



Teaching
Regulation
Agency

Ms Michelle Parry: Professional conduct panel outcome

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

December 2023

Contents

Introduction	3
Allegations	4
Preliminary applications	5
Application to proceed in the absence of Ms Parry	5
Application to amend the allegations	6
Summary of evidence	7
Documents	7
Witnesses	7
Decision and reasons	8
Findings of fact	9
Panel's recommendation to the Secretary of State	16
Decision and reasons on behalf of the Secretary of State	19

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

Teacher:	Ms Michelle Parry
Teacher ref number:	0241105
Teacher date of birth:	11 July 1981
TRA reference:	20535
Date of determination:	1 December 2023
Former employer:	Culford School, Bury St Edmunds

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 29 November to 1 December 2023, to consider the case of Ms Michelle Parry.

The panel members were Mrs Laura Flynn (teacher panellist – in the chair), Ms Wendy Shannon (lay panellist) and Mr Paul Burton (lay panellist).

The legal adviser to the panel was Mr Ben Schofield of Blake Morgan LLP.

The presenting officer for the TRA was Mr Mark Millin of Kingsley Napley LLP.

Ms Parry was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 18 September 2023.

It was alleged that Ms Parry was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as a Teacher at Hadleigh High School and/or Suffolk One College:

1. Between 2009 and 2012 she failed to maintain appropriate professional boundaries with Person A, namely by:

- a) Inviting Person A to her home on multiple occasions;
- b) Supplying Person A with alcohol;
- c) Giving Person A gifts;
- d) Making unnecessary physical contact with Person A;
- e) Engaging in conversations about personal matters with Person A;
- f) Sending Person A text and image messages and/or Facebook messages that were inappropriate and/or sexual in nature;
- g) Taking Person A on school trip and/or a band competition with Suffolk One students when they were not a student of Suffolk One;
- h) Purchasing tickets to [REDACTED] for Person A and attending the [REDACTED] with Person A.

2. Between April 2010 and July 2010, she performed oral sex on Person A, whilst in her car.

3. Between April 2010 and March 2012, she had a sexual relationship with Person A.

4. When her relationship with Person A ended she requested Person A delete all messages sent between her and Person A stating words to the effect of:

- a) You could get me in a lot of trouble;
- b) You could end my life and my career at any point;
- c) I have changed everything about my life so I could be with you and now I have nothing.

5. Between 2009 and 2011 she failed to maintain appropriate professional boundaries with Person B, namely by:

- a) Inviting Person B to her home on multiple occasions;
- b) Supplying Person B with alcohol;
- c) Giving Person B gifts;
- d) Engaging in conversations about personal matters with Person B;
- e) Sending Person B text and/or Facebook messages that were inappropriate and/or overly-familiar.

6. On 6 April 2022, she sent the following message via Instagram to Person A and/or Person B, when she knew or ought to have known that a referral had been made about her conduct to the TRA and this contact would not be appropriate:

“I am sorry more than you will ever know for the way I behaved. I could give you a list of all the reasons as to what led me to behave in such a way but that might be seen as excusing it. Know that I have felt sorry every day of my life since and I will never forgive myself. You deserved better”

7. Her conduct at paragraphs 1 and/or 2 and/or 3 was sexually motivated.

Preliminary applications

Application to proceed in the absence of Ms Parry

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

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

Before the panel was a 30 page service bundle which set out the attempts that the TRA had undertaken to engage and provide Ms Parry with the Notice and other information about the proceedings. Within that bundle was a witness statement from a process server engaged by the TRA, which stated that on 19 September 2023, [REDACTED] had personally served Ms Parry with the Notice and draft hearing bundle at her home address.

The panel was satisfied that the Notice of Proceedings ("the Notice") had been sent in accordance with Rules 5.23 and 5.24 of the 2020 Disciplinary Procedures for the Teaching Profession ("the Procedures") and Regulation 19(1)(a) of The Teachers' Disciplinary (England) Regulations 2012 and that the requirements for service had been satisfied.

