



Teaching  
Regulation  
Agency

# **Mr Robert Headley: Professional conduct panel outcome**

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

**October 2023**

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

**Teacher:** Mr Robert Headley

**Teacher ref number:** 0113058

**Teacher date of birth:** 29 January 1958

**TRA reference:** 19092

**Date of determination:** 19 October 2023

**Former employer:** Rokeby School, London

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 12 October to 20 October 2023 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Robert Headley. The panel convened and legal adviser also convened virtually on 25 October 2023.

The panel members were Ms Mona Sood (lay panellist – in the chair), Ms Victoria Miller (teacher panellist) and Mr Richard Young (lay panellist).

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

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

Mr Headley 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 5 September 2023 (as amended by an application from the presenting officer which is set out below). The amended allegations are as follows:

It was alleged that Mr Headley was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Rokeby School:

1. He created and/or made publicly available one or more materials which were titled;
  - a) 'The DNA of Satan', in which he expressed and/or endorsed comments including to the effect of;
    - i. black people like me are the only people who don't have the DNA of Satan, everyone else does have the DNA of Satan, white people and LGBT people are evil.
  - b) 'DNA of the Wicked', in which he expressed and/or endorsed comments including to the effect of:
    - i. Europeans generally deny it until it becomes more apparent, that Satan has a seed;
    - ii. Those who want to dominate and to control and to have the dominion, that's the creation we're looking at, that's the offspring;
    - iii. the seed line of Satan struggles with the understanding that Satan is their father;
    - iv. the Jews the scribes and the Pharisees of his day and, by extension, the Jews, the scribes and the Pharisees of today, he's saying, "You are of your father, the Devil.";
    - v. JC, the- that person, that image of JC is in the seed line of Satan;
    - vi. the anti-Christ is going to be from the Islamic world;
    - vii. The Christians are sitting in the White House and that's the deception. They are right inside it, but their eyes are blind. That's what Christianity does. It blinds the eyes. The DNA of Satan, when it gets in, it contaminates. That is why Yah said very, clearly, don't mix. Don't mix your seed. Don't give your sons and don't take their daughters. There was a reason;

- viii. Hebrews, have you not; you cannot carry the DNA of the Wicked One, but what you could - what can happen to you is that you can become contaminated, you can become polluted, because we are living in this world. What we need to do is follow the laws. That's why Yah gave us commandments that we might be a different people, a separated people;
  - ix. what is found in the DNA of Satan. I'm gonna put it there, you know, like LGBT, like Antichrist, like a Cain, like a Esau, and what is found, in the seed line of Almighty Yah, your goodness and your faithfulness and your righteousness;
  - x. you can become infected with the seed line of Satan, walk as a Hebrew, don't walk as a gentile, walk differently.
- c) 'DNA of the Wicked Part 2', in which he expressed and/or endorsed comments including to the effect of:
- i. decided they were going to rebel against the Most High, the creator of this universe, and they came down on this Earth and they did things that were very evil and obnoxious and, today, we have got a seed line in this Earth that belong to the offsprings of those fallen ones;
  - ii. love, temperance and mercy cannot be produced by the seed of Satan, the seed line of Satan fuels all wars;
  - iii. "if you lie down with dogs, you are going to get fleas." So, if you attach yourself, like the Apostle Paul did, he joined himself to this religion called Judaism;
  - iv. You see, that is the nature of the DNA of Satan. So, when you see people on this planet being liars and deceitful and cheat, that is what they have – they're exhibiting. Yes, Hebrews can adapt this DNA. Hebrews can become infected with this virus that comes out from this seed line. If you allow yourself to be infected by this virus that comes out from this seed line, then you're going to get the same fate, Hebrews;
  - v. So the Hebrew, if you have gone astray, that this message, you can come back in line, but you do not have to continue following in the religion of Christianity or this Jew religion that these people have made up, because that is of the seed line of Satan.
- d) 'Greetings from Rome', in which he expressed and/or endorsed comments including to the effect of:

- i. care planning, order put in place to perpetuate this collective desire to keep the Hebrews in subjection, it is not a small effort, conspiracy to keep the children of Israel under cover;
  - ii. this complete orchestration, planned, strategic programme to keep the Hebrews under wraps, under cover, in subjugation;
  - iii. this is the seat of The Beast, this is the seat of the false prophet, this is everything that's gone in position to The Most High;
  - iv. lots of what we practice is deep, pagan ritual, paganism, witchcraft if you want to call it at best;
  - v. Rome has crafted a religion, Rome has crafted a system of government of the world and there's none that's parallel to this system that's been able to cultivate, manipulate, control the mind of the masses to the point where they pledge allegiance to what they don't even understand, and if they'd only understand what they are pledging allegiance to, they would be very regretful in their hearts, Hebrews this is what happened in this world in which we live.
- e) 'Standing on the Words of Yah', in which he expressed and/or endorsed comments including to the effect of:
- i. the Hebrews, the children of the Most High are those that Yah set aside for his purpose to be a light to this dark Gentile world.
- f) 'Scattered but not Lost', in which he expressed and/or endorsed comments including to the effect of:
- i. Judaism was developed to mimic the way of life of 'The Children of Israel'. It is Satan's counterfeit for the real worship of God and so are all religions;
  - ii. the 'European Jews' who went to our land in 1948 are possessed by the SPIRIT OF ESAU;
  - iii. this EVIL RELIGION CALLED JUDAISM;
  - iv. CATHOLICISM like JUDAISM is Satan's substitute for the true worship of the Almighty YAH.

2. His behaviour as may be found proven at:

- a) allegations 1a – 1e demonstrated a lack of insight into previous concerns raised and/or guidance you had been given by the School in or around October 2018;
- b) allegations 1a – 1f above demonstrated a lack of tolerance and/respect for the rights and/or beliefs of others and/or was contrary to Fundamental British Values.

Mr Headley denied the allegations (as amended) at the outset of the hearing.

## Preliminary applications

### Application to amend allegations

The presenting officer made an application to amend the wording of allegations as follows:

- Allegation 1(b)(i) from ‘Europeans generally deny it but Satan has a seed’ to ‘Europeans generally deny it until it becomes more apparent, that Satan has a seed’;
- Allegation 1(b)(ii) from ‘the seed is of those who want to dominate and control and to have dominion’ to ‘Those who want to dominate and to control and to have the dominion, that’s the creation we’re looking at, that’s the offspring’;
- Allegation 1(b)(iv) from ‘the Jews, Scribes and Pharisees of this day and, by extension the Jews, the Scribes and Pharisees of today - he is saying you are of your father, the Devil’ to ‘the Jews the scribes and the Pharisees of his day and, by extension, the Jews, the scribes and the Pharisees of today, he’s saying, “You are of your father, the Devil.”’;
- Allegation 1(b)(v) from ‘Jesus Christ is in the seed line of Satan’ to ‘JC, the- that person, that image of JC is in the seed line of Satan’;
- Allegation 1(b)(vii) from ‘Christians are sitting in the White House but their eyes are blind. That’s what Christianity does, it blinds the eyes, the DNA of Satan, when it gets in, it contaminates, that’s why you said very clearly don’t mix your seed, don’t give yours sons, don’t take the daughters, there was a reason’ to ‘The Christians are sitting in the White House and that’s the deception. They are right inside it, but their eyes are blind. That’s what Christianity does. It blinds the eyes. The DNA of Satan, when it gets in, it contaminates. That is why Yah said very, clearly, don’t mix. Don’t mix your seed. Don’t give your sons and don’t take their daughters. There was a reason’;
- Allegation 1(b)(viii) from ‘Hebrews, you cannot carry the DNA of the wicked one but what can happen to you is that you can become contaminated, polluted, because you are living in the world so follow the commandments the we might be

different people, a separated people' to 'Hebrews, have you not; you cannot carry the DNA of the Wicked One, but what you could - what can happen to you is that you can become contaminated, you can become polluted, because we are living in this world. What we need to do is follow the laws. That's why Yah gave us commandments that we might be a different people, a separated people';

