



Teaching
Regulation
Agency

Ms Claire Bailey: Professional conduct panel outcome

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

June 2024

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

Teacher:	Ms Claire Bailey
Teacher ref number:	0049498
Teacher date of birth:	3 July 1977
TRA reference:	22115
Date of determination:	10 June 2024
Former employer:	St Michael's Church of England High School, Rowley Regis

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 10 June 2024 by virtual means to consider the case of Ms Claire Bailey.

The panel members were Mrs Christine McLintock (teacher panellist – in the chair), Mr Tom Snowdon (teacher panellist) and Mrs Kate Charles (lay panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Ms Natalia Constantine of 2 Harcourt Buildings instructed by Kingsley Napley LLP.

Ms Bailey was present and was not represented.

The hearing took place partly in public and partly in private. The hearing was recorded.

Allegations

The panel considered the allegation set out in the Notice of Proceedings dated 28 March 2024.

It was alleged that Ms Claire Bailey, a “Registered Person”, has been convicted of ‘a relevant offence’ in that

1. On 24 April 2023, she was convicted of attempted murder (victim one year or over) in contravention of section 1(1) of the Criminal Attempts Act 1981.

In Ms Bailey’s response to the Notice of Proceedings, she admitted the allegation and that those facts amount to a conviction of a relevant offence.

Preliminary applications

Excluding the public

Ms Bailey made a request for the public to be excluded for the hearing so that matters relating to her health [REDACTED] could be heard in private. There was no objection from the presenting officer to those specified parts of the hearing being held in private. However, the presenting officer made representations that matters relating to the criminal offence itself should be heard in public, as they had already been the subject of a public hearing in the Crown Court.

The panel acceded to Ms Bailey’s application, but only in respect of parts of the hearing relating to matters relating to her health or [REDACTED]. The panel considered this was necessary for the protection of the interests of [REDACTED], and that this outweighed any other competing interests. Furthermore, with regard to Ms Bailey’s health, the panel did not consider that hearing these aspects in private would be contrary to the public interest or the interests of justice.

Ms Bailey confirmed that [REDACTED] was in attendance as an observer, and she had no objection to her remaining in the hearing during sections heard in private as [REDACTED] was already aware of all matters to be discussed. [REDACTED] was also present to facilitate Ms Bailey’s attendance from prison, and was made aware that anything heard in private was to remain confidential.

Amendment of the allegations

The presenting officer applied to amend a “Registered Person” to a “Regulated Person”, this having been a typographical error as there is no register of teachers. The presenting officer also applied to delete the words “in contravention of section 1(1) of the Criminal

Attempts Act 1981” since there was no reference to the exact wording of the indictment within the panel bundle, nor was this stated on the certificate of conviction.

Ms Bailey did not object to the amendment.

The panel decided to amend the allegation as proposed since it did not affect the nature of the allegation, the factual basis upon which the allegation was founded, nor would Ms Bailey’s case have been presented differently had the amendment been made at an earlier stage.

Summary of evidence

Documents

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

Section 1: Chronology and list of key people – pages 3 to 4

Section 2: Notice of Proceedings and response – pages 5 to 11

Section 3: Statement of Agreed Facts – pages 12 to 20

Section 4: Teaching Regulation Agency documents – pages 21 to 92

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

Witnesses

The panel heard no oral evidence, although Ms Bailey made representations and provided mitigation.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision.

Ms Bailey has been a teacher since 2001. She was employed as a classroom teacher at St Michael’s Church of England High School (“the School”) from the Autumn term of 2019. On 24 June 2022, Ms Bailey was arrested at her home. Ms Bailey’s employment was terminated from 31 January 2023.

Findings of fact

The findings of fact are as follows:

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

You, a “Regulated Person”, have been convicted of ‘a relevant offence’ in that

1. On 24 April 2023, you were convicted of attempted murder (victim one year or over)

The panel has seen a certificate of conviction confirming that Ms Bailey was convicted on 24 April 2023 at Leeds Crown Court of attempted murder of victim aged 1 year or over. It also confirmed that Ms Bailey was sentenced on 9 June 2023 to 268 months’ imprisonment with a restraining order to remain in force indefinitely.

The panel accepted the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction.

In a statement of agreed facts, Ms Bailey accepted that she knew Person B [REDACTED]. She did not initially accept in the statement of agreed facts proposed to her that in March 2022, Person B informed her that [REDACTED].

A number of other facts around the incident that led to Ms Bailey’s conviction were put to her in a draft statement of agreed facts. Ms Bailey provided a written response stating that she was unable to admit or deny them as she had no recollection of the events that took place. She admitted that she was arrested on 24 June 2022 at 4:37am at her home; the fact of the conviction and her sentence. [REDACTED].