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

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with great caution and with close regard to the overall fairness of the proceedings. The panel gave careful consideration to the fact that Ms Parry is not in attendance and will not be represented at this hearing, should it proceed, and the extent of the disadvantage to her as a consequence.

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

- Ms Parry had not sought an adjournment;
- Whilst there was some suggestion that that [REDACTED] may be in factor in her non-attendance, she had not provided any [REDACTED] to the panel to consider;
- Given Ms Parry's non-engagement, there was no indication that Ms Parry might attend at a future date, such that no purpose would be served by an adjournment;
- There is a public interest in hearings taking place within a reasonable time;
- There is a burden on all professionals who are subject to a regulatory regime to engage with their regulator;
- There are witnesses present to give evidence to the panel who would be significantly inconvenienced were the hearing to be adjourned.

Having decided that it is appropriate to proceed, the panel would strive to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Ms Parry was neither present nor represented.

Application to amend the allegations

The presenting officer made an application to amend allegation 6). The amendment sought was to account for the slight difference in wording of the messages sent to Person A and Person B. In the message to Person A, the wording of the allegation was a verbatim quote. However, the message to Person B was slightly different, in that it did not contain the last sentence 'you deserved better'. The presenting officer submitted that the phrase 'or words to that effect' should be inserted into the allegation in order that it did not fail on a technical point. The presenting officer further submitted that the gravamen of the allegation was the sending of the messages and the amendment did not fundamentally change that position, so would be unlikely to cause any unfairness to Ms Parry, notwithstanding the application was being made in her absence.

The panel carefully considered the potential prejudice to Ms Parry. This was particularly heightened in light of her absence at the hearing and not being on notice to the application.

The panel was satisfied that the proposed amendments to allegation 6) did no more than simply clarify this allegation in line with the underlying evidence. On that basis, the panel was satisfied that no prejudice to Ms Parry would result. The panel recognised that there is a public interest in ensuring that allegations are precisely drafted. Accordingly, the panel granted the presenting officer's application to amend the allegation.

The allegation was therefore amended with the addition of 'or words to that effect' inserted into the allegation, as marked below in underline:

6. On 6 April 2022, you sent the following message, or words to that effect, via Instagram to Person A and/or Person B, when you knew or ought to have known that a referral had been made about your conduct to the TRA and this contact would not be appropriate:

"I am sorry more than you will ever know for the way I behaved. I could give you a list of all the reasons as to what led me to behave in such a way but that might be seen as excusing it. Know that I have felt sorry every day of my life since and I will never forgive myself. You deserved better"

Summary of evidence

Documents

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

Section 1: Index, chronology and anonymised pupil list – pages 1 to 8

Section 2: Notice of proceedings and response – pages 9 to 15

Section 3: Teaching Regulation Agency witness statements – pages 16 to 44

Section 4: Teaching Regulation Agency documents – pages 44 to 520

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing.

Witnesses

The panel heard oral evidence from:

- Person A (Former pupil [REDACTED])
- Person B (Former pupil [REDACTED])

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision. Whilst the panel has considered all of the evidence before it, not every piece of evidence has been referred to in these reasons.

Ms Parry was employed as a music teacher at Hadleigh High School (the “School”) from 2005 to 2010. From September 2010 to December 2011, Ms Parry was employed as a music teacher at Suffolk One Sixth Form College (“Suffolk One”).

Person A and Person B were [REDACTED] and attended between the years of [REDACTED]. They were in [REDACTED] and both were [REDACTED] by Ms Parry, who was then known as Ms Randé.

Person A and Person B had not remained in close contact with each other following leaving school. However, on 28 June 2021, they met up and discussed their experiences with Ms Parry and decided they should make a referral to the TRA. On 29 January 2022, both of them made referrals to the TRA, which has resulted in this hearing.

