



Teaching
Regulation
Agency

Mr Jason Parnell: Professional conduct panel 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 Jason Parnell
Teacher ref number:	9443204
Teacher date of birth:	24 March 1970
TRA reference:	21558
Date of determination:	18 October 2024
Former employer:	Dawlish College, Dawlish

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened by virtual means on 17 and 18 October 2024, to consider the case of Mr Jason Parnell.

The panel members were Mr Terry Hyde (Former Teacher Panellist – in the chair), Mr Tom Snowdon (Teacher Panellist) and Ms Tanya Callman (Lay Panellist).

The Legal Adviser to the panel was Miss Abbie Swales of Eversheds Sutherland (International) LLP solicitors.

The Presenting Officer for the TRA was Ms Rosa Bennathan of Three Raymond Buildings Chambers.

Mr Parnell 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 20 June 2024.

It was alleged that Jason Parnell was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that:

1. Between approximately July 2022 and September 2022, he:
 - a. exchanged messages of an inappropriate nature with a former pupil of Dawlish College (the “School”), Pupil A;
 - b. sent Pupil A a picture of his genitals;
 - c. met Pupil A outside of the School grounds, on at least one occasion.
2. In relation to his conduct at paragraph 1a) – 1c), he continued when he knew and/or ought to have known Pupil A was vulnerable.
3. His conduct at paragraph 1a) – 1c) above was sexually motivated.

The allegations are not admitted.

Mr Parnell did not admit that his conduct as alleged amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

Application to proceed in the absence of the teacher

The panel considered an application from the Presenting Officer to proceed in the absence of Mr Parnell.

The panel was satisfied that the TRA had complied with the service requirements of paragraph 19(1) (a) to (c) of the Teachers’ Disciplinary (England) Regulations 2012, (the “Regulations”).

The panel was also satisfied that the notice of proceedings complied with paragraphs 5.23 and 5.24 of the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020, (the “Procedures”).

The panel determined to exercise its discretion under paragraph 5.47 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took as its starting point the principle from R v Jones that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the

question of fairness, the panel recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in GMC v Adeogba & Visvardis.

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of R v Jones :-

- (i) the panel reminded themselves of Mr Parnell's email to Kingsley Napley on 1 December 2023 in which he acknowledged his awareness of the allegations against him;
- (ii) the panel was satisfied that the teacher was aware of the proceedings having been shown correspondence by the presenting officer which showed that the notice of proceedings was sent to the teacher by recorded delivery on 20 June 2024;
- (iii) the panel was of the view that an adjournment would not result in the teacher attending voluntarily;
- (iv) the panel recognised that Mr Parnell was not legally represented, but Mr Parnell had not sought any adjournment in order to obtain legal representation;
- (v) the panel had the benefit of Mr Parnell's responses during the course of the School's investigation and was able to ascertain the lines of defence. Furthermore, this provided some indication of mitigation and the panel was able to take this into account at the relevant stage. The panel noted that all witnesses relied upon were to be called to give evidence and the panel was able to test that evidence in questioning those witnesses, considering such points as were favourable to the teacher, as were reasonably available on the evidence. The panel was also able to exercise vigilance in making its decision, taking account of the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account;
- (vi) the panel recognised that the allegations against Mr Parnell were serious and that there was a real risk that if proven, the panel would be required to consider whether to recommend that the teacher ought to be prohibited from teaching;
- (vii) the panel recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession. The conduct alleged was said to have taken place whilst Mr Parnell

was employed at the School. Therefore the School would have an interest in this hearing taking place in order to move forward; and

- (viii) the panel also noted that there were witnesses who were prepared to give evidence, and that it would be inconvenient for this to be arranged. Delaying the case would potentially impact upon the memories of those witnesses.

The panel decided to proceed with the hearing in the absence of Mr Parnell. The panel considered that in light of Mr Parnell's waiver of his right to appear; taking into account that an adjournment would unlikely result in Mr Parnell's attendance, and the inconvenience that an adjournment would cause to witnesses, that on balance, these were serious allegations and the public interest in the hearing proceedings within a reasonable time was in favour of the hearing continuing as listed.

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 4 to 6

Section 2: Notice of Proceedings and Response – pages 7 to 14

Section 3: Teaching Regulation Agency Witness Statements – pages 15 to 29

Section 4: Teaching Regulation Agency Documents – pages 30 to 255

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

In addition to the above, the panel were provided with a second bundle titled "PIA Bundle" which contained correspondence relating to the serving of the Notice of Hearing on Mr Parnell as well as an email from Mr Parnell dated 1 December 2023. The panel determined that it was relevant to the proceedings and, in light of Mr Parnell not being in attendance, fair to admit the documents, given it contained an email from Mr Parnell.

Witnesses

The panel heard oral evidence from the following witnesses, called by the Presenting Officer:

1. Witness B – [REDACTED]
2. Witness C - [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.

In 2007, Mr Parnell commenced employment at the School as a Design and Technology Technician. He was a qualified teacher and although he was not employed as a teacher, he covered numerous lessons across all year groups.

In October 2022, concerns were raised that there were rumours regarding a relationship between Mr Parnell and Pupil A.

On 25 November 2022, Mr Parnell was suspended.

