



Teaching
Regulation
Agency

Mr Edward Smith: Professional conduct panel meeting outcome

**Panel Decision and Reasons on behalf of the
Secretary of State for Education**

February 2024

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

Teacher:	Mr Edward Smith
Teacher ref number:	3961288
Teacher date of birth:	4 April 1990
TRA reference:	0020829
Date of determination:	26 February 2024
Former employer:	The Pingle Academy, Derbyshire

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened by virtual means to consider the case of Mr Edward Smith.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Mrs Beverley Williams (teacher panellist) and Ms Geraldine Baird (lay panellist).

The legal adviser to the panel was Mr Harry Taylor of Eversheds Sutherland (International) LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Edward Smith that the allegations be considered without a hearing. Mr Edward Smith provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer Louise Ravenscroft (of Capsticks LLP solicitors), Mr Edward Smith or a representative on his behalf.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 28 November 2023.

It was alleged that Mr Edward Smith was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. Between on or about 12 October 2021 and 13 January 2022, he posted on his personal Twitter account one or more public comments of an inappropriate and/or offensive nature, as set out at Schedule 1:

Schedule 1:

1 12/10/2021 America would basically be fine with 911 if the flight recorder had one of the hijackers saying yippee kay ay motherfucker

2 19/10/2021 I just wanna lift weights smoke and play videogames is that too much to ask

3 19/10/2021 For one night only all porn is legal

4 26/10/2021 Changing the name of the whole FF7 party to the names of kids at school who I wish would be my friends

5 12/11/2021 got kicked out of a gamestation for trying to fuck the tomb raider display

6 13/11/2021 Retweets of “If sex work were empowering, men would be doing it.” and “If sex work were empowering, multimillionaires would be doing it.”

7 15/11/2021 Just deciding whether Ubisoft, which is where I work as a creative director, should do the Jeffrey Epstein level as DLC or main game in the new Assassin’s Creed

8 10/12/2021 Thanks for all your kind words regarding The Games Awards. Myself and the rest of the team are very proud to have won Most Sexually Hostile Working Environment

9 12/12/2021 When they touch down we blow the roof, they spend a month sifting through the rubble and by the time they figure out what went wrong we’ll be sitting on a beach, watching child porn.

10 12/12/2021 Die Hard but they break in because the Nakatomi vault is full of Japanese child pornography

11 14/12/2021 Guy whose t-shirt has a picture of a school girl with massive round tits getting raped by tentacles: “you should watch anime”.

12 16/12/2021 I know that rapin kids is against the law. But I look around Hollywood and I see a loddia laaaaawbreakers out there

13 28/12/2021 Hoping to become the first ISIS sponsored Twitch streamer

14 29/12/2021 Jeffrey Epstein being an iconic paedophile for 8 minutes and 34 seconds

15 29/12/2021 Saw some cunt calling best game of the year Alan wake remastered. Wasn't even the best game of the year the year it come out mate. Get your head on.

16 02/01/2022 Designing a modal to teach me how to be gay

17 13/01/2022 I'm going to kill myself eventually. It's a matter of time.

18 Unknown (posted 5 days before screenshot) when I find the porn video I've been searching for for half an hour and cum in 60 Seconds

Mr Smith admitted the facts of this allegation in his email to the TRA dated 1 November 2022 and the Statement of Agreed Facts signed by Mr Smith on 9 September 2023. The panel noted that Tweet #1 was actually posted on 19 October 2021, and that there was a typo in the Schedule of Tweets annexed to the Statement of Agreed Facts.

Mr Smith has also admitted his conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute with reference to the Statement of Agreed Facts referred to above.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

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

Section 2: Notice of referral, response and notice of meeting – pages 7 to 25

Section 3: Statement of agreed facts and presenting officer representations – pages 26 to 33

Section 4: Teaching Regulation Agency documents – pages 34 to 209

Section 5: Teacher representations – page 210

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Edward Smith on 9 September 2023.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Edward Smith for the allegation to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Edward Smith was employed as a Sixth Form Mentor on an unqualified teacher contract at The Pingle Academy (“the Academy”), part of The de Ferrers Trust (“the Trust”), from 4 September 2017. In this role he was involved with unsupervised planning and preparation of lessons and courses for pupils, and delivering unsupervised lessons to pupils.

On 24 January 2022, two students disclosed to the Assistant Head of Sixth Form that they had seen a number of ‘Tweets’ from Mr Smith’s personal Twitter account which had made them feel uncomfortable. The Acting Principal was notified and the LADO was informed.

The Academy conducted its own investigation, including an interview with Mr Smith on 1 February 2022. On 16 March 2022, a disciplinary hearing was held and Mr Smith was dismissed with immediate effect.