During the hearing, the panel heard evidence from both Person A and Person B. The panel kept in the forefront of its considerations that the burden was on the TRA to prove these allegations and it was not for Ms Parry to disprove them. In the absence of any evidence from Ms Parry or an understanding as to her position on the allegations, the panel’s assessment of Person A and Person B accounts was essentially restricted to testing its reliability on factors such as, corroboration (particularly with contemporaneous documentary evidence) and ‘internal consistency’ with the surrounding evidence.

Person A’s and Person B’s individual accounts essentially corroborated each other. In the surrounding material before the panel was an amount of evidence which appeared to be contemporaneously created at material time of the allegations. These included pictures and videos of Person A and Person B with Ms Parry, a 19 page booklet titled: [REDACTED], which recorded a number of events and anecdotes from the course, including various nicknames for pupils that had been adopted.

Person A had placed before the panel a number of screenshots of ‘direct messages’ from [REDACTED] Facebook account from the relevant time of the allegations. These included a conversation with an account named [REDACTED], who Person A said was a friend of Ms Parry’s and with a ‘blank profile’, which Person A stated was Ms Parry, but the profile was now blank as Ms Parry had since deleted her account. In the conversation with the ‘blank user’, Person A had addressed her as ‘Chelly’ and in one response to Person A, a reply had been signed off as ‘Michelle’.

Person B also placed before the panel a number of screenshots of Facebook direct messages between [REDACTED] and profile marked as ‘Other User’, which Person B also explained was Ms Parry’s deleted Facebook account. This was a significant amount

of material consisting of 271 pages of conversations dated from 2 February 2010 to 9 March 2012.

The conversations between the 'Other User' and Person B included discussions about the music department, going on music tours, leaving the School and having meetings at Suffolk One, references to nicknames which matched with those in the [REDACTED] booklet. In one message about the 'Other User's' [REDACTED], 'Other User' described themselves as 'Aunty Chelly'.

The panel considered that the contents of those exchanges were entirely in keeping with the surrounding evidence of Ms Parry's involvement with Person A, Person B and the surrounding school community. The panel therefore found it was more likely than not that Ms Parry was the sender of the messages from the 'blank profile' / 'Other User' accounts.

The panel noted the significant delay between these events and the referral to the TRA. Both Person A and Person B explained that following leaving school, they had not kept in touch as [REDACTED] in the later years of school and sixth form. Since then, Person B had gone on to [REDACTED] which [REDACTED] described as giving [REDACTED] the insight into fully recognising that Ms Parry's actions were not appropriate for a teacher. Following a couple of chance meetings in 2021, Person A and Person B started discussing previous events. Person A stated that [REDACTED] was not sure if [REDACTED] would ever had made a referral to the TRA, if Person B had not discussed it with [REDACTED]. The panel considered this delay and the reasons for it. Although significant, the panel was satisfied as to the rationale for the delay and that it did not seem to undermine the surrounding evidence against Ms Parry and the credibility of Person A and Person B.

In light of the corroborating accounts from Person A and Person B, which sat consistently with the contemporaneous documentary evidence and followed an internal logical consistency, and in the absence of any evidence from Ms Parry, the panel was not able to identify any material factors which appeared to undermine their credibility or the reliability of their accounts.

The presenting officer invited the panel to draw an adverse inference from Ms Parry's failure to engage with this hearing. The panel was satisfied that a prima facie case had been established and the type of procedural safeguards required from the legal guidance were present in this case, which would allow the panel to draw an adverse inference. However, the panel considered it was able to make the appropriate factual findings on the evidence before it, without having to further consider whether an adverse inference should be drawn.

Findings of fact

The findings of fact are as follows:

1. Between 2009 and 2012 you failed to maintain appropriate professional boundaries with Person A, namely by:

In these reasons, the panel firstly considered the factual elements as set out in the sub-allegations and then considered if they amounted to a failure to maintain appropriate professional boundaries.

a) Inviting Person A to your home on multiple occasions;

b) Supplying Person A with alcohol;

Both Person A's and Person B's evidence to the panel was that as they progressed through the years with Ms Parry as their teacher, there became a distinction in her actions towards a small 'special group' of pupils, which they were part of, and other pupils generally.

