advance of the hearing and had reviewed the relevant CCTV footage.

## Witnesses

The panel heard oral evidence from Witness A who is currently the [REDACTED] at the [REDACTED]. Witness A was the [REDACTED]. Witness A was called to give evidence by the presenting officer.

## Decision and reasons

The panel carefully considered the case before it and announced its decision and reasons as follows:

### Findings of fact

The findings of fact are as follows:

The teacher, Mr Kareem was employed on 2 July 2018 on a full time basis as an IT Teacher at the Medway Secure Training Centre. At the time in question, the educational services at Medway Secure Training Centre were provided and delivered by Nacro, a charity. Mr Kareem gained qualified teacher status in 2012.

On the weekend of 23 and 24 November 2019, the Medway Secure Training Centre completed a review of CCTV footage showing lessons delivered by Mr Kareem. Following this, further footage was reviewed.

On 25 November 2019, a LADO referral was made by [REDACTED]. Following a review of CCTV footage and fact finding exercise, the incidents were also referred to the police.

The teacher was referred to the TRA on 10 December 2019.

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

### Whilst employed as an IT Teacher at Medway Secure Training Centre:

- 1. On one or more occasions in or around November 2019, you showed to your students/allowed your students to access pornographic material during class time.**

Following review of the CCTV footage, the panel found multiple examples of Mr Kareem showing and allowing students to access pornographic material during class time. Specific examples reviewed by the panel include:

- *CCTV footage from a lesson on 4 November 2019:* There is evidence Mr Kareem allowed students to access and view pornographic images on numerous occasions via a software program called Kahoot quiz displayed on an interactive whiteboard on 4 November 2019. There is evidence Mr Kareem was aware of the images being displayed and took no steps to close down the software; he is



shown taking steps to enlarge a pornographic image on the screen for better visibility. The CCTV footage shows Mr Kareem interacting with the quiz software for a lengthy period of time to generate further pornographic images visible to his students.

- *CCTV footage from a lesson on 11 November 2019:* The panel notes there is evidence Mr Kareem attempted to play a pornographic video to students as the footage shows him pressing the play icon on several occasions over a pornographic image.
- *CCTV footage from a lesson on 13 November 2019:* The panel notes this footage shows Mr Kareem alone with one student viewing pornographic material during class time on numerous occasions.

The panel accepted the evidence of Witness A which explained how access to the internet was granted at the Medway Secure Training Centre – via secure Wi-Fi. The panel accepted that all access to websites required an approval process which was allocated to three different levels – staff, subject and student accounts with staff accounts having broader access to wider internet sites but student access being extremely limited. The evidence of Witness A confirmed all types of access required a log in via a two factor authentication requiring the insertion of a YUBI key (a physical encrypted key fob) and entry of a username and password. The CCTV footage viewed by the panel showed Mr Kareem inserting his staff level YUBI key fob into the interactive whiteboard within the classroom to enable students to access pornographic material during class time. Mr Kareem's use of his staff YUBI key was confirmed by Witness A who was shown the relevant video clip during [REDACTED] evidence. The panel accepted Witness A's evidence that student YUBI key fobs would not be able to access these images / videos.

Further, the panel noted that Mr Kareem had admitted to the police and as part of his disciplinary interview with the Medway Secure Training Centre that he had allowed his students to access pornographic material during class time.

Having assessed the weight and reliability of the evidence, and on the balance of probabilities, the panel believed that Mr Kareem had on one or more occasions in or around November 2019, showed to his students and / or allowed his students to access pornographic material during class time. The allegation was supported by compelling evidence presented to the panel. The allegation was therefore, found proved.

## **2. On or around two occasions in or around November 2019 you failed to discipline and/or report students who were simulating sex acts adequately or at all.**

Following review of the CCTV footage, the panel found several examples of students simulating sex acts within lessons delivered by Mr Kareem in November 2019. In particular, the panel noted students simulating sex acts on more than one occasion within CCTV footage of a lesson on 4 November 2019. The CCTV footage shows some of the acts were observed by Mr Kareem. The panel couldn't find any evidence from the CCTV

footage that the students were admonished or disciplined for their behaviour during the lesson captured by CCTV footage. The panel noted that in one instance, Mr Kareem appeared to draw the attention of the class to the act. The panel had access to extended CCTV footage providing context to the lesson before and after the acts that occurred.