Having read the bundle, and been provided with documents she had not previously seen, Ms Bailey confirmed at the hearing that she was prepared to admit the facts of the incident although had no recollection of them. She therefore admitted the facts set out in the Statement of Agreed Facts including that:

- On 23 June 2022 at around 4:49pm, she rang Person B’s doorbell [REDACTED], Person A opened the door and Ms Bailey entered the hallway of the property. She was wearing a red wig, sunglasses and a covid face mask. Ms Bailey was carrying flowers and a large carving knife.
- Person A was repeatedly stabbed by Ms Bailey, even when Person A lay on the ground.
- Within seconds of the attack beginning [REDACTED], Child A came downstairs. Child A witnessed the attack on Person A and momentarily tried to intervene to assist Person A.
- Child A left to get help and Ms Bailey continued with the attack on Person A for approximately one and a half minutes.
- [REDACTED].
- [REDACTED].

The sentencing remarks also provide some background information regarding the attack by Ms Bailey on Person A [REDACTED].

The sentencing remarks go on to state that on the day of the offence, Ms Bailey contacted the School where she was a teacher to say she was ill. Instead, Ms Bailey travelled to a supermarket where she bought at least some of the equipment for her plan. She arrived at Person A's doorstep covering her face with a bunch of flowers, wearing a red wig, a covid mask, sunglasses and carrying a large carving knife. The Judge referred to doorbell footage that he had watched which captured an immediate attack on Person A, [REDACTED].

The Judge stated that [REDACTED], Child A, [REDACTED], could be seen on the doorbell footage coming down the stairs, [REDACTED]. Ms Bailey then calmly walked away from the house.

Person A provided a victim impact statement referring to the severe life changing physical injuries [REDACTED] they bear from the attack that happened in their own home, [REDACTED].

The Judge referred to this being an offence of high culpability with obvious planning and pre-meditation of murder causing Category 1 harm. Ms Bailey was given some substantial credit for her plea of guilty in advance of trial.

Findings as to conviction of a relevant offence

The panel was satisfied that the conduct of Ms Bailey, in relation to the facts it found proved, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Ms Bailey 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

- 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 an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that the individual's actions were relevant to teaching, working with children and working in an education setting. This was an act of pre-meditated extreme violence which Ms Bailey states that she cannot remember. Whilst Ms Bailey may never have posed a safeguarding risk in the teaching environment, her actions were witnessed by a child. [REDACTED]. Her conduct would likely have a negative impact on the public's perception of Ms Bailey as a teacher.

The panel noted that the behaviour involved in committing the offence had an extremely severe impact on the safety and security of Person A, Child A and their family.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Ms Bailey's behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Ms Bailey was allowed to continue teaching.

The panel noted that Ms Bailey's behaviour ultimately led to a sentence of imprisonment, for a significant duration which was indicative of the seriousness of the offences committed, and which the Advice states is likely to be considered "a relevant offence".

This was a case concerning an offence involving violence and possession of a knife. The Advice indicates that a conviction for any offence that relates to or involves such offences is likely to be considered "a relevant offence".

The panel regarded this offence with the utmost seriousness, changing the lives of Person A, Child A and their family in a way that is beyond measure.

The panel took into account of the circumstances leading to this attack. Ms Bailey gave a very personal account to the panel [REDACTED]. The panel also took into consideration these difficulties and her [REDACTED]. However, the panel also found that the seriousness of the offending behaviour that led to the conviction was relevant to Ms Bailey's fitness to be a teacher. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Panel's recommendation to the Secretary of State

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

In considering whether to recommend to the Secretary of State that a prohibition order is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Ms Bailey 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 the following 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; and declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and the public, given the serious findings of extremely violent conduct.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Bailey 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 Bailey was far outside that which could reasonably be tolerated.

Whilst there is evidence that Ms Bailey had over 20 years' experience as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Ms Bailey in the profession, since her 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;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are "relevant matters" for the purposes of the Police Act 1997 and criminal record disclosure;
- 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)
- possession of prohibited firearms, knives or other weapons;

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

There was evidence that Ms Bailey's actions were deliberate and pre-meditated, as the Judge's sentencing remarks reflected.

There was no evidence to suggest that Ms Bailey was acting under extreme duress, eg a physical threat or significant intimidation. However, the panel accepted that Ms Bailey was experiencing difficult personal circumstances at the time of the offence, albeit this provided no justification for her actions.

