



Teaching
Regulation
Agency

Mr Christopher Miles Pearson Professional conduct panel meeting outcome

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

October 2024

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

Teacher:	Mr Christopher Miles Pearson
Teacher ref number:	1710404
Teacher date of birth:	1 August 1979
TRA reference:	16961
Date of determination:	4 October 2024
Former employer:	Cobham Free School, Cobham

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 4 October 2024, to consider the case of Mr Christopher Miles Pearson (“Mr Pearson”).

The panel members were Ms Jackie Hutchings (teacher panellist – in the chair), Mr Nigel Shock (lay panellist) and Mrs Dawn Hawkins (teacher panellist).

The legal adviser to the panel was Mrs Carly Hagedorn 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 Pearson that the allegation be considered without a hearing. Mr Pearson provided a signed statement of agreed facts. Mr Pearson admitted the facts of the allegation, that his conduct may bring the profession into disrepute and that his conduct amounted to conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer or Mr Pearson.

The meeting took place in private.

Allegations

The panel considered the allegation set out in the notice of meeting dated 16 July 2024.

It was alleged that Mr Pearson was guilty of conduct that may bring the profession into disrepute and/or having been convicted of a relevant offence, in that:

1. On or around 3 February 2022, he was convicted at Croydon Crown Court of the offence of three counts of rape and one count of indecency with a child which occurred between 1994 – 1996 and to which he was sentenced on 10 February 2022 to 7 years imprisonment.

Mr Pearson admitted that he was convicted of the above offences and that he is guilty of conduct that may bring the profession into disrepute and/or of having been convicted of a relevant offence.

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: Notice of meeting and teacher's responses – pages 3 to 11

Section 2: Statement of agreed facts and Presenting Officer representations – pages 12 to 19

Section 3: Teaching Regulation Agency documents – pages 20 to 69

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 Pearson on 22 November 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 Pearson 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 Pearson was employed as a music teacher and head of year 10 at Cobham Free School (the "School") between 1 September 2014 and 15 December 2017.

On 17 October 2017, the School became aware of the police investigation into historical sexual abuse allegations concerning Mr Pearson and he was subsequently suspended from the School.

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. On or around 3 February 2022, you were convicted at Croydon Crown Court of the offence of three counts of rape and one count of indecency with a child which occurred between 1994 – 1996 and to which you were sentenced on 10 February 2022, to 7 years imprisonment.**

The panel was provided with a Certificate of Conviction confirming that Mr Pearson was convicted of the alleged offences (three counts of rape and one count of indecency with a child) on 3 February 2022. The panel noted that these offences occurred between 1994 and 1996 as set out in the sentencing transcript and Mr Pearson was not a teacher at this time. On 10 February 2022, Mr Pearson was sentenced to 7 years imprisonment and was also required to sign the Sex Offender's Register for life.

The panel accepted the Certificate of Conviction as conclusive proof of the convictions. The bundle contained an '*outcome of court trial*' from the Metropolitan police which also confirmed Mr Pearson's convictions of the above offences.

In a statement of agreed facts, Mr Pearson admitted that the facts of the allegation against him, that they amount to conduct which may bring the profession into disrepute and were a conviction, at any time, of a relevant offence.

The panel found allegation 1 proved.

Findings as to conduct that may bring the profession into disrepute and/or conviction of a relevant offence

Having found the allegation proved, the panel went on to consider whether the facts of those allegations amounted to 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 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 Pearson’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 the offence of sexual activity, child cruelty, controlling and/or coercive behaviour and violence were relevant.

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 conduct that may bring the profession into disrepute.

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 Pearson’s conduct could potentially damage the public’s perception of a teacher.

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

Conviction of a Relevant Offence

The offence was committed by Mr Pearson prior to the coming into force of Teachers Standards, therefore the panel had regard to its knowledge and experience of teaching standards at that time and considered that upholding the rule of law had been of prime importance then, and that Mr Pearson had breached this in his conduct. By the time of Mr Pearson’s conviction, he was a teacher.

The panel noted that the individual’s actions were relevant to teaching, working with children and/or working in an education setting. Whilst the offences for which Mr Pearson had been convicted did not take place whilst he was a teacher, they related to the rape of a pre-pubescent, school aged child on multiple occasions. Furthermore, the offending took place, in a setting in which the victim was supposed to be being cared for and was

described by the Judge during his sentencing remarks as '*not merely impulsive behaviour.*'

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

The panel noted that Mr Pearson's behaviour ultimately led to a sentence of imprisonment, 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 sexual activity, child cruelty, controlling and/or coercive behaviour and violence. The Advice indicates that a conviction for any offence that relates to or involves such an offence is likely to be considered a "relevant offence".