The panel accepted evidence presented by Witness A that the Medway Secure Training Centre had in place procedures for the management of student behaviour which included a points reward system for students and a requirement to report behavioural issues to the senior leadership team and / or teacher in charge at the end of each day through the compulsory attendance at an all staff meeting. These procedures were reiterated and confirmed within correspondence to Mr Kareem from the Medway Secure Training Centre in July 2019. The panel noted Mr Kareem had accepted in his statement made to the police (included within the hearing bundle) that he had not reported the students' behaviour as directed. In light of this, the panel accepted Witness A's evidence that Mr Kareem had not reported the students' behaviour at the end of the day or removed points from their reward system as was required.

Having assessed the weight and reliability of the evidence, and on the balance of probabilities, the panel believes that Mr Kareem on or around two occasions in or around November 2019 failed to discipline and/or report students who were simulating sex acts adequately or at all. The allegation was supported by compelling evidence presented to the panel. The allegation was therefore, found proved.

**3. Your conduct as at Allegation 1 demonstrated a lack of insight with regard to concerns and/or management advice relating to his conduct in allowing pupils to access explicit imagery in approximately:**

**a. May 2019;**

**b. July 2019.**

The panel heard evidence from Witness A that on 3 June 2019, an allegation was made against Mr Kareem by two students alleging they had been allowed to access indecent images whilst attending a lesson on 20 May 2019. There was evidence contained within the hearing bundle that the Medway Secure Training Centre completed an investigation but could not substantiate the allegation.

The panel heard further evidence from Witness A that on 12 July 2019, a student had accessed an image of a pop star using the IT Chromebooks whilst attending an outreach session facilitated by Mr Kareem. Witness A confirmed in evidence that the Medway Secure Training Centre spoke with Mr Kareem regarding the supervision of the student. The panel was unable to corroborate in evidence the contents of this discussion.

The panel saw evidence that notwithstanding the outcome of the June 2019 allegation or the incident in July 2019, the Medway Secure Training Centre issued a letter of expectation to Mr Kareem providing guidance on his management of student behaviour, the reporting of any safeguarding or behavioural incidents and expectations for ICT use. Whilst the letter is undated, the panel accepted the evidence of Witness A that the letter was sent in July 2019 following investigation of the allegation raised in June 2019.

Having assessed the weight and reliability of the evidence presented, the panel concluded on the balance of probabilities that Mr Kareem was aware of his obligations to ensure correct and appropriate ICT use by students and to report safeguarding concerns in July 2019 before his conduct in allegation 1 (in November 2019). For this reason the panel have concluded Mr Kareem demonstrated a lack of insight with regard to concerns and/or management advice relating to his conduct in allowing pupils to access explicit imagery as set out in allegation 1. The allegation was therefore, found proved.

#### **4. Your conduct at Allegation 2 demonstrated a lack of insight with regard to concerns and/or management advice relating to your failure to report pupil behaviour in approximately July 2019.**

The panel reiterates its findings in relation to allegation 3 above. Having assessed the weight and reliability of the evidence presented, the panel concluded on the balance of probabilities, Mr Kareem was aware of his obligations to ensure correct and appropriate ICT use by students and to report safeguarding concerns in July 2019 before his conduct in allegation 2 (in November 2019). For this reason the panel have concluded Mr Kareem demonstrated a lack of insight with regard to concerns and/or management advice in relation to his conduct in failing to discipline and/or report students who were simulating sex acts adequately or at all on more than two occasions in November 2019. The allegation was therefore, found proved.

### **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute**

Having found all 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.

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 the teacher, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, the teacher was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position;
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
  - showing tolerance of and respect for the rights of others.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
  - Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Kareem, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE"). In particular, the panel considered that Mr Kareem was in breach of paragraphs 3, 12 and Annex C of KCSIE.

- Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.
- No single practitioner can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.
- All staff have a responsibility to provide a safe environment in which children can learn.
- The Teachers' Standards 2012 state that teachers .... should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk: one of them is content; being exposed to ... inappropriate or harmful material; for example pornography.