Whilst Person A and Person B would sometimes legitimately visit Ms Parry's home for [REDACTED], there were a number of occasions when they said they attended her house for social events and parties with other pupils. On those occasions alcohol was consumed. Person B's evidence was that on some of those occasions alcohol had been provided to [REDACTED] by Ms Parry. Person A's evidence was Ms Parry was at least complicit in the consumption of alcohol at her home address, but had provided [REDACTED] and others with alcohol at other locations (such as at pubs and music events).

The panel also noted that the School's [REDACTED] at the time confirmed to the police's investigation that Ms Parry had been warned about her behaviour with pupils and wanting to hold an end of year party with them at her home address.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

c) Giving Person A gifts;

Person A's evidence was that Ms Parry regularly gave [REDACTED] gifts. At first, these would be small, often music related gifts, for example: [REDACTED] As the relationship between them progressed, Person A described the gifts becoming larger and more expensive and described gifts such [REDACTED] Person A also described on occasions Ms Parry would pay for meals and drinks when they went out together and on one occasion paid for a hotel when they went on a trip away, which was not related to any school musical event.

Person B's evidence was that [REDACTED] also regularly received gifts from Ms Parry, for example: [REDACTED]

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

d) Making unnecessary physical contact with Person A;

e) Engaging in conversations about personal matters with Person A;

Person A's evidence was that as [REDACTED] private lessons with Ms Parry progressed, they became closer and [REDACTED] was spending more time with her and they became less about the music. [REDACTED] described that they started talking about topics outside of music such as, who [REDACTED] liked and fancied at the time, providing [REDACTED] with advice on friendship issues and about [REDACTED].

During the lessons, Person A stated that Ms Parry started standing closer to [REDACTED] and left her hand on [REDACTED] arm or shoulder in a 'lingering' touch. During one of the private lessons around April 2010, Person A stated that they first kissed.

Person's B evidence was that [REDACTED] recalled during a music tour to [REDACTED] that [REDACTED] saw Ms Parry and Person A sat together on the coach sharing a blanket and an occasion when [REDACTED] was looking for Person A and [REDACTED] was found in a pub with Ms Parry. These events were the start of Person B beginning to realise that there was more to Person A's and Ms Parry's relationship than that of just a teacher and pupil. Person B additionally recalled that during a music gig [REDACTED] saw Ms Parry touch Person A on [REDACTED] shoulders, which [REDACTED] perceived to be different to way she would touch other pupils.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

f) Sending Person A text and image messages and/or Facebook messages that were inappropriate and/or sexual in nature;

Person A's evidence was as the relationship progressed [REDACTED] would often communicate with Ms Parry by text and social media. [REDACTED] stated [REDACTED] no longer had access to the phones [REDACTED] was using during that time period and had deleted most of the Facebook messages from that time period, as Ms Parry had asked [REDACTED] to as she was aware that they would potentially be damaging to her career as a teacher and [REDACTED] felt indebted to do so at the time. Person A described the messages were like any [REDACTED] relationship type of messaging – flirtatious to begin with and more sexually explicit as the relationship developed into a sexual one. This included Ms Parry sending sexually explicit nude photographs of herself to Person A and other messages of a romantic nature.

The panel considered that it was not unusual for a person not to have access to old phone messages when such a significant period of time had passed and that the nature of the messaging described, although not before the panel, would inherently be of the description given by Person A.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

g) Taking Person A on school trip and/or a band competition with Suffolk One students when they were not a student of Suffolk One;

Person A's evidence was that after Ms Parry had left the School in 2010 and started at Suffolk One, [REDACTED] would often attend that college to see Ms Parry, although [REDACTED] was not enrolled to attend there. [REDACTED] described that sometimes it would be to just 'hang out' and sometimes [REDACTED] was more actively involved with the music events, albeit [REDACTED] did not have an 'official' role in doing so.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

h) Purchasing tickets to [REDACTED] for Person A and attending the [REDACTED] with Person A.