Findings of fact

The findings of fact are as follows:

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

- 1. Between on or about 12 October 2021 and 13 January 2022, you posted on your personal Twitter account one or more public comments of an inappropriate and/or offensive nature, as set out at Schedule 1:**

Schedule 1:

- 1 12/10/2021 America would basically be fine with 911 if the flight recorder had one of the hijackers saying yippee kay ay motherfucker
- 2 19/10/2021 I just wanna lift weights smoke and play videogames is that too much to ask
- 3 19/10/2021 For one night only all porn is legal
- 4 26/10/2021 Changing the name of the whole FF7 party to the names of kids at school who I wish would be my friends
- 5 12/11/2021 got kicked out of a gamestation for trying to fuck the tomb raider display
- 6 13/11/2021 Retweets of “If sex work were empowering, men would be doing it.” and “If sex work were empowering, multimillionaires would be doing it.”
- 7 15/11/2021 Just deciding whether Ubisoft, which is where I work as a creative director, should do the Jeffrey Epstein level as DLC or main game in the new Assassin’s Creed
- 8 10/12/2021 Thanks for all your kind words regarding The Games Awards. Myself and the rest of the team are very proud to have won Most Sexually Hostile Working Environment
- 9 12/12/2021 When they touch down we blow the roof, they spend a month sifting through the rubble and by the time they figure out what went wrong we’ll be sitting on a beach, watching child porn.
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- 11 14/12/2021 Guy whose t-shirt has a picture of a school girl with massive round tits getting raped by tentacles: “you should watch anime”.
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- 14 29/12/2021 Jeffrey Epstein being an iconic paedophile for 8 minutes and 34 seconds
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17 13/01/2022 I'm going to kill myself eventually. It's a matter of time.

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Screenshots of the Tweets, attributable to Mr Smith's account, were included in the bundle provided to the panel. There were some additional Tweets within the screenshots but as these did not form part of the allegation for the panel's deliberation, the panel did not take them into consideration, save for the extent to which they are referred to in this decision as helpful context. The panel's focus was on the 18 Tweets which formed part of the allegation against the teacher.

This allegation was admitted by Mr Smith in the Statement of Agreed Facts signed on 9 September 2023. Mr Smith had consistently accepted the facts of this allegation in the School's investigation and the TRA's investigation.

The panel found this allegation proved.

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

Having found the allegation 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 Smith in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Smith 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:
 - o treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - o having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - o showing tolerance of and respect for the rights of others
 - o 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

- ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Smith fell significantly short of the standard of behaviour expected of a teacher.

The panel also considered whether Mr Smith's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found that none of these offences was relevant. However, the Tweets demonstrated Mr Smith's pattern of behaviour and disregard for the requirement to uphold and maintain the proper standards for the teaching profession, including but not limited to repeated reference to child pornography in a way that could be interpreted as normalising such behaviour.

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 noted that Mr Smith's conduct took place outside the education setting. However, the panel notes that Mr Smith's Tweets were posted publicly and evidently led to pupils being exposed to and/or influenced by his behaviour because two pupils at his school reported the Tweets.

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

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

The panel also considered whether Mr Smith's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that none of these offences was relevant. However, for the reasons set out above, the panel found that the substance of Mr Smith's public Tweets was of particular relevance to his role within the teaching profession. As such, Mr Smith's behaviour was likely to bring the profession into disrepute.

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be “conduct that may bring the profession into disrepute”. Mr Smith’s Tweets were numerous and over a period of time, and referred to child pornography, terrorism, sexual assault, self-harm, and other sexually explicit and derogatory language. In the panel’s view these topics are inappropriate, especially for someone working within the teaching profession and whose Twitter page is publicly accessible, including to pupils of his school.

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.

The panel considered that Mr Smith’s conduct could potentially damage the public’s perception of a teacher.

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

Having found the facts of the allegation proved, the panel further found that Mr Smith’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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Smith and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have a punitive effect.

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

In the light of the panel’s findings against Mr Smith, which involved posting inappropriate and/or offensive comments on his public social media, there was a strong public interest consideration in that members of the public, including people under the age of 18, could view his Tweets and infer from the content that they reflected Mr Smith’s beliefs. The

panel noted that there was also a separate Tweet, not included within the allegation before the panel today, that contained a photo of Mr Smith in front of what appeared to be a classroom whiteboard. From this, coupled with Mr Smith's Tweet about preparing a module, the panel believe that an ordinary citizen could infer that Mr Smith was a teacher or worked in the teaching profession. The panel's view is that it is likely that the ordinary citizen would lose confidence in the teaching profession if behaviour like Mr Smith's was unchecked. The panel also attached particular weight to the safeguarding aspects in this case. The substance of Mr Smith's Tweets is such that a pupil might be influenced by the fact that they are aware Mr Smith is a teacher, in a position of some authority, and infer from the Tweets that the views purported within them are appropriate in modern society. It is the panel's view that this poses a potential safeguarding risk to any child viewing Mr Smith's Tweets. As such, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.