The panel also considered whether Mr Kareem's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found that none of these offences were relevant. The panel noted that the advice is not intended to be exhaustive and there may be other offences that panels consider to be "unacceptable professional conduct and/or conduct that may bring the profession into disrepute". The panel concluded that it is not acceptable professional conduct for a

teacher to facilitate the watching of pornographic videos or to fail to report serious safeguarding concerns.

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 also considered whether Mr Kareem's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found that none of these offences were relevant. The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be "conduct that may bring the profession into disrepute". The panel concluded that given the teaching profession should be held to the highest standards, Mr Kareem's behaviour in facilitating the watching of pornographic videos by students and failing to report serious safeguarding concerns would be considered behaviour that brings the profession into disrepute. The panel considered that Mr Kareem's conduct could potentially damage the public's perception of a teacher.

Having concluded the above, the panel found that Mr Kareem'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, 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 Kareem 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, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Kareem, which involved allowing students to view pornographic material during class time and failing to report serious safeguarding concerns following students acting out sex acts in his lessons. The panel concluded there was a strong public interest consideration, namely the safeguarding and wellbeing of pupils and the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct, given the serious risks and consequences associated with his conduct.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Kareem were not treated with the utmost seriousness when regulating the conduct of the profession.

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

Whilst there is evidence contained within Mr Kareem's appraisal documents that he had some ability as an educator, the extensive CCTV footage viewed by the panel showing lessons over a period of approximately 9 hours covering several different days and class compositions did not support this. The panel found extremely limited evidence of Mr Kareem facilitating learning. Therefore, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Kareem in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher and he sought to exploit his position of trust. In particular and when considering whether Mr Kareem had sought to exploit his position of trust, the panel noted the evidence that he had directly facilitated student access to pornographic material by using his YUBI key to bypass enhanced safeguarding and security measures.

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 noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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 particularly relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- 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 vulnerable pupils);
- failure to act on evidence that indicated a child's welfare may have been at risk, eg, failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified;
- 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);
- violation of the rights of pupils;
- a deep-seated attitude that leads to harmful behaviour;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests;
- collusion or concealment including: any activity that involves knowingly substantiating another person's statements where they are known to be false; failure to challenge inappropriate actions, defending inappropriate actions or concealing inappropriate actions; encouraging others to break rules; lying to prevent the identification of wrongdoing.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest and 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 any evidence presented by Mr Kareem in mitigation and / or whether there were mitigating circumstances to explain the actions of Mr Kareem.

There was significant evidence that Mr Kareem's actions were deliberate. In particular, the panel noted Mr Kareem had on one occasion used the interactive whiteboard to attempt to play a pornographic video and on another was seen to manipulate pornographic images whilst students were present in his classroom.

There was no evidence to suggest that Mr Kareem was acting under extreme duress. Within the approximately nine hours of CCTV footage viewed by the panel there was no evidence that Mr Kareem had been physically threatened by a student. Throughout the CCTV footage, Mr Kareem appeared relaxed in his demeanour and on some occasions appeared to be laughing and joking with his students when viewing pornographic material.

The panel did not see evidence that showed Mr Kareem was previously subject to disciplinary proceedings and/or warnings. The only evidence available to the panel

regarding Mr Kareem's previous teaching history and his contribution to the profession was one appraisal document dated November 2019 which noted his teaching standards were "effective". In determining whether these incidents were out of character, the panel took into consideration the appraisal document but noted that Mr Kareem had allowed students to view pornographic images on numerous occasions and further, had failed to report safeguarding concerns when students had simulated sex acts on more than one occasion. Therefore, the panel concluded Mr Kareem had displayed repeated unacceptable behaviours which could not be viewed as out of character; the panel concluded Mr Kareem's actions were deliberate and occurred in several lessons identified within the CCTV footage.

No evidence as to Mr Kareem's level of insight or remorse was provided to the panel for consideration.

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 Kareem 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 Kareem. The fact that Mr Kareem had displayed repeated inappropriate behaviours without evidence of insight or remorse into his behaviours was a significant factor in forming that opinion.

Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate 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 cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. One of these cases includes harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons.