Person A's evidence was that Ms Parry bought tickets for the both of them to attend the [REDACTED] in 2011, which they attended together without anyone else.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

Inappropriateness

Having found sub-allegations 1a) to 1h) proved, the panel considered that the evidence showed a complete breakdown of the boundary between the professional relationship that should be maintained between teacher and pupils and could only be considered inappropriate.

Accordingly, the panel found allegation 1) proved in full.

2. Between April 2010 and July 2010, you performed oral sex on Person A, whilst in your car.

3. Between April 2010 and March 2012, you had a sexual relationship with Person A.

In [REDACTED] evidence, Person A stated that shortly after the kissing event at Ms Parry's home the relationship continued to develop into a sexual relationship. Sexual activity, including oral sex sometimes occurred in Ms Parry's car and they also regularly had sexual intercourse at her home address or other locations if they were staying away with each other. Person A stated that the sexual element of their relationship happened over a number of months.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these allegations occurred and therefore found the allegations proved.

4. When your relationship with Person A ended you requested Person A delete all messages sent between you and Person A stating words to the effect of:

- a) You could get me in a lot of trouble;**
- b) You could end my life and my career at any point;**
- c) I have changed everything about my life so I could be with you and now I have nothing.**

Person A's evidence was that these comments were made by Ms Parry when their relationship came to an end. The evidence relating to these messages is further summarised at allegation 1f).

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in this allegation occurred and therefore found the allegation proved.

5. Between 2009 and 2011 you failed to maintain appropriate professional boundaries with Person B, namely by:

- a) Inviting Person B to your home on multiple occasions;**
- b) Supplying Person B with alcohol;**
- c) Giving Person B gifts;**

The evidence relating to these sub-allegations is summarised in allegation 1a-c).

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

- d) Engaging in conversations about personal matters with Person B;**
- e) Sending Person B text and/or Facebook messages that were inappropriate and/or overly-familiar.**

The panel took into account the frequency of the contact from Ms Parry, often late into the evenings and into the school holidays, and the content of the messages which covered a range of topics, such as discussions of personal relationship difficulties.

The panel was satisfied that on the evidence before it, it was more likely than not that the facts in these sub-allegations occurred and therefore found the sub-allegations proved.

Inappropriateness

As with in allegation 1), the evidence before the panel showed a complete breakdown of the boundary between the professional relationship that should be maintained between teacher and pupils. In [REDACTED] evidence, Person B stated that sometimes [REDACTED] felt confused and wasn't sure if [REDACTED] was speaking to Ms Parry as a 'friend' or as a 'teacher'.

Accordingly, the panel found allegation 5) proved in full.

6. On 6 April 2022, you sent the following message, or words to that effect, via Instagram to Person A and/or Person B, when you knew or ought to have known that a referral had been made about your conduct to the TRA and this contact would not be appropriate:

“I am sorry more than you will ever know for the way I behaved. I could give you a list of all the reasons as to what led me to behave in such a way but that might be seen as excusing it. Know that I have felt sorry every day of my life since and I will never forgive myself. You deserved better”

Person A's evidence was that on 6 April 2022, Ms Parry sent [REDACTED] the above quoted message as a direct message on Instagram. Before the panel was a screenshot which showed the message was sent at 17:55 from an account named as '[REDACTED]'. The profile picture was of a dark haired dog. Person A stated that [REDACTED] knew the account belonged to Ms Parry as [REDACTED] was aware that she had a dog called [REDACTED].

Person B's evidence was that also on 6 April, [REDACTED] received direct message from the same account. Before the panel was a screenshot timed 17:54. The text in the message was the same, save for the final sentence "*You deserved better*", was not included. Person B also explained that [REDACTED] knew the account was from Ms Parry as [REDACTED] knew of her dog [REDACTED].

The panel was advised that Ms Parry had been notified of the TRA's referral on 6 April 2022.