The panel considered that this case was at the more serious end of the possible spectrum. This was conduct that was planned and involved the sexual abuse of a young child on multiple occasions in a setting in which the child was supposed to be being looked after and cared for.

The panel took into account that the conduct took place almost 30 years ago with no suggestion that the nature of the offending had continued going forwards. Whilst the Judge referred to an '*impressive character reference*' and Mr Pearson's '*positive good character since the offending*' the panel also noted the Judge referred to the fact there was no evidence of remorse and that Mr Pearson denied the charges and subjected the victim to having to participate in a trial.

In considering all of the above, the panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Pearson'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 conduct that may bring the profession into disrepute and a 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 Mr Pearson 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; and
- declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of sexual abuse involving a young, school aged child.

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

There was no evidence before the panel of Mr Pearson's ability as an educator and in any event, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Pearson in the profession. 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;
- 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;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature.

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 Mr Pearson be allowed to continue to teach, the panel went on to consider any mitigation.

Mr Pearson's conduct was deliberate and involved a degree of planning. There was no evidence that Mr Pearson was acting under extreme duress, e.g. a physical threat or significant intimidation.

There was no evidence before the panel that Mr Pearson had demonstrated exceptionally high standards in his personal and professional conduct or of having contributed significantly to the education sector.

Mr Pearson adduced no testimonial statements attesting to his character albeit the panel did acknowledge that statements of this nature are referred to in the sentencing remarks.

The panel noted that Mr Pearson did not plead guilty to the charges and it was acknowledged by the Judge at the time of sentencing that there was no evidence of any remorse. However, the panel did take into account the fact that the conduct took place almost 30 years ago and that Mr Pearson was a teenager at the time.

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 Pearson 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 Pearson. This case involved a conviction for multiple counts of sexual abuse of a child which was planned. 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. These cases include:

- serious sexual misconduct, e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons; and
- any sexual misconduct involving a child.

The panel found that Mr Pearson was responsible for such conduct.

The panel was unable to independently assess Mr Pearson's insight or remorse as he did not provide written representations. However, the panel did note the reference in the sentencing remarks to there being no evidence of remorse and the fact Mr Pearson denied the charges. Furthermore, Mr Pearson will be on the Sex Offenders' Register for life.

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 Mr Christopher Miles Pearson should be the subject of a prohibition order, with no provision for a review period.

The panel has noted that "The offence was committed by Mr Pearson prior to the coming into force of Teachers Standards, therefore the panel had regard to its knowledge and experience of teaching standards at that time and considered that upholding the rule of law had been of prime importance then, and that Mr Pearson had breached this in his conduct. By the time of Mr Pearson's conviction, he was a teacher."

The panel finds that the conduct of Mr Pearson 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 for the relevant offences of rape and indecency with a child, which resulted in a sentence of 7 years' imprisonment.

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 Mr Pearson, 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 observed, "The panel noted that the individual's actions were relevant to teaching, working with children and/or working in an education setting. Whilst the offences for which Mr Pearson had been convicted did not take place whilst he was a teacher, they related to the rape of a pre-pubescent, school aged child on multiple occasions. Furthermore, the offending took place, in a setting in which the victim was supposed to be being cared for and was described by the Judge during his sentencing remarks as '*not merely impulsive behaviour.*'" 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 has set out as follows, "The panel was unable to independently assess Mr Pearson's insight or remorse as he did not provide written representations. However, the panel did note the reference in the sentencing remarks to there being no evidence of remorse and the fact Mr Pearson denied the charges." In my judgement, the lack of evidence of insight and remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed that "public confidence in the profession could be seriously weakened if conduct such as that found against Mr Pearson were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding that Mr Pearson was involved in the sexual abuse of a young child on multiple occasions 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 Mr Pearson himself. The panel has noted that it had received no evidence of Mr Pearson's ability as an educator. The panel also noted that "the Judge referred to an '*impressive character reference*' and Mr Pearson's '*positive good character since the offending*'."

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

In this case, I have placed considerable weight on the panel's comments concerning the seriousness of the conduct for which Mr Pearson was convicted and received a lengthy prison sentence. The panel has said "This case involved a conviction for multiple counts of sexual abuse of a child which was planned." I have also placed considerable weight on the panel's comments that there was no evidence of insight or remorse on the part of Mr Pearson.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Pearson has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by evidence of insight and remorse, 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.

The panel notes that the Advice states that in cases involving serious sexual misconduct or any sexual misconduct involving a child, the public interest will have greater relevance and weigh in favour of not offering a review period. The panel notes that Mr Pearson was responsible for such conduct.

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 offences of which Mr Pearson was convicted and the lack of evidence of either insight or remorse.

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

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

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

Mr Christopher Miles Pearson 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 'D Oatley', written in a cursive style.

Decision maker: David Oatley

Date: 8 October 2024

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