- Allegation 1(b)(ix) from 'what is found in the DNA of Satan, like your LGBT, like your anti-Christ, like your Cain like your Esau and what is found in your seed line of Yah, your goodness, your faithfulness and your righteousness' to 'what is found in the DNA of Satan. I'm gonna put it there, you know, like LGBT, like Antichrist, like a Cain, like a Esau, and what is found, in the seed line of Almighty Yah, your goodness and your faithfulness and your righteousness';
- Allegation 1(c)(i) from 'fallen angels in Genesis did evil things and we today have a seed line on the Earth that belongs to these fallen ones, these being have an offspring down here' to 'decided they were going to rebel against the Most High, the creator of this universe, and they came down on this Earth and they did things that were very evil and obnoxious and, today, we have got a seed line in this Earth that belong to the offsprings of those fallen ones';
- Allegation 1(c)(iii) from 'Jewism, if you attach yourself to this religion, you will be infected' to "if you lie down with dogs, you are going to get fleas." So, if you attach yourself, like the Apostle Paul did, he joined himself to this religion called Jewism';
- Allegation 1(c)(iv) from 'Hebrews can be infected by the seed line, this is a virus, Jews, Scribes and Pharisees are the devil. When you see people on this planet, liars and deceitful and cheats. That this what they are exhibits. Hebrews can become infected by the virus' to 'You see, that is the nature of the DNA of Satan. So, when you see people on this planet being liars and deceitful and cheat, that is what they have – they're exhibiting. Yes, Hebrews can adapt this DNA. Hebrews can become infected with this virus that comes out from this seed line. If you allow yourself to be infected by this virus that comes out from this seed line, then you're going to get the same fate, Hebrews';
- Allegation 1(c)(v) from 'you do not have to continue in following Christianity or this Jew religion that people have made up because that is the seed line of Satan, it is natural for you to do everything evil, it is in your DNA to make good into evil' to 'So the Hebrew, if you have gone astray, that this message, you can come back in line, but you do not have to continue following in the religion of Christianity or this Jew religion that these people have made up, because that is of the seed line of Satan';
- Allegation 1(d)(iii) from 'this [Rome] is the seat of The Beast, this is the seat of the false prophet, this is everything that's gone in position to The Most High' to 'this is



the seat of The Beast, this is the seat of the false prophet, this is everything that's gone in position to The Most High';

- Allegation 1(f)(ii) from 'the European Jews who went to our land in 1948 are possessed by the SPIRIT OF ESAU [deemed evil]' to 'the 'European Jews' who went to our land in 1948 are possessed by the SPIRIT OF ESAU';
- Allegation 1(f)(iii) from 'this evil religion called Judaism' to 'this EVIL RELIGION CALLED JUDAISM'; and
- Allegation 1(f)(iv) from 'Catholicism, like Judaism, is Satan's substitute for the true worship of the Almighty Yah' to 'CATHOLICISM like JUDAISM is Satan's substitute for the true worship of the Almighty YAH'.

The proposed amendment further included the removal of allegation 1(b)(xi) in its entirety.

The presenting officer submitted that the original allegations were based on notes previously prepared by those involved in the various investigations and did not reflect what was actually said by the teacher in either the videos or in 'Scattered but not Lost', a book written and published by the teacher ('the Book'). The presenting officer submitted that the amended allegations accurately reflected the words spoken by the teacher and represented a fairer summary of the videos and the Book. The presenting officer submitted that the focus of the allegations had not changed, the amendments did not change the seriousness of the allegations and that it was fair to both parties that the allegations be amended to provide an accurate reflection of the content of the videos and the Book.

The teacher confirmed that he objected to the application. When asked for further details of his objections, he objected to the timing of the application in that the amendments were only sought on the first day of the hearing. However, his objections predominantly related to the facts of the allegations themselves, as opposed to specific objections to the proposed amendments. One of the teacher's objections was that he himself had pointed out typographical errors to the TRA at an early stage. However, the teacher was unable to confirm clearly on what basis he was objecting to the application, other than to object in principle to the timing of the application and denying the allegations themselves. The panel did however take his objections into consideration when deciding whether to grant the application.

The panel was advised that, pursuant to paragraph 4.56 of the April 2018 Teacher Misconduct: Disciplinary Procedures ('the 2018 Procedures'), 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.

The panel did not consider that the amendments proposed changed the nature, scope or seriousness of the allegations. The panel noted that the majority of the amendments

related to typographical changes, were sought to add emphasis or sought to clarify the exact words it was alleged were spoken by Mr Headley. Indeed, one of the changes reflected a change Mr Headley himself had requested prior to the hearing. The panel further noted that, in one instance, an allegation had been withdrawn entirely. In any event, the panel considered that there was no doubt as to the TRA's case and that Mr Headley knew the case he had to answer. The panel did not consider that the case would have been presented differently had the amendments been made at an earlier stage and therefore there was no unfairness or prejudice to Mr Headley.

#### Applications to admit additional documents

##### **Day 1**

The panel considered a preliminary application from the teacher on the first day of the hearing for the admission of additional evidence, namely:

- Witness statement of Robert Headley
- Additional bundle of teacher documents (13 pages)
- Video titled 'Witness C video in the Rokeby School'
- Video titled 'Rokeby School D & T students'
- Link to YouTube video titled 'Rokeby'

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

The presenting officer confirmed that there was no objection to the application.

The panel considered the additional evidence was relevant. Accordingly, the panel decided to admit the additional evidence.

##### **Day 4**

The panel considered an application from the teacher on the fourth day of the hearing for the admission of additional documents.

The teacher's documents were:

- An extract from the Urban Dictionary website
- An extract from a website called 'answeroll.com'
- YouTube transcript of 'Greetings from Rome'

- An extract from pages 232 and 243 from a book titled 'Christianity – Arm of Vatican Enslavement'

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

Mr Headley submitted that he wished for extracts from a book titled 'Christianity – Arm of Vatican Enslavement' and the YouTube transcript of 'Greetings from Rome' to be admitted as evidence as he wished to put forward an argument to the panel that a transcription, whilst intended to reflect words actually spoken by an individual, does not reflect what is in the mind of the individual making the statement, resulting in "*interpretation that is translation and not transcription*". Mr Headley submitted that the documents would be relevant to his argument that context is required to understand his spoken words, and that if you merely pick a line from a transcript, the result can be an incorrect interpretation.

Mr Headley submitted that the application to amend the allegations on day 1 of the hearing had necessitated this application and that this was the reason for the lateness of the application.

In respect of the other documents, Mr Headley submitted that they gave context to the video of Witness C which was admitted as evidence on day 1 of the hearing. Mr Headley submitted that the document provided an explanation of words spoken in this video, and the meaning behind those words.

The presenting officer did not object to the application (save in respect of the admission of the extracts from 'Christianity – Arm of Vatican Enslavement') other than to reserve the right to object to any unreasonable lines of questioning in due course. The presenting officer did object to the admission of 'Christianity – Arm of Vatican Enslavement' and submitted that it should have been properly disclosed. The presenting officer noted that the book was not available for purchase and submitted that Mr Headley had not been willing to provide the book for inspection at any time. The presenting officer objected on the basis that Mr Headley's attempt to rely on the documents fell foul of the 2018 Procedures. In terms of the submission that the lateness of the application was due to the late amendment of the allegations, the presenting officer submitted that the amendments to the allegations did not enhance the seriousness of the allegations and made no material difference to how Mr Headley would present his case. The presenting officer therefore did not accept Mr Headley's explanation for the late admission of the evidence in question.

The presenting officer was subsequently given the opportunity to review the extracts from 'Christianity – Arm of Vatican Enslavement' and confirmed that she had no opinion on the admission of the extracts either way.

The panel considered the additional documents may be relevant to Mr Headley's case and that the additional documents should be admitted in the interests of fairness. Accordingly, the documents were added to the bundle.

### Application for special measures

On the afternoon of day 2 of the hearing, the presenting officer made an application for special measures in respect of one of the TRA's witnesses, Witness B.

The presenting officer initially made an application to the panel that the panel make the following directions in respect of Witness B evidence:

- (1) That Witness B be permitted to give evidence via video link due to commitments on the third day of the hearing; or
- (2) If this request was not granted, that Witness B be deemed a vulnerable witness and that Mr Headley's supporter, Individual A, not be permitted to sit in the same room as Witness B. The presenting officer made this application on the basis that it had come to the presenting officer's attention that Individual A had published a book in which she purported to 'challenge the power and abuse of a [REDACTED] and their allies' and within which she named Witness B directly. It was the presenting officer's position that Witness B was, by virtue of being named in the book, a witness who complained of intimidation pursuant to paragraph 4.72 of the 2018 Procedures.

During a short adjournment, there was an incident involving Individual A and Witness B. The presenting officer alleged that Individual A photographed Witness B as she was vacating a room within the TRA's building despite warnings within the building that photography was not permitted. The presenting officer further submitted that the security personnel of the TRA's building had verified that a photograph of the witness had been taken by Individual A. The presenting officer therefore amended the application to become an application for Witness B to be treated as a vulnerable witness and that she be permitted to give evidence via video link. Further, the application requested that Individual A be seated out of the view of the camera for the duration of Witness B evidence. This was on the basis that, by virtue of the fact that Individual A had photographed Witness B and named her in her book, and on the basis that Witness B had, via the presenting officer, complained about those matters to the panel, Witness B would be a vulnerable witness pursuant to paragraph 4.72.

Mr Headley did not object to the amended application.

The panel concluded that Witness B amounted to a vulnerable witness for the purpose of paragraph 4.72 referred to above. The panel noted that Mr Headley had not objected to the application and concluded that the request for Witness B to give evidence via video link and for Individual A to be seated out of the view of the camera was a reasonable

one. The panel considered that this measure would enable Witness B to provide her best possible evidence.