Whilst the panel considered that this contact may have been a little misguided, in the absence of any express guidance given to Ms Parry not to contact any potential witnesses, the panel considered the messages were no more than Ms Parry expressing her apologies and remorse to the witnesses for her previous conduct.

Accordingly, whilst the panel was satisfied that Ms Parry was the author of the messages and was aware of the TRA proceedings, the panel considered that the TRA had not satisfied that it would amount to an inappropriate contact. Therefore the panel found this allegation not proved.

7. Your conduct at paragraphs 1 and/or 2 and/or 3 was sexually motivated.

The panel was not satisfied that the evidence in allegation 1) demonstrated that it was more likely than not that it was sexually motivated. The conduct in question was of a similar nature to those which was shown towards other pupils, where there was no suggestion of any sexual intention, for example as towards Person B.

Additionally, where there was evidence of more overt sexual actions, such as the messaging and actions that were consistent with being in relationship such as paying a hotel room and tickets to go to the [REDACTED], the panel did not have a clear evidential chronology and could not be satisfied if it was conduct which was in pursuit of a future sexual relationship or if the sexual relationship was already established.

The facts found proven at allegation 2) and 3) are inherently of a sexual nature.

Accordingly, the panel found this allegation proved in so far as it applied to allegation 2) and 3) but not allegation 1).

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”.

Notwithstanding the comments at paragraph 18 of the Teachers’ Standards, which provide for the retrospective application of the standards, the panel was mindful that this was conduct that happened a number of years ago and was before the implementation of those standards on 1 September 2012. In some circumstances, holding teacher’s historic behaviour to the standards that are in place today, could lead to an injustice. That is not the position in Ms Parry’s case. The panel considered engaging in the inappropriate sexual relationship with Person A and engaging in a course of conduct which fundamentally undermined the professional teacher/pupil relationship with other pupils was still conduct falling significantly short of the expected standards of a teacher at that time in the early 2010s. Although the Teachers’ Standards were not in force at the time, there was still a clear professional obligation for teachers to promote the welfare of pupils which Ms Parry was in breach of by her actions. The panel was satisfied that the conduct of Ms Parry amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Ms Parry’s conduct displayed behaviours associated with any of the offences listed on pages 12 to 14 of the Advice. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct. The panel

found that the offences of 'sexual activity' and 'sexual communication with a child' were relevant.

The panel noted that it could be considered that some of the allegations took place outside the education setting. However as the allegations all centre on the teacher/pupil relationship, the panel considered that it was impossible to divorce this from the professional teaching environment, regardless of the location of the relevant events. The panel was therefore satisfied that it could still amount to unacceptable professional conduct.

Accordingly, the panel was satisfied that Ms Parry was guilty of unacceptable professional conduct.

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

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The public expects teacher not to abuse the trust that is placed in them to exploit relationships with pupils for their own personal benefit.

The panel therefore found that Ms Parry's actions constituted 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. 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 protection of pupils and other members of the public;
- the maintenance of public confidence in the profession;

- declaring and upholding proper standards of conduct;
- the interest of retaining the teacher in the profession.

In the light of the panel's findings against Ms Parry, there was a strong public interest consideration in respect of the protection of pupils, given the serious findings of inappropriate relationships with children. Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Parry were not treated with the utmost seriousness when regulating the conduct of the profession. The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Ms Parry was outside that which could reasonably be tolerated. The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon her abilities as an educator.

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 Ms Parry.

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 Ms Parry. 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:

- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- violation of the rights of pupils;

In [REDACTED] evidence before the panel Person A described feeling controlled and trapped by the situation during the time of [REDACTED] relationship with Ms Parry. [REDACTED] described feeling isolated and powerless, even though [REDACTED] recognised at the time the relationship was inappropriate. Person B's evidence highlighted the impact of the breakdown of the professional boundaries in that [REDACTED] sometimes felt confused as to whether [REDACTED] was interacting with a friend or with a teacher.