The panel accepted that Ms Bailey did have a previously good history as no matters were brought to its attention regarding her teaching career of over 20 years, nor had there been any previous disciplinary order against her. However, there was no evidence of Ms Bailey, having demonstrated exceptionally high standards in both her personal and professional conduct or of having contributed significantly to the education sector, save for having taught for over 20 years.

There was no evidence adduced of Ms Bailey's character, save that the Judge noted that he had taken into account her positive good character as a teacher and her lack of previous convictions.

Ms Bailey has limited insight as she states that she has no recollection of the events that took place, or anything said during the Judge's sentencing, [REDACTED]. She pleaded guilty in the criminal proceedings, and in this hearing, readily accepted the facts of the incident having read the documents contained within the panel bundle. She has expressed remorse for her actions and the consequences of them for Person A and their family, although has not explained her understanding of what those consequences are. Ms Bailey repeatedly told the panel that she wished the events had never happened. [REDACTED]. The panel regarded that Ms Bailey is in the earliest stages of her rehabilitation. In written representations, Ms Bailey stated she had never posed a threat or risk to any child she has ever taught, and that she feels she does not pose a risk to children or vulnerable adults. Nevertheless, she did cause harm to Child A who observed the attack [REDACTED], and there was no evidence before the panel to assure it that Ms Bailey posed no future risk.

Ms Bailey has referred to her love of teaching and helping young people, and that she enjoyed every second of her teaching career. However, Ms Bailey has accepted that she will be in prison for a significant length of time. She has referred to having been provided with a release date of May 2037 with a further 7 years on licence by which time, she will be 67 years old and, as she has stated, "in no position to take up teaching again."

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 Bailey 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 Bailey, given the severity of the offence and the consequences for the victim and her family. 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 a longer period before a review is considered appropriate. One of these cases include violence. The panel found that Ms Bailey was responsible for an extreme act of violence, attempted murder, such that the panel regarded that it was of the same or greater level of seriousness with those matters for which no review period should be considered appropriate.

Ms Bailey expressed remorse for her actions and the consequences of them for Person A and their family. Ms Bailey states she cannot recollect the events [REDACTED] so has not yet developed insight as to the cause of her actions. As referred to above there was no evidence before the panel to assure it that Ms Bailey posed no future risk.

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 provision for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Ms Claire Bailey 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

- 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 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 Ms Bailey, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel finds that the conduct of Ms Bailey fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of a conviction of attempted murder.

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 a relevant conviction, 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 Ms Bailey, 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/safeguard pupils. The panel has observed, "There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and the public, given the serious findings of extremely violent conduct." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Ms Bailey has limited insight as she states that she has no recollection of the events that took place, or anything said during the Judge's sentencing, [REDACTED]. She pleaded guilty in the criminal proceedings, and in this hearing, readily accepted the facts of the incident having read the documents contained within the panel

bundle. She has expressed remorse for her actions and the consequences of them for Person A and their family, although has not explained her understanding of what those consequences are. Ms Bailey repeatedly told the panel that she wished the events had never happened.” In my judgement, the lack 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, “The panel also took account of the way the teaching profession is viewed by others. The panel considered that Ms Bailey’s behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Ms Bailey was allowed to continue teaching.” I am particularly mindful of the finding of an offence involving extreme violence in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of a relevant conviction, 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 Bailey herself and the panel comment “The panel accepted that Ms Bailey did have a previously good history as no matters were brought to its attention regarding her teaching career of over 20 years, nor had there been any previous disciplinary order against her. However, there was no evidence of Ms Bailey, having demonstrated exceptionally high standards in both her personal and professional conduct or of having contributed significantly to the education sector, save for having taught for over 20 years.”

A prohibition order would prevent Ms Bailey 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 panel’s comments “Whilst there is evidence that Ms Bailey had over 20 years’ experience as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Ms Bailey in the profession, since her behaviour fundamentally breached the standard of conduct expected of a teacher.”

I have also placed considerable weight on the finding of the panel that “Ms Bailey expressed remorse for her actions and the consequences of them for Person A and their

family. Ms Bailey states she cannot recollect the events [REDACTED] so has not yet developed insight as to the cause of her actions. As referred to above there was no evidence before the panel to assure it that Ms Bailey posed no future risk.”

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Bailey 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 very serious circumstances in this case, that is not backed up by full insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

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

I have considered the panel’s comments “The Advice indicates that there are 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. One of these cases include violence. The panel found that Ms Bailey was responsible for an extreme act of violence, attempted murder, such that the panel regarded that it was of the same or greater level of seriousness with those matters for which no review period should be considered appropriate.”

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the finding, involving a conviction for extreme violence and the lack of full insight.

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 Claire Bailey 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 Bailey 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 Bailey 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 'SABuxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 13 June 2024

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