## 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 12 to 13
- Section 2: Notice of proceedings and response – pages 15 to 31
- Section 3: TRA witness statements – pages 34 to 230
- Section 4: TRA documents – pages 232 to 415
- Section 5: Teacher documents – pages 417 to 558.

In addition, the panel agreed to accept the following:

- Witness statement of Robert Headley
- Additional bundle of teacher documents (13 pages)
- Video titled 'Witness C video in the Rokeby School'
- Video titled 'Rokeby School D & T students'
- Link to YouTube video titled 'Rokeby'
- An extract from the Urban Dictionary website
- An extract from a website called 'answeroll.com'
- YouTube transcript of 'Greetings from Rome'
- An extract from pages 232 and 243 from a book titled 'Christianity – Arm of Vatican Enslavement'

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.

### Witnesses

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

- Witness A [REDACTED], [REDACTED]
- Witness B [REDACTED], [REDACTED]
- Witness C [REDACTED], [REDACTED]
- Witness D [REDACTED], [REDACTED]

The panel also heard oral evidence from Mr Headley.

## 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 Headley commenced employment as a teacher at Rokeby School ('the School') on 1 September 2008.

In October 2018, Mr Headley was asked by Witness C, [REDACTED], to remove various videos from YouTube that had been filmed in what appeared to be one of the School's classrooms. One video in particular featured Mr Headley wearing an identifiable School pin badge on his lapel.

On 23 May 2019, a teacher at the School raised concerns to Witness B, [REDACTED] of the School, regarding various YouTube videos which featured and were uploaded by Mr Headley.

Mr Headley was suspended from his position at the School on 24 June 2019.

An investigation took place which concluded in July 2019. Mr Headley was interviewed as part of this investigation.

A disciplinary hearing was held on 16 July 2019 and 17 September 2019.

On 25 September 2019, Mr Headley was dismissed from his position at the School.

The School referred the matter to the TRA on 31 January 2020.

## Findings of fact

The findings of fact are as follows:

**It was alleged that Mr Headley was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Rokeby School:**

**1. He created and/or made publicly available one or more materials which were titled;**

**a) 'The DNA of Satan', in which he expressed and/or endorsed comments including to the effect of;**

- i. black people like me are the only people who don't have the DNA of Satan, everyone else does have the DNA of Satan, white people and LGBT people are evil.**

In his oral evidence, Mr Headley could not recall a video named 'The DNA of Satan'.

The presenting officer referred Mr Headley to the note of an interview of Individual B, [REDACTED], by Witness A, [REDACTED], along with the witness statement of Individual B in which she alleged that she had watched a video titled 'The DNA of Satan' and that there were two comments beneath the video that referred to 'Mr Headley'. The presenting officer submitted that Witness B, [REDACTED], viewed the video. Witness B evidence was that she had watched 'snippets' of, but not all of, the videos referred to within the allegations. Mr Headley reiterated during cross-examination that he could not recall a video titled 'DNA of Satan'.

The panel noted that Individual B was not called by the TRA to give oral evidence and further noted that there was no documentary evidence (such as screenshots or YouTube links) to prove the existence or otherwise of this video.

The panel was not provided with footage or a transcript of a video titled 'The DNA of Satan' and was therefore unable to determine whether the alleged comment was made.

The panel therefore found allegation 1(a) not proven.

**b) The 'DNA of the Wicked', in which he expressed and/or endorsed comments including to the effect of:**

- i. Europeans generally deny it until it becomes more apparent, that Satan has a seed;**
- ii. Those who want to dominate and to control and to have the dominion, that's the creation we're looking at, that's the offspring;**
- iii. the seed line of Satan struggles with the understanding that Satan is their father;**
- iv. the Jews the scribes and the Pharisees of his day and, by extension, the Jews, the scribes and the Pharisees of today, he's saying, "You are of your father, the Devil.";**
- v. JC, the- that person, that image of JC is in the seed line of Satan;**

- vi. **the anti-Christ is going to be from the Islamic world;**
- vii. **The Christians are sitting in the White House and that's the deception. They are right inside it, but their eyes are blind. That's what Christianity does. It blinds the eyes. The DNA of Satan, when it gets in, it contaminates. That is why Yah said very, clearly, don't mix. Don't mix your seed. Don't give your sons and don't take their daughters. There was a reason;**
- viii. **Hebrews, have you not; you cannot carry the DNA of the Wicked One, but what you could - what can happen to you is that you can become contaminated, you can become polluted, because we are living in this world. What we need to do is follow the laws. That's why Yah gave us commandments that we might be a different people, a separated people;**
- ix. **what is found in the DNA of Satan. I'm gonna put it there, you know, like LGBT, like Antichrist, like a Cain, like a Esau, and what is found, in the seed line of Almighty Yah, your goodness and your faithfulness and your righteousness;**
- x. **you can become infected with the seed line of Satan, walk as a Hebrew, don't walk as a gentile, walk differently.**

The panel viewed the video 'DNA of the Wicked', which was undated. The panel was also provided with a transcript of the video.

This was a video of Mr Headley speaking to the camera. The panel noted that the video and the transcript contained the following comments:

- Allegation 1(b)(i) – *“Europeans generally deny it until it becomes more apparent that, erm, Satah has a seed...”*
- Allegation 1(b)(ii) – *“Those who want to dominate and to control and to have the dominion, that's the creation we're looking at, that's the offspring...”*
- Allegation 1(b)(iii) – *“So, the seed line of Satan struggle with understanding that Satan is their father.”*
- Allegation 1(b)(iv) – *“...the Jews, the scribes and the Pharisees of his day and, by extension, the Jews, the scribes and the Pharisees of today, he's saying, “You are of your father, the Devil.”*
- Allegation 1(b)(v) – *“...JC, the— that person, that image of JC is in the seed line of Satan.”*
- Allegation 1(b)(vi) – *“There is a teaching on the internet that say [sic] oh, the— the— the, erm, the s— the Antichrist is going to be, erm, a man from, erm, the— the Islamic world.”*
- Allegation 1(b)(vii) – *“The Christians are sitting in the White House and that's the deception. They are right inside it, but their eyes are blind. That's what Christianity*



*does. It blinds the eyes. The DNA of Satan, when it gets in, it contaminates. That is why Yah said very, clearly, don't mix. Don't mix your seed. Don't give your sons and don't take their daughters. There was a reason."*

- Allegation 1(b)(viii) – *"Hebrews, you have not; you cannot carry the DNA of the Wicked One, but what you could— what can happen to you is that you can become contaminated, you can become polluted, because we are living in this world. What we need to do is follow the laws. That's why Yah gave us commandments that we might be a different people, a separated people, and that is what I wanted to talk about today."*
- Allegation 1(b)(ix) – *"I'm gonna come back and deal with this in a very shorter video, just highlighting the point of what is found in the DNA of Satan. I'm gonna put it there, you know, like LGBT, like Antichrist, like a Cain, like a [sic] Esau, erm, and what is found, erm, in the seed line of Almighty Yah, your goodness and your faithfulness and your righteousness."*
- Allegation 1(b)(x) – *"You can be infected by the seed line of Satan. You are Hebrew. Walk as a Hebrew. Don't walk as a Gentile. Walk differently."*

At the outset of the hearing, Mr Headley denied allegations 1(b)(i) to 1(b)(x). However, during his oral evidence, Mr Headley admitted that these were statements spoken by him in the video 'DNA of the Wicked' but should be read in line with the relevant context, which he explained as follows:

#### Allegation 1(b)(i)

Mr Headley submitted that he was analysing a specific video of a European presenter on the topic of Satan having a seed.

#### Allegation 1(b)(ii)

Mr Headley submitted that this was a religious analogy. Mr Headley submitted that Satan is the god of this world. Satan is seeking to exercise control or influence over the earth and people. Mr Headley submitted that this is what the Bible says.

#### Allegation 1(b)(iii)

Mr Headley submitted that this was an observation about doing wrong or sinning as defined in the Bible. Mr Headley believes that the Bible states that he who commits sin is of the devil. Mr Headley referred to John 3:9 – *"Whosoever is born of God doth not commit sin; for his seed remaineth in him: and he cannot sin, because he is born of God."*

#### Allegation 1(b)(iv)

Mr Headley referred to John 8:44. Mr Headley submitted that the religious analogy was that there are good and evil people in every group, and that to suggest otherwise is

disingenuous. Mr Headley submitted that this was the religious context. Mr Headley further submitted that he did not say Jews are 'evil'.

Allegation 1(b)(v)

Mr Headley submitted that this was a religious analogy relating to the fact that Mr Headley believes that the Jews of the Bible (of which King Herod was their reigning monarch) have no relation biologically or ethnically with the European Jews of today, other than that European Jews converted to their religious practices.

Allegation 1(b)(vi)

Mr Headley submitted that the full quote read "*There is a teaching on the internet saying the anti-Christ is going to be... a man... from the Islamic world*" and that he was repeating the teachings of others.