The panel took into account that Ms Parry's behaviour persisted over an extended period of time and in the face of apparent warnings about her conduct with pupils. In the police's investigation, the [REDACTED] of the School was noted as saying:

"[REDACTED] remembered her as being a good teacher who was popular with students. However, she had boundary issues for which she was warned several times. These included inappropriate interactions with students on Facebook and wanting to have an end of year party for students in her own home, for which she received a written warning."

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

There was no evidence to suggest that Ms Parry was acting under duress or that her actions were not deliberate.

The panel noted that Ms Parry was considered a good teacher by the [REDACTED] and that there were no formal previous regulatory findings, or any information regarding similar concerns since the allegations.

The panel also took into account that there was no evidence advanced by Pupil A regarding any ongoing impact of Ms Parry's actions and that [REDACTED] stated [REDACTED] may not have ever made a referral to the TRA.

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 Ms Parry 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 Ms Parry. There was some evidence of Ms Parry's insight into her behaviour in the messages she sent to Person A and Person B following the TRA referral. However, as the misconduct was at the more serious end of the spectrum, took place despite warnings and that there was no information before the panel from Ms Parry on how she has reflected on her professional practice since, the panel considered that the risk of repetition of similar misconduct remained at a level where it would be intolerable not to take restrictive regulatory action. 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. These behaviours includes:

- serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used her professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of both sanction and review period.

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In this case, the panel has also 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 Ms Michelle Parry should be the subject of a prohibition order, with no provision for a review period.

The behaviour found by the panel occurred before the introduction of the Teacher Standards. However, the panel is clear in its findings that there was still a clear professional obligation at that time for teachers to promote the welfare of pupils which Ms Parry was in breach of by her actions. The panel was satisfied that the conduct of Ms Parry amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The findings are particularly serious as they include sexually motivated misconduct.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing 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 assess whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Ms Parry, and the impact that will have on her, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has noted that, "In [REDACTED] evidence before the panel Person A described feeling controlled and trapped by the situation during the time of [REDACTED] relationship with Ms Parry. [REDACTED] described feeling isolated and powerless, even though [REDACTED] recognised at the time the relationship was inappropriate. Person B's evidence highlighted the impact of the breakdown of the professional boundaries in that [REDACTED] sometimes felt confused as to whether [REDACTED] was interacting with a friend or with a teacher." A prohibition order would remove the risk of this behaviour being repeated in the future.

The panel does not record having seen evidence attesting to Ms Parry's insight into and remorse for her behaviour, save for messages sent directly to Person A and Person B. In my judgment, the absence of such evidence 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 findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The public expects teacher not to abuse the trust that is placed in them to exploit relationships with pupils for their own personal benefit." I am particularly mindful of the finding of sexually motivated misconduct in this case and the potential negative 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 Ms Parry herself. The panel note that "...Ms Parry was considered a good teacher by the [REDACTED] and that there were no formal previous regulatory findings, or any information regarding similar concerns since the allegations."

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

In this case, I have placed considerable weight on the seriousness of the panel's findings, including serious sexually motivated misconduct, and the lack of evidence of full insight and/or remorse.

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

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

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

In doing so, the panel has made reference to the Advice which indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. These behaviours includes:

- serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used her professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the misconduct found and the lack of evidence of insight and remorse which mean that, as the panel conclude "...the risk of repetition of similar

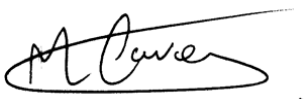
misconduct remained at a level where it would be intolerable not to take restrictive regulatory action.”

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

This means that Ms Michelle Parry is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England. Furthermore, in view of the seriousness of the allegations found proved against her, I have decided that Ms Parry shall not be entitled to apply for restoration of her eligibility to teach.

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

Ms Parry has a right of appeal to the King's Bench Division of the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in black ink, appearing to read 'M. Cavey', enclosed within a thin black rectangular border.

Decision maker: Marc Cavey

Date: 4 December 2023

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