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

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

The panel was not provided with any evidence to demonstrate Mr Smith's teaching ability. The panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Smith in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);

- actions or behaviours that promote extremist political or religious views or attitudes, or 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; or that promote political or religious extremism;
- a deep-seated attitude that leads to harmful behaviour.

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

There was no evidence that Mr Smith's actions were not deliberate. The panel noted the numerous Tweets, all with a similar nature and inappropriate content.

There was no evidence to suggest that Mr Smith was acting under extreme duress, e.g. a physical threat or significant intimidation.

The panel has not been presented with any evidence for it to consider in respect of Mr Smith's previous disciplinary history or him having demonstrated exceptionally high standards in both his personal and professional conduct and having contributed significantly to the education sector. The panel is therefore unable to determine whether Mr Smith's actions were out of character but, again, the panel has noted the repeated nature of Mr Smith's actions over a period of time, and that the evidence suggests he had intended to make his Twitter page private upon beginning his teaching role, rather than him saying that he would refrain from making similar posts.

The panel does acknowledge that Mr Smith has demonstrated some insight into his behaviour being unacceptable by way of a statement provided by him for the purposes of this meeting.

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 Smith 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 Smith. The content and repeated nature of Mr Smith's actions were significant factors in

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

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

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period.

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel also noted that the list at paragraph 51 of the Advice is not an exhaustive list. The panel considered whether Mr Smith's actions and the content of his Tweets were sufficient to fall within this category. The panel concluded that they were and therefore a review period of longer than 2 years is appropriate.

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 of 3 years.

Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that Mr Edward Smith should be the subject of a prohibition order, with a review period of three years,

In particular, the panel has found that Mr Smith 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
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
 - Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are serious as they include a finding of making one or more public comments of an inappropriate and/or offensive nature, including comments which could be interpreted as normalising child pornography.

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

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has recorded that it "...attached particular weight to the safeguarding aspects in this case. The substance of Mr Smith's Tweets is such that a pupil might be influenced by the fact that they are aware Mr Smith is a teacher, in a position of some authority, and infer from the Tweets that the views purported within them are appropriate in modern society. It is the panel's view that this

poses a potential safeguarding risk to any child viewing Mr Smith's Tweets. As such, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils." A prohibition order would therefore prevent this 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 does acknowledge that Mr Smith has demonstrated some insight into his behaviour being unacceptable by way of a statement provided by him for the purposes of this meeting." However, In my judgement, the lack of evidence of full insight 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, "However, for the reasons set out above, the panel found that the substance of Mr Smith's public Tweets was of particular relevance to his role within the teaching profession. As such, Mr Smith's behaviour was likely to bring the profession into disrepute." I am particularly mindful of the extreme nature of the comments made and reposted on social media 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 likely to 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 Smith himself. The panel note that it had "...not been presented with any evidence for it to consider in respect of Mr Smith's previous disciplinary history or him having demonstrated exceptionally high standards in both his personal and professional conduct and having contributed significantly to the education sector. The panel is therefore unable to determine whether Mr Smith's actions were out of character but, again, the panel has noted the repeated nature of Mr Smith's actions over a period of time, and that the evidence suggests he had intended to make his Twitter page private upon beginning his teaching role, rather than him saying that he would refrain from making similar posts."

A prohibition order would prevent Mr Smith 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 lack of evidence of full insight and remorse which indicates a risk of this behaviour being repeated in future, as well as the panel's findings concerning the extreme nature of Mr Smith's social media activity which in my judgment is incompatible with working a teacher.

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

In doing so it has referenced the Advice, which indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel go on to note that "...the list at paragraph 51 of the Advice is not an exhaustive list. The panel considered whether Mr Smith's actions and the content of his Tweets were sufficient to fall within this category. The panel concluded that they were and therefore a review period of longer than 2 years is appropriate."

I have considered whether three year review period, as recommended by the panel, 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, given the seriousness of the misconduct found, the safeguarding risks highlighted by the panel, and the extreme nature of Mr Smith's comments, I agree with the panel's recommendation that a two year review period is not sufficient to achieve the aim of maintaining public confidence in the profession.

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

This means that Mr Edward Smith 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 28 February 2027, three 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 Smith remains prohibited from teaching indefinitely.

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

Mr Edward Smith has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.

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

Decision maker: Marc Cavey

Date: 29 February 2024

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