Allegation 1(b)(vii)

Mr Headley submitted that the meaning behind this statement is that Satan was 'misguiding' Christians in the White House. Mr Headley reflected that this statement was made during the presidency of Donald Trump, who he believes appointed Christian advisers.

During cross-examination, Mr Headley submitted that world leaders can skilfully manipulate politics to their own end. Mr Headley accepted that this was a controversial view. Mr Headley agreed that there are good people of all races, religions and sexuality and accepted that there was a difference between saying "*we have a difference of opinion*" and using offensive language. However, it was Mr Headley's view that he had the right to express his views, but that he now tempers these views and the way he expresses them.

Allegation 1(b)(viii)

Mr Headley submitted that, when making this comment, he was informing 'Hebrews' that they can become contaminated by the DNA of Satan.

Mr Headley was asked whether he was insinuating that people who do not live how he lives are not good enough. Mr Headley said that this was not the case, he meant that these people are not as good as the Bible said they should be.

Allegation 1(b)(ix)

Mr Headley submitted that he was talking about the 'alphabet organisations' that should be separated from the primary issues. Mr Headley submitted that he doesn't support the LGBT movement, but is not against gay people, even though the Bible says that a man should not lie with another man as he would a woman. Mr Headley referred to the Book of Leviticus.

Mr Headley submitted that he would offend gay people just by virtue of reading from the Bible. However, Mr Headley submitted that he was supportive of gay people as individuals (including colleagues and students). Mr Headley submitted that his wife had helped to make the School a Stonewall 'Champion' (a diversity programme) and had helped to put up photographs in the School, and even made t-shirts.

Mr Headley commented that he can separate individual gay people from the LGBT 'movement'. Mr Headley stated that he did not need to "connect them".

In cross-examination, Mr Headley was referred to a passage in the Book which stated the following:

*"The Bible states that Esau the older of the twins was a 'cunning' hunter and a man of the field. God wanted us to understand some of the qualities in this older son or head of family. It was these qualities that would later define or mark his descendants.*

*The meaning of 'cunning' seems to suggest – sly, wily, crafty, sneaky, shrewd, arch and scheming.*

*Those words tell us about the character of Esau and his descendants. They are; clever, devious, underhanded, and tricky, mean, shifty, smart, curve, bend, hollow, calculating and conniving. Those are Esau's qualities that are derived from the word **CUNNING**."*

It was submitted that Mr Headley, by virtue of the comment at allegation 1(b)(ix), was linking the LGBT community to his interpretation of 'Esau'. It was submitted that any reasonable person, having considered Mr Headley's explanation of the character of Esau, would infer negative connotations from the connection between Esau and the LGBT community.

Mr Headley's response was that there was a lack of understanding in respect of the biblical context. Mr Headley referred to Esau and Jacob being biological brothers who shared the same seed line but walked different paths.

#### Allegation 1(b)(x)

Mr Headley submitted that this was a religious analogy in that he believes you can become contaminated if you do not "walk according to the Bible". Mr Headley submitted that it was his belief that 'Hebrews' can become infected by the seed line of Satan, that Satan represents sin and that the Bible urges us not to sin.

Mr Headley stated that the context of this comment was that it was a biblical conversation.

The panel considered the evidence presented to it and was satisfied that Mr Headley made the comments he was alleged to have made in the video. The panel found allegation 1(b) proven.

**c) 'DNA of the Wicked Part 2', in which he expressed and/or endorsed comments including to the effect of:**

- i. decided they were going to rebel against the Most High, the creator of this universe, and they came down on this Earth and they did things that were very evil and obnoxious and, today, we have got a seed line in this Earth that belong to the offsprings of those fallen ones;**
- ii. love, temperance and mercy cannot be produced by the seed of Satan, the seed line of Satan fuels all wars;**
- iii. "if you lie down with dogs, you are going to get fleas." So, if you attach yourself, like the Apostle Paul did, he joined himself to this religion called Judaism;**
- iv. You see, that is the nature of the DNA of Satan. So, when you see people on this planet being liars and deceitful and cheat, that is what they have – they're exhibiting. Yes, Hebrews can adapt this DNA. Hebrews can become infected with this virus that comes out from this seed line. If you allow yourself to be infected by this virus that comes out from this seed line, then you're going to get the same fate, Hebrews;**
- v. So the Hebrew, if you have gone astray, that this message, you can come back in line, but you do not have to continue following in the religion of Christianity or this Jew religion that these people have made up, because that is of the seed line of Satan.**

The panel viewed the video 'DNA of the Wicked Part 2', which was undated. The panel was also provided with a transcript of the video.

This was a video of Mr Headley speaking to the camera. The panel noted that the video and the transcript contained the following comments:

- Allegation 1(c)(i) – *"...angels decided they were going to rebel against the Most High, the creator of this universe, and they came down on this Earth and they did things that were very evil and obnoxious, and, today, we have got a seed line in this Earth that belong [sic] to the offsprings [sic] of those fallen ones."*
- Allegation 1(c)(ii) – *"...love and temperance and mercy; those fruits belong to the Hebrews, this is the seed line that is of Yah that produces those fruits, you see?" and "...the seed line of Satan that is continuing to rule this world today, and is continuing to foment all the evil and the wars and the strife on this planet."*

- Allegation 1(c)(iii) – *“If you lie down with dogs, you are going to get fleas.” So, if you attach yourself, like the Apostle Paul did, he joined himself to this religion called Jewism. I’m not calling it Judah. Judah or Yehuda is our ancestor. Jewism is the religion that these Jews, scribes and Pharisees, erm, adapted that came out from Babylon — you see? — and is practised up to this day.”*
- Allegation 1(c)(iv) – *“You see, that is the nature of the DNA of Satan. So, when you see people on this planet being liars and deceitful and cheat [sic], that is what they have egg— they’re exhibiting. Yes, Hebrews can adapt this DNA. Hebrews can become in— infected with this virus that comes out from this— this— this seed line. If you allow yourself to be infected by this virus that comes out from this seed line, then you’re going to get the same fate, Hebrews.”*
- Allegation 1(c)(v) – *“So the Hebrew, if you have gone astray, take this message, you can come back in line, but you do not have to continue following in the religion of Christianity or this Jewish— this Jew— Jew— Jew religion that these people have made up, because that is of the seed line of Satan.”*

At the outset of the hearing, Mr Headley denied allegations 1(c)(i) to 1(c)(v). However, during his oral evidence, Mr Headley admitted that these were statements spoken by him in the video ‘DNA of the Wicked Part 2’ but should be read in line with the relevant context, which he explained as follows:

#### Allegation 1(c)(i)

Mr Headley submitted that he was quoting the Bible directly. Mr Headley referred to the Book of Genesis.

Mr Headley acknowledged during cross-examination that, if he were to ‘link’ certain people or communities with what he says is evil and obnoxious, this link could be offensive to those communities.

Mr Headley did not consider that this was inappropriate as he submitted that the religious community would know that he is referring to a factual event recorded in the Bible.

#### Allegation 1(c)(ii)

Mr Headley submitted that this is the Bible saying that Satan is the author of everything that is evil. Mr Headley submitted that this was a Bible quote and/or analogy.

Mr Headley admitted during cross-examination that he was separating the ‘good’ and the ‘bad’. Mr Headley submitted that the Bible is the premise of all of his views; if the Bible calls something evil, that is what he will call it.

#### Allegation 1(c)(iii) and 1(c)(iv)

Mr Headley submitted that the two allegations related to the same issue. He submitted that the reference to laying down with dogs was a direct quotation.

Mr Headley submitted that these comments pertained to a deep religious debate and that he could not understand why any child at the School would be interested in this 'teaching'.

Mr Headley submitted that, by making this comment, he was being 'factual'. He acknowledged that it was an unpleasant comparator and that he was using something negative and comparing it in a critical way with another religion. He conceded that this could be offensive to some people.

#### Allegation 1(c)(v)

Mr Headley submitted that, in respect of this allegation, he was referring to the religion of Christianity and the religion of the Jews. This is because he felt that those who came over by virtue of the 'transatlantic slave trade' are becoming part of Christianity and converting to Judaism. Mr Headley did not believe that this is the direction they should be moving in; he was telling them not to follow Christianity.

Mr Headley submitted that he believes that people have 'made up' religions and that the Romans used Christianity to control people. Mr Headley submitted that, when using the phrase "we", he is referring to the people that came out of the transatlantic slave trade from the continent of Africa. Mr Headley submitted that certain people become attached to religions very easily, and that he wanted to bring people away from that religious connection.

During cross-examination, Mr Headley conceded that this comment belittles the beliefs of those who follow Christianity and those who follow Judaism. It was suggested that the use of the words "*this Jew religion*" was to belittle the religion itself; Mr Headley's response was to state that he had said made the same overall comments in respect of Christianity.

Mr Headley conceded that this could be offensive.