The panel found that Mr Kareem was responsible for allowing students to access pornographic material during class time on multiple occasions and failed to report



safeguarding concerns on more than one occasion when students were simulating sex acts whilst in his lessons. In considering whether the panel should offer a review period, the panel concluded that in allowing these behaviours and failing to report these behaviours, Mr Kareem has likely caused harm to his students. Further, in facilitating the sharing of pornographic images with his students, in particular by allowing students internet access through his unrestricted YUBI key fob, the panel concluded that he has used his professional position to influence or exploit his students causing them harm.

The panel were further concerned that the incidents considered took place in a classroom setting which was routinely monitored by CCTV and which was visited on frequent occasions by security staff. Mr Kareem would have known his actions would be captured for future review and / or his actions may be viewed by other staff members. Notwithstanding the knowledge that he was being monitored, Mr Kareem facilitated and enabled the students to access pornographic images. For this reason, the panel concluded that Mr Kareem's inappropriate conduct would likely be repeated but for the intervention of the Medway Secure Centre. Finally, the panel were concerned that Mr Kareem offered no apology or remorse for his actions, despite the likely impact his behaviour would have had on the vulnerable students in his care.

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 all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

In particular, the panel has found that Mr Kareem is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position;
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
  - showing tolerance of and respect for the rights of others.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
  - Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Kareem, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

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

The findings of misconduct are particularly serious as they include findings which involved allowing students to view pornographic material during class time and failing to report serious safeguarding concerns.

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 Kareem 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 Kareem, which involved allowing students to view pornographic material during class time and failing to report serious safeguarding concerns following students acting out sex acts in his lessons. The panel concluded there was a strong public interest consideration, namely the safeguarding and wellbeing of pupils and the maintenance of public confidence in the profession and declaring and upholding proper standards of

conduct, given the serious risks and consequences associated with his conduct.” 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, “No evidence as to Mr Kareem’s level of insight or remorse was provided to the panel for consideration.” 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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Kareem were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of allowing students to view pornographic material and failure to report safeguarding concerns in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Kareem himself and the panel comment “Whilst there is evidence contained within Mr Kareem’s appraisal documents that he had some ability as an educator, the extensive CCTV footage viewed by the panel showing lessons over a period of approximately 9 hours covering several different days and class compositions did not support this. The panel found extremely limited evidence of Mr Kareem facilitating learning. Therefore, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Kareem in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher and he sought to exploit his position of trust. In particular and when considering whether Mr Kareem had sought to exploit his position of trust, the panel noted the evidence that he had directly facilitated student access to pornographic material by using his YUBI key to bypass enhanced safeguarding and security measures.”

A prohibition order would prevent Mr Kareem 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 comment "There was significant evidence that Mr Kareem's actions were deliberate. In particular, the panel noted Mr Kareem had on one occasion used the interactive whiteboard to attempt to play a pornographic video and on another was seen to manipulate pornographic images whilst students were present in his classroom."

I have also placed considerable weight on the finding of the panel that "The panel did not see evidence that showed Mr Kareem was previously subject to disciplinary proceedings and/or warnings. The only evidence available to the panel regarding Mr Kareem's previous teaching history and his contribution to the profession was one appraisal document dated November 2019 which noted his teaching standards were "effective". In determining whether these incidents were out of character, the panel took into consideration the appraisal document but noted that Mr Kareem had allowed students to view pornographic images on numerous occasions and further, had failed to report safeguarding concerns when students had simulated sex acts on more than one occasion. Therefore, the panel concluded Mr Kareem had displayed repeated unacceptable behaviours which could not be viewed as out of character; the panel concluded Mr Kareem's actions were deliberate and occurred in several lessons identified within the CCTV footage."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Kareem 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 evidence of 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 panel were further concerned that the incidents considered took place in a classroom setting which was routinely monitored by CCTV and which was visited on frequent occasions by security staff. Mr Kareem would have known his actions would be captured for future review and / or his actions may be viewed by other staff members. Notwithstanding the knowledge that he was being monitored, Mr Kareem facilitated and enabled the students to access pornographic images. For this reason, the panel concluded that Mr Kareem's inappropriate conduct would likely be repeated but for the intervention of the Medway Secure Centre. Finally,

the panel were concerned that Mr Kareem offered no apology or remorse for his actions, despite the likely impact his behaviour would have had on the vulnerable students in his care.”

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 Bolanle Kareem 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 Kareem 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 Kareem 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 'S Buxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 19 September 2023**

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