The panel considered the evidence presented to it and was satisfied that Mr Headley made the comments he was alleged to have made in the video. The panel found allegation 1(c) proven.

#### **d) 'Greetings from Rome', in which you expressed and/or endorsed comments including to the effect of:**

- i. **care planning, order put in place to perpetuate this collective desire to keep the Hebrews in subjection, it is not a small effort, conspiracy to keep the children of Israel under cover;**
- ii. **this complete orchestration, planned, strategic programme to keep the Hebrews under wraps, under cover, in subjugation;**
- iii. **this is the seat of The Beast, this is the seat of the false prophet, this is everything that's gone in position to The Most High;**
- iv. **lots of what we practice is deep, pagan ritual, paganism, witchcraft if you want to call it at best;**
- v. **Rome has crafted a religion, Rome has crafted a system of government of the world and there's none that's parallel to this system that's been able to cultivate, manipulate, control the mind of the masses to the point where they pledge allegiance to what they don't even understand, and if they'd only understand what they are pledging allegiance to, they would be very regretful in their hearts, Hebrews this is what happened in this world in which we live.**

The panel viewed the video 'Greetings from Rome', which was undated. The panel was also provided with a transcript of the video.

This was a video of Mr Headley speaking to the camera. The panel noted that the video and the transcript contained the following comments:

- Allegation 1(d)(i) – *“this experience has erm opened up my eyes to so much more than we could ever imagine, the care and the planning and the order that has been put in place to perpetuate this collective desire to keep the Hebrews in subjection”*.
- Allegation 1(d)(ii) – *“If you continue to be d— erm, segregated and divided in that manner, we can never overcome this order, this complete orchestration, plan, strategic erm, programme to keep the Hebrews under wraps, under cover, in subjection”*. The panel noted that the word “subjection” was noted as “subjugation” within allegation 1(d)(ii), however did not consider that this materially changed the nature of the comment made.
- Allegation 1(d)(iii) – *“This is the seat of the beast; this is the seat of the false prophet. This is the seat of everything that has gone in opposition to the Most High”*. The panel's comments in respect of allegation 1(d)(iii) are set out below.
- Allegation 1(d)(iv) – *“Being here has opened my eyes to the fact that lots of what we practice is deep pagan ritual paganism, witchcraft if you wanna call it at best...”*
- Allegation 1(d)(v) – *“Rome has crafted a religion. Rome has crafted a system of government of the world and is not erm, it's not— there is none that is parallel to this system that has been able to cultivate, manipulate, control the mind of the masses to the point where they pl— pledge allegiance to what they don't even*

*understand and if they only understand what they are pledging allegiance to, they will be very regretful in their hearts. For Hebrews, this is what has happened in this word in which we live and the earlier we recognise who we are as people the h—the earlier we recognise who Yah is...”*

At the outset of the hearing, Mr Headley denied allegations 1(d)(i) to 1(d)(v). However, during his oral evidence, Mr Headley admitted that these were statements spoken by him in the video ‘Greetings from Rome’ but should be read in line with the relevant context, which he explained as follows:

Allegation 1(d)(i), 1(d)(ii), 1(d)(iv)

Mr Headley submitted that the video was taken during a visit to Rome. Mr Headley stated that the division of Africa into countries was part of a process supervised by the Catholic Church in 1844.

Mr Headley submitted that he was discussing a system that he believed was crafted and organised, and that this is what he saw in Rome. Mr Headley referred to Emperor Nero, who he believed used the religion of Christianity to bring people into order.

Mr Headley stated again that he believes religions are “*made up*”. Mr Headley referred to The Book of Genesis.

Mr Headley submitted that the overall context was that this was a religious conversation about religion and control.

Allegation 1(d)(iii)

During his evidence, Mr Headley submitted that the wording was not an accurate reflection of the words spoken by him in the video to which this allegation relates. Mr Headley submitted that the words spoken were (emphasis added) “...*this is everything that’s gone in **opposition** to the Most High...*” and not “**position**”.

The panel considered the video footage and agreed that the wording of the allegation did not accurately reflect the words spoken by Mr Headley. The panel considered that the words “opposition” and “position” had entirely different meanings, and that this materially changed the context of the comment made by Mr Headley. As such, the panel found allegation 1(d)(iii) not proven.

Allegation 1(d)(v)

Mr Headley submitted that this was a religious conversation.



During cross-examination, and during a discussion in respect of this particular allegation, Mr Headley stated that he would not describe the video as an “attack” on Christianity, but a strong opinion, given the ‘history’. Mr Headley did not accept that to refer to Christianity as “deep pagan witchcraft” was offensive; Mr Headley commented that, in fact, it was offensive to drink blood, referring to the Eucharist.

The panel considered the evidence presented to it and was satisfied that Mr Headley made the comments he was alleged to have made in the video (save in respect of allegation 1(d)(iii)). The panel found allegations 1(d)(i), 1(d)(ii), 1(d)(iv) and 1(d)(v) proven. For the reasons outlined above, the panel found allegation 1(d)(iii) not proven.

**e) ‘Standing on the Words of Yah’, in which you expressed and/or endorsed comments including to the effect of:**

- i. the Hebrews, the children of the Most High are those that Yah set aside for his purpose to be a light to this dark Gentile world.**

The panel was not provided with a copy of the video or a transcript of the video. As such, the panel was unable to verify that this video contained the statement made at allegation 1(e)(i).

However, the panel was provided with documentary evidence consisting of detailed notes prepared following the viewing of this video by Witness A.

The panel further noted that, whilst Mr Headley denied allegation 1(e) at the outset of the hearing, Mr Headley later admitted during his oral evidence that he had spoken these words during this video but that the comments should be read in line with the relevant context.

In respect of the context, Mr Headley submitted that this was a biblical analogy; the Messiah was saying that those who believed in what he was saying were the light of the world, and that the light will shine guidance to those who do not believe. Mr Headley referred to this being his interpretation of Isaiah 42:6 and Matthew 5:14.

Mr Headley submitted during cross-examination that he identified the ‘Hebrews’ as those who had ‘woken up’ to the idea of who they are.

The panel considered the evidence presented to it and was satisfied that, on the balance of probabilities, Mr Headley had made the comment he was alleged to have made in the video. The panel found allegation 1(e) proven.

**f) ‘Scattered but not Lost’, in which you expressed and/or endorsed comments including to the effect of:**

- i. **Judaism was developed to mimic the way of life of ‘The Children of Israel’. It is Satan’s counterfeit for the real worship of God and so are all religions;**
- ii. **the ‘European Jews’ who went to our land in 1948 are possessed by the SPIRIT OF ESAU;**
- iii. **this EVIL RELIGION CALLED JUDAISM;**
- iv. **CATHOLICISM like JUDAISM is Satan’s substitute for the true worship of the Almighty YAH.**

The panel was provided with a physical copy of the Book which was titled ‘Scattered but not Lost’ written by Mr Headley and published in 2013.

The panel was directed to the relevant pages of the Book by the presenting officer and noted that:

- (1) Page 68 contained the following passage: *“Judaism was developed to mimic the way of life of ‘The Children of Israel’. It is Satan’s counterfeit for the real worship of God and so are all religions”*
- (2) Page 73 contained the following passage: *“the ‘European Jews’ who went to our land in 1948 are possessed by the SPIRIT OF ESAU”*
- (3) Page 111 contained the following passage: *“this EVIL RELIGION CALLED JUDAISM”*
- (4) Page 112 contained the following passage: *“CATHOLICISM like JUDAISM is Satan’s substitute for the true worship of the Almighty YAH”.*

At the outset of the hearing, Mr Headley denied allegations 1(f)(i) to 1(f)(iv). However, during his oral evidence, Mr Headley admitted that these were statements written by him, but should be read in line with the relevant context, details of which are set out below.

#### Allegation 1(f)(i)

Mr Headley submitted that religions are put in place to manage the people under a Kingdom. Mr Headley submitted that the true worship of the Creator was not set up to manage in the way that religion is now, which he referred to as political control.

Mr Headley submitted that religion, including Judaism and Islam, are religions that have been developed. Mr Headley submitted that he believed that all religions are Satan’s counterfeit for the real worship of God.

During cross-examination, Mr Headley admitted that his comments reflected a negative view of Judaism. It was Mr Headley's belief that Judaism was a religion that 'Hebrews' should not follow. Mr Headley admitted that this comment could be deemed offensive.

#### Allegation (f)(ii)

Mr Headley's submissions in respect of the context of this comment related to the geographical location of the 'holy' or 'biblical' land. Mr Headley submitted that, at the time he wrote the book, he believed that, when people spoke of Jerusalem, they were talking about the Jerusalem located in the North East of Africa. Mr Headley referred to that fact that the Quran and the Torah all 'point' to the land where Israel was created in 1948.

During cross-examination, Mr Headley submitted that he needed to apologise for this statement. This apology was on the basis that the land of 1948 is in a different location to where he previously believed it was located.

The presenting officer submitted that Mr Headley had been clear that Esau is 'negative', and that this quote links Jews to negative traits. Mr Headley was referred to a passage within the Book which stated:

*"It is this same religion of Esau which is being practised today by 'European Jews'. This form of Jewry is just as deceptive and destructive as it was then."*

Mr Headley's said that it was the practise of Esau that saw the murder of all children aged two years and under. When asked if he accepted that there are things that happened in the past that people do not live their lives by today, Mr Headley stated that if we forget the past, we will make mistakes in the future.

Mr Headley was referred to a further passage within the Book which stated:

*"Judaism has been able to deceive nearly the whole world, but not the elect of 'YAH' (who the nation called God)."*

Mr Headley admitted that he was referring to what was good and what was bad but submitted that he also included Christianity within this view.

#### Allegation 1(f)(iii)

Mr Headley submitted that this referred to King Herod. Mr Headley referred to his belief that, when the wise men did not return to King Herod, he was advised that what he needed to do was murder all children aged two years and under. Mr Headley submitted that this was in the Bible.

Mr Headley submitted that, overall, this was taken out of context; the quote was about King Herod.

Mr Headley did not accept that he was openly comparing Judaism as a whole to that which was evil.

Mr Headley did not accept that he was openly comparing Judaism to Satan, submitting that this had also been taken out of context.

#### Allegation 1(f)(iv)

Mr Headley submitted that this was a religious analogy; the worship of God does not require a religion, and, conversely, religion distracts from the worship of the Creator.

During cross-examination, Mr Headley accepted that, at multiple points within the Book, he compared Jews to the devil. However, Mr Headley submitted that this also included Christians and any 'Hebrew' who chooses to walk in the wrong direction.

Mr Headley submitted that the language used was religious language used to bring about provocative thought and re-education.

Mr Headley was referred to a further passage within the Book which stated:

*“Some hoist the Jewish Flag but don’t even understand the meaning of the hexagram on the Jewish flag. If you look at it closely you will be able to count 6 points, 6 triangles and the 6 sides of the hexagon (666).”*

Mr Headley did not accept that this was offensive; Mr Headley submitted that it was strong language, religious conversation and eschatological conversation.

Mr Headley submitted that he did not use the universal sign of the devil ('666') when referring to the flag, but, on further questioning, acknowledged that reference to '666' is in the Bible as reference to the devil.

It was Mr Headley's position that his reference to '666' related to his views about the flag and its relation to King David; he does not think that the symbol has anything to do with King David.

On examination of the Book and the other evidence before the panel, the panel was satisfied that Mr Headley had made the comments he was alleged to have made in the Book. The panel found allegation 1(f) proven.

## **2. Your behaviour as may be found proven at:**

**a) allegations 1a – 1e demonstrated a lack of insight into previous concerns raised and/or guidance you had been given by the School in or around October 2018;**

The panel considered the witness statement and oral evidence from Witness C, [REDACTED]. Witness C stated that, in 2018 she had been instructed to look into concerns that had been raised that Mr Headley had uploaded YouTube videos made on School premises and that the Rokeby logo was identifiable in these videos. Additionally, Witness C noted that a 'safeguarding' poster was identifiable within one of the videos, and that it caught her attention because it featured her own image.

Witness C stated that she explained to Mr Headley that personal videos and beliefs should not be linked to the School, and that, although he was entitled to his personal opinion, the School could not be seen to be promoting one religious belief over another. Witness C confirmed that she did not directly challenge Mr Headley about the content of his videos at that time.

Witness C asked Mr Headley not to make any further videos from the School premises and informed him that future videos must not contain anything relating to the School. She asked him to remove any current videos which did identify the School. It was Witness C evidence that he did so, although not immediately.

Witness C submitted that she informed Mr Headley that any further breaches of the relevant policies (including the IT policy) may result in further action.

Witness C confirmed that the notes of the interview with Witness A accurately reflect what was spoken during the interview. Witness C was asked to confirm how she accessed the videos in October 2018 and confirmed that she had performed an online search of Mr Headley's name and 'YouTube'. Witness C found that she typed in Mr Headley's name and there was no restriction that made the videos more difficult to access.

Witness C gave evidence in respect of cards written by students that had been part of Mr Headley's D&T group. Witness C submitted that one card stated "please subscribe" and another said "subscribe" with a drawing of the YouTube logo. It was Witness C's evidence that the comments by these two pupils alluded to them having viewed Mr Headley's videos on his YouTube channel. However, whilst the panel accepted that this indicated pupils were aware of YouTube as a platform, the panel did not accept that this was conclusive evidence that these two pupils were aware of Mr Headley's YouTube channel.

The panel considered the witness statement and oral evidence of Witness B.

Witness B submitted that, in 2018, it came to her attention that Mr Headley had posted various videos on YouTube that were filmed in a classroom at the School and featured Mr Headley wearing an identifiable School pin badge on his lapel. Witness B also stated

that the School is committed to equality and inclusion which is confirmed in various policies including the vision and values statements, the equalities policy, the safeguarding policy and the ICT guidelines and acceptable use policy.

Witness B explained that every September, staff are asked to read, refresh and understand the School's ICT guidelines and acceptable use agreement, email protocol and 'how to keep personal data safe' guidance. Mr Headley signed to confirm he had read and understood this in 2015, 2017 and 2018. Evidence was provided to the panel that Mr Headley also signed the School's child protection and safeguarding policy and attended safeguarding training in 2015 and 2017. Witness B stated that during the 2018/2019 academic year Mr Headley participated in 'preventing radicalisation' training.

Witness B confirmed that, to the best of her knowledge, Mr Headley complied with the instructions given to him by Witness C in October 2018.

The panel noted the witness statement and oral evidence of Mr Headley.

Mr Headley suggested that the School had failed him by not informing him in 2018 that there was an issue with the expression of his personal views on YouTube videos. It was Mr Headley's position that any reasonable employer should have told him that what he was doing was wrong.

In respect of allegation 2(a), the panel considered the evidence provided to it. It was the panel's view that, in 2018, the only guidance given to Mr Headley was that any videos should not be filmed in the School, that any videos should not identify the School and that no further videos should be filmed with these guidelines in mind. The panel did not find that Mr Headley was explicitly warned in respect of the content of his videos, nor was he told not to express his beliefs using this media (or any other media) moving forward.

The panel did not consider that Mr Headley was issued with any formal warning in relation to the videos of 2018, nor explicitly redirected to the School's policies at this time.

The panel noted that there was no evidence that any of the videos to which these allegations relate were filmed on School premises or identified the School. As such, the panel did not consider that Mr Headley's actions demonstrated a lack of insight into previous concerns raised and/or guidance given by the School, particularly given the limited nature of that guidance.

The panel therefore found allegation 2(a) not proven.

**b) allegations 1a – 1f above demonstrated a lack of tolerance and/respect for the rights and/or beliefs of others and/or was contrary to Fundamental British Values.**

The panel noted the witness statement and oral evidence of Witness A who describes herself as an [REDACTED].

Witness A submitted that she was contacted by Witness B to act as an [REDACTED] into a complaint raised by Witness D, [REDACTED] at the School, regarding the content of videos posted on YouTube by Mr Headley. Witness D had raised concerns in respect of the content of the videos. Witness A submitted that the purpose of the investigation was to establish whether there had been any wrongdoing and if the matters referred were true or, in her reasonable opinion, on the balance of probabilities, likely to be true.

Witness A explained that she undertook a careful review of a sample of the videos posted on YouTube titled '*DNA of the Wicked*', '*DNA of the Wicked Part 2*' and '*Greetings from Rome*'.

Witness A stated that she undertook a review of the Book which was available on, and purchased from, Amazon.

Witness A submitted that, as part of her investigation, she interviewed various members of staff and four pupils, Pupil A, Pupil B, Pupil C and Pupil D.

The panel considered the notes of all of the interviews. Within the notes, it was stated by Pupil A that Mr Headley would talk about Bible stories, by Pupil B that lots of pupils in Year 9 knew about Mr Headley's YouTube channel and by Pupil C and Pupil D that, amongst other things, Mr Headley would talk about fallen angels.

The panel noted that two of the staff members interviewed, along with Pupil A, Pupil B, Pupil C and Pupil D, were not asked to provide a formal written statement, nor called to give oral evidence. The panel was therefore unable to verify the accuracy of the notes of these interviews.

During cross-examination, [REDACTED] was asked how the views of Mr Headley in his videos and the Book aligned to the values of the School from a spiritual, moral, social and cultural perspective. Witness A stated that she believes people are entitled to their own views and to follow their own religion, but she had concluded that Mr Headley made inappropriate statements, which in her view were anti-Semitic, anti-Islamic, anti-White European and homophobic.

It was Witness B's view that the videos were not appropriate as they did not demonstrate respect and tolerance. Witness B found the videos to be derogatory to the LGBT community (amongst others).

Regarding the parts of the videos she saw in 2019, Witness B's evidence was that if comments such as those, which were being articulated by a teacher and person in a position of responsibility, were seen by pupils, the comments may be influential. Witness B was concerned that these comments were made by a teacher who pupils will look up to and whose opinions students would listen to. Witness B felt that it would be harmful for a young person or adult to listen to such views.

Witness B was asked by Mr Headley whether she thought that individuals have the 'right to offend'. Witness B confirmed that she did not believe this was the case. Witness B was questioned by Mr Headley in respect of a concern Mr Headley raised [REDACTED]. Witness B submitted that she treated Mr Headley's complaint seriously. It was Witness B's evidence that an anonymous complaint was made [REDACTED] in relation to this issue, but that an independent investigator attended the School during 2019 and found no justification for the complaint; Witness B evidence was that the School was exonerated. The panel noted that it was not provided with clear documentary evidence either in support of or against this assertion.

Witness B confirmed that she did not recall that Mr Headley had ever previously been subjected to disciplinary action, that no parent, teacher, student or member of the public raised concerns about the content of the videos and the Book prior to May 2019, and that Mr Headley had never discriminated against her in any form whilst he was employed at the School. Witness B further confirmed that she had no particular concerns about Mr Headley's teaching ability.

Witness B was asked by Mr Headley whether she had influenced any of the witnesses in his case. Witness B confirmed that she had not.

The panel noted the witness statement and oral evidence of Witness D, [REDACTED]. Witness D explained the School had a strong commitment to equality, diversity, dignity and respect for all.

Witness D stated that she viewed the videos on 19 May 2019, emailed her concerns to Witness B on 23 May 2019 and had an interview with Witness A on 6 June 2019. During cross-examination, Mr Headley raised issues with alleged inconsistencies in respect of the date Witness D stated she viewed the videos. Mr Headley alleged that Witness D had, on a separate occasion and under oath, stated she viewed the videos on 11 May 2019. The panel noted that this date was referred to in the documentary evidence within the bundle provided to it. However, the panel concluded that, on the balance of probabilities, and given Witness D's clear evidence that she had viewed the videos on the Sunday prior to her reporting her concerns (19 May 2019), Witness D viewed the videos on 19 May 2019.

During cross-examination, Witness D confirmed that she was not specifically looking for videos from Mr Headley when she came across and subsequently watched the video titled 'DNA of the Wicked'. It was Witness D's evidence that the video came up as a 'suggested' video.

Witness D submitted that Mr Headley took part in safeguarding training each year which included training for staff on managing social media.

Witness D described her emotional response to viewing the videos, describing herself as 'livid'. Witness D described herself as distressed, upset and saddened to see a member of staff saying what she deemed to be derogatory, divisive and hateful things about the



LGBT and Christian communities on a public platform. Witness D described the views as contradictory to the School's values and that she found the comments to be offensive, particularly what she considered to be a claim that members of these communities were descended from Satan. Witness D found the content to be intolerant of her own beliefs.

As set out above, Mr Headley emailed Witness B with the [REDACTED] Complaint on or around 22 May 2019. [REDACTED].

Mr Headley submitted that no child at the School had complained about the videos, and that indeed no child at the School would be interested in the videos. Mr Headley's evidence was that children of the School were not the intended audience for the videos or the Book, and that, in respect of access to videos, he ensured that all videos he uploaded, due to the "*provocative*" nature of the same, were marked as 'not for kids'. Mr Headley explained that he had a duty as a YouTube creator to tick the 'not for kids' box, meaning that the videos could not be marketed to children by YouTube. Mr Headley submitted that, in order for a child to view the video, a child must have done something 'illegal' such as accessing the video using a parental account or lying about their age. However, Mr Headley did later admit that many children knew ways to get around these constraints and did so regularly. Mr Headley further admitted that he did not apply any other 'privacy' settings to these videos, for example, so that only subscribers could view them. Mr Headley admitted that it would be possible for anyone to view the videos, and that the 'not for kids' box related to the marketing of the videos to children, not necessarily the viewing of the videos.

During his oral evidence, Mr Headley raised concerns regarding an alleged discrepancy between the number of views it is alleged one of his YouTube videos had received and the number of views indicated during a historic investigation (approximately 17,500 views). Mr Headley submitted that the actual number of views was 17. Mr Headley went further to address the panel on statistics relating to length of time a video is viewed and the age of the viewers. However, the panel did not consider any of these points to be relevant to its decision. It was the panel's view that, given the content of the various videos, the mere fact that such a video was publicly available could result in significant harm. It was the panel's view that a single view may be sufficient to cause suffering and distress, either directly or indirectly, and therefore Mr Headley's argument was not accepted.

Further, Mr Headley alleged that the primary reason that Witness D viewed the videos which form the part of these allegations was that Mr Headley had submitted the [REDACTED] Complaint. Mr Headley's evidence was that, as he submitted the [REDACTED] Complaint, he had to be "*silenced*". Mr Headley submitted that the timing of Witness D's viewing of the videos was suspiciously soon after he had raised his concerns (Witness D's complaint being made on 23 May 2019, with Mr Headley's concerns emailed to Witness B on 22 May 2019). Whilst the panel noted Mr Headley's concerns regarding the timing of the viewing and/or investigation into the videos which form the basis of these allegations, the panel noted that it is not its role to investigate complaints

relating to processes undertaken by the School and, in any event, any suspicions in respect of timing did not take away from the fact that Mr Headley had recorded the videos and written the books which contain the comments to which allegations 1(b) to 1(f) (with the exception of 1(d)(iii) which was not proven) relate.

Mr Headley accepted that, once videos are uploaded to the internet, you lose an element of control in respect of where those videos (and the comments made within them) would end up. However, it was Mr Headley's position that YouTube would have taken down the videos if they contained anti-Semitic views.

The panel further noted that, during DNA of the Wicked Part 2, Mr Headley stated "*It's important that you share these videos. Pass them on to your friends and loved ones. It's important that we all get the message.*" It was the panel's view that this indicated that Mr Headley was not trying to restrict his audience in any way and had failed to consider appropriate safeguards to prevent the videos reaching children, including pupils.

During his cross-examination, Mr Headley confirmed that it is his view that, according to the Bible standards, the LGBT community are "*unrighteous*". Mr Headley understood that this may be a hurtful comment, however submitted that this is because it is "*not what is expected*" and "*this is what religion does*".

Mr Headley argued that the School had failed by not informing him in 2018 that there was an issue with the expression of his personal views. It was Mr Headley's position that any reasonable employer should have told him that what he was doing was wrong and that there was no detailed discussion about the content of the videos at this time.

Mr Headley submitted that unorthodox views are meant to challenge critical thinking; the aim is to educate, to question.

Mr Headley admitted in evidence that he gave a copy of the Book to a colleague, Individual C, prior to the investigation.

Mr Headley submitted that, in respect of the TRA's case, the TRA were not independent from the School, and that he was being presented as racist and homophobic. Mr Headley submitted that the allegations were produced by the TRA and Witness A in conjunction with the School. Ms Headley further submitted that no individual, other than Witness D, had made a complaint against him with reference to the videos of 2018, the videos of 2019 or the Book (which he submitted that only Witness A had read). It was Mr Headley's position that, whilst the impact on Witness D was "*regrettable*", the panel should consider the limited nature of the complaints received when reaching its decision.

The panel considered that the comments which form the basis of the allegations found proven could, on the balance of probabilities, indicate to a viewer or reader that Mr Headley believed that any of those groups who were not of a 'good seed line' could be deemed evil, associated with Satan and seen as a 'virus'. The panel considered that these associations could be deemed to hold negative connotations, and that a viewer or

reader could consider the comments to be offensive and inappropriate. Mr Headley argued that the comments required ‘context’; however, those viewing the videos or reading the Book may not have had access to the ‘context’ to which Mr Headley referred. Indeed, the panel was only given the ‘context’ in the course of hearing extensive oral witness evidence from Mr Headley.

The panel received submissions from both parties in relation to human rights and, in particular, the role of freedom of expression and freedom of religion or belief. Whilst the panel took account of those submissions, it was mindful that it had a distinct and fact specific task, namely, to assess the conduct of Mr Headley in his role as a teacher, as set out in the allegations. It was not the function of the panel to assess the veracity, reasonableness or otherwise of Mr Headley’s beliefs or his right to express his beliefs.

The panel noted that the individuals or groups which Mr Headley believed came from the seed line of Satan, and were thus evil, included those who practised Judaism and Christianity, along with members of the LGBT community. The panel found that the public comments Mr Headley had made and, in particular, the wording he had used in respect of those who practice Judaism and Christianity and those that belong to the LGBT community, displayed a lack of tolerance and respect for the rights or beliefs of others.

The panel was referred to the Teachers’ Standards by the presenting officer, which contained a definition of ‘Fundamental British Values’. The panel noted that the definition referred to democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. The panel did not consider that the comments Mr Headley made in allegations 1(b), 1(c), 1(d)(i), (ii), (iv) and (v), 1(e) and 1(f) were in line with these principles, on the basis that the comments did not indicate mutual respect or tolerance of different faiths and beliefs.

The panel found that the conduct found proven demonstrated a lack of tolerance and/or respect for the rights and/or beliefs of others and/or was contrary to Fundamental British Values.

The panel found allegations 1(b), 1(c), 1(d)(i), (ii), (iv) and (v), 1(e), 1(f), and 2(b) proven.

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

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.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
  - showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Mr Headley accepted that some of the comments made in the videos and the Book could be deemed offensive and inappropriate. Despite this, Mr Headley allowed the videos and Book to be made available to the general public and actively encouraged people to share his videos. These public comments and statements made by Mr Headley could, in the panel's opinion, be deemed intolerant of other's religions, sexual orientation and race. The panel considered that others may deem the comments in the videos and the Book to be offensive and intolerant. The panel further noted that the videos and the Book appeared to be freely accessible with no real restrictions on viewing.

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

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

The panel found that the offence of intolerance and/or hatred on the grounds of race/religion or sexual orientation was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel noted that allegations 1(b), 1(c), 1(d)(i), (ii), (iv) and (v), 1(e) and 1(f) took place outside the education setting. Whilst the panel accepted that there was no evidence that any individual pupil had been impacted by the videos and/or the Book, by uploading videos and publishing the Book pupils may have been exposed to harmful behaviour, which went against the values of the School, those being values relating to inclusivity and tolerance.

The panel considered that Mr Headley did not properly take account of the potential adverse effect on any individual who may have been able to view or read the relevant material, including pupils. The panel considered that, in posting the videos to YouTube and publishing the Book, Mr Headley further failed to consider his professional responsibilities as a teacher who was responsible for teaching pupils from different backgrounds.

Accordingly, the panel was satisfied that Mr Headley was guilty of unacceptable professional conduct.

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

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on Mr Headley's status as a teacher, potentially damaging the public perception.

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

Having found the facts of allegations 1(b), 1(c), 1(d)(i), (ii), (iv) and (v), 1(e), 1(f) and 2(b) proved, the panel further found that Mr Headley'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 and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so.

The panel were aware that prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Headley, which involved creating and/or making publicly available materials which demonstrated a lack of tolerance and respect for the rights and/or beliefs of others and/or were contrary to Fundamental British Values, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public, particularly those with different beliefs.

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

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

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Headley. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Headley. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

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

- actions or behaviours that undermine fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs

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

The panel viewed a video on YouTube shared by Mr Headley that showed a pupil giving particular thanks to Mr Headley for his contribution to the education of that pupil and others.

The panel noted a letter from Individual D dated 11 March 2015 thanking Mr Headley for making the school a better place and going above and beyond for the benefit of the School.

However, the panel concluded that Mr Headley's actions were deliberate. Mr Headley uploaded the YouTube videos and published the Book in the knowledge that these would be accessible to the general public.

There was no evidence that Mr Headley was acting under extreme duress.

Mr Headley submitted information and evidence regarding his beliefs as follows:

- He said he conducted numerous assemblies on a variety of topics including LGBTQ, British values, freedom of speech, tackling anti-social behaviour and black history and choices.
- He provided a letter from Individual E, a [REDACTED] of the School and colleague of Mr Headley. Individual E described himself as a [REDACTED] who found Mr Headley to be kind, courteous, supportive and at no point judgemental. Individual E noted that whilst Mr Headley may hold views at variance with his own, he interacted with all members of the team in the same way regardless of faith or race and did not try to propagate his own views.
- He also provided a letter from Individual F, a [REDACTED] of the School who was taught by Mr Headley. Individual F stated that Mr Headley always knew he was [REDACTED] and never mistreated him. He stated that it is impossible for him to be homophobic. Individual F stated that Mr Headley is one of the teachers that opened his eyes [REDACTED], and to study for a good future.

The panel further heard evidence from Witness D that, following her complaint, she did not recall that Mr Headley treated her any differently.

The panel took into account this information and evidence but did not consider that it excused the conduct it had found proven against Mr Headley, nor did it minimise the seriousness of that conduct.

The panel found that Mr Headley showed little insight or remorse as regards the effect or potential effect of his actions on those individuals who had viewed the material he created and made publicly available. The panel further found that Mr Headley showed little insight into how the comments made within the videos and the Book could potentially harm pupils and other members of the public.

During the course of the hearing Mr Headley's evidence was that he was still making and uploading regular videos, some of which could be considered to be "*offensive*" and that his videos discussed Christianity and Judaism, as well as other communities, in a way which was "*provocative*". He specifically said that the videos could be deemed to be anti-Semitic, however submitted that he was quoting the Bible. Mr Headley further submitted that he had made some attempts to moderate access to his online content, however, as set out above, this did not extend to the nature of the content.

Whilst the panel was not provided with copies of these videos and noted Mr Headley's evidence about access to the videos, the panel considered that Mr Headley's evidence in respect of the content of the videos further demonstrated a lack of insight into the potential impact of his actions.

Any insight or remorse shown by Mr Headley was limited and fell short of the level expected by the panel.

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 Headley 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 Headley.

The serious nature of Mr Headley's conduct was a significant factor in forming that opinion. The panel was of the view that Mr Headley, who was experienced in the education sector, ought to have appreciated the potential impact of his actions.



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

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel found none of these behaviours relevant.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours includes intolerance and/or hatred on the grounds of race, religion, sexual orientation or protected characteristics. The panel found that this was relevant, on the basis that it concluded Mr Headley had created and/or made publicly available materials which demonstrated a lack of tolerance and respect for the rights and/or beliefs of others and/or were contrary to Fundamental British Values.

The panel had regard to the positive comments from Individual F and Individual E. The panel noted that Mr Headley was passionate about teaching and demonstrated commitment to his profession.

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 provisions for a review period after five years. The panel considered that a review period of five years may allow Mr Headley the opportunity to reflect on the panel's findings and develop greater insight and remorse in respect of his actions.

## **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 some of the allegations proven, 1(b), 1(c), 1(d)(i), (ii), (iv) and (v), 1(e), 1(f) and 2(b) and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven. I have therefore put those matters entirely from my mind.

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

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
  - showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are serious as they include a finding which involved creating and/or making publicly available materials which demonstrated a lack of tolerance and respect for the rights and/or beliefs of others and/or were contrary to Fundamental British Values.

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 Headley, 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 Headley, which involved creating and/or making publicly available materials which demonstrated a lack of tolerance and respect for the rights and/or beliefs of others and/or were contrary to Fundamental British Values, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public, particularly those with different beliefs.” 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, “The panel found that Mr Headley showed little insight or remorse as regards the effect or potential effect of his actions on those individuals who had viewed the material he created and made publicly available. The panel further found that Mr Headley showed little insight into how the comments made within the videos and the Book could potentially harm pupils and other members of the public.” In my judgement, the lack of full 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 Headley was not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of lack of tolerance and respect for the rights and/or beliefs of others, contrary to Fundamental British Values 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 and conduct that may bring the profession into disrepute, 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 Headley himself and the panel comment “The panel had regard to the positive comments from Individual F and Individual E. The panel noted that Mr Headley was passionate about teaching and demonstrated commitment to his profession.”

A prohibition order would prevent Mr Headley 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, "Mr Headley's evidence in respect of the content of the videos further demonstrated a lack of insight into the potential impact of his actions."

"Any insight or remorse shown by Mr Headley was limited and fell short of the level expected by the panel. "

I have also placed considerable weight on the finding of the panel that "The panel considered that Mr Headley did not properly take account of the potential adverse effect on any individual who may have been able to view or read the relevant material, including pupils. The panel considered that, in posting the videos to YouTube and publishing the Book, Mr Headley further failed to consider his professional responsibilities as a teacher who was responsible for teaching pupils from different backgrounds."

Although the conduct took place outside of the education setting, the nature of Mr Headley's conduct was serious, the panel concluded that he was experienced in the education sector and ought to have appreciated the potential impact of his actions.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Headley 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 a five year review period.

I have considered the panel's comments "The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours includes intolerance and/or hatred on the grounds of race, religion, sexual orientation or protected characteristics. The panel found that this was relevant, on the basis that it concluded Mr Headley had created and/or made publicly available materials which demonstrated a lack of tolerance and respect for the rights and/or beliefs of others and/or were contrary to Fundamental British Values." The panel has also said "The panel considered that a review period of five years may

allow Mr Headley the opportunity to reflect on the panel’s findings and develop greater insight and remorse in respect of his actions.”

In this case, factors mean that allowing a lesser 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 full insight or remorse.

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 Robert Headley 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 7 November 2028, 5 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 Headley remains prohibited from teaching indefinitely.

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

Mr Headley 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 the first few letters.

**Decision maker: Sarah Buxcey**

**Date: 30 October 2023**

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