On 5 December 2022, the School commenced an internal disciplinary investigation. In January 2023, the investigation was concluded.

On 26 January 2023 a disciplinary hearing took place.

On 1 March 2023, the School referred Mr Parnell to the TRA.

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 approximately July 2022 and September 2022, you:**
 - a. **exchanged messages of an inappropriate nature with a former pupil of the School, Pupil A;**

The panel considered the statement of Pupil A which was exhibited to the witness statement of Witness C in which Pupil A stated that *'7th July on my phone I saw on snapchat 'Jason Parnell is typing' and 'a few days passed and then he messaged me again'*. The panel noted that whilst making her statement, Pupil A showed this message trail to two members of School staff. The panel also considered the interview notes of Witness C's interview with Mr Parnell conducted as part of the internal disciplinary investigation which were exhibited to her witness statement. The notes, which Mr Parnell signed as accurate and correct, showed that Mr Parnell was asked by Witness C when he first made contact with Pupil A to which he replied, *'they left, so after they left before the summer holidays.'* The panel then

considered that in her statement, Pupil A confirmed that the messaging '*stopped on 1st September after I sent a picture of me and [REDACTED]*'.

The panel went on to consider the oral evidence and witness statement of Witness C who was appointed to conduct the internal disciplinary investigation into the alleged conduct of Mr Parnell by the School. In her witness statement Witness C stated that she went through the messages in question with Mr Parnell and that '*Jason Parnell admitted to sending...the messages...*'. The panel noted Witness C's evidence was supported by:

- 1) the interview notes of Witness C's interview with Mr Parnell conducted as part of the internal disciplinary investigation which were exhibited to her witness statement. The notes reflected that during that interview, Mr Parnell acknowledged he had messaged Pupil A and that he '*may have said I loved her*'. Mr Parnell also acknowledged that the Snapchat account which sent the messages to Pupil A was his; and
- 2) the screenshots from Snapchat exhibited to Witness C's witness statement. These show messages sent from the handle "*HAHAHAH*" to Pupil A as well as screenshots showing the handle "*HAHAHAH*" belonged to Mr Parnell. The panel noted the following message in particular:

'I really like you but it can't go anywhere'.

The panel noted that the interview notes of Witness C's interview with Mr Parnell also show that he was asked whether he asked to meet with her to give her bracelets. In response Mr Parnell stated '*Yes I did, while at home, she contacted me saying she didn't have any food in the house, I stopped by*'.

As part of her oral evidence, Witness C confirmed to the panel that Pupil A was [REDACTED]. The panel therefore concluded that whilst Pupil A had left the School by the time of the conduct as set out in the allegation, the messages commenced within two weeks of her leaving. The panel determined that, in light of the timing of the messages and the content of them, which escalated very quickly to Mr Parnell telling Pupil A he loved her and arranging to meet Pupil A, the messages were of an inappropriate nature.

The panel concluded that Mr Parnell had exchanged messages of an inappropriate nature with Pupil A between the dates specified.

The panel found allegation 1(a) proven.

b. sent Pupil A a picture of your genitals;

The panel considered the oral evidence of Witness B in which he confirmed he had had sight of an image of a '*graphic nature*' which was '*Torso down to penis in a selfie image*'. Witness B said he saw the Snapchat 'emoji' of who had sent the

image and that it was a true likeness of Mr Parnell. The panel asked Witness B to confirm whether it was the same 'emoji' as the screenshot of the Snapchat emoji exhibited to Witness B's witness statement. Witness B confirmed it was the same and the panel noted that Mr Parnell, in his interview with Witness C, accepted that the screenshot was of his Snapchat account.

The panel also considered the oral evidence and witness statement of Witness C. In her witness statement, Witness C stated that she asked Mr Parnell direct questions around the images and that '*Jason Parnell admitted to sending...the images*'. Witness C goes on to state in her witness statement that the indecent images included:

- a) two images of Mr Parnell's penis; and
- b) an image of Mr Parnell '*from the neck down to his knees with his underwear pulled down to show his penis*'.

Witness C confirmed this again during her oral evidence and the panel noted that, although it had not had sight of the images, whilst providing her oral evidence to the panel, Witness C reviewed the images in question and described them live to the panel.

The panel also considered the interview notes of Witness C's interview with Mr Parnell conducted as part of the internal disciplinary investigation, which were exhibited to Witness C's witness statement, which recorded that Mr Parnell was asked whether he sent Pupil A a photograph of his penis to which Mr Parnell replied '*unfortunately, yes, I did...summertime.*' Mr Parnell was also asked whether he sent a video of himself masturbating. Mr Parnell replied '*Picture of my penis, we did send some pictures of each other*'.

The panel concluded that Mr Parnell did send a Pupil A a picture of his genitals between the dates specified.

The panel found allegation 1(b) proven.

c. met Pupil A outside of the School grounds, on at least one occasion.

The panel considered two pictures which were exhibited to Witness C's witness statement and which Witness C stated shows Pupil A and Mr Parnell together at the beach. As part of her oral evidence to the panel Witness C confirmed Mr Parnell was in the picture.

The panel also considered the interview notes of Witness C's interview with Mr Parnell conducted as part of the internal disciplinary investigation which were exhibited to her witness statement. Those notes recorded that during that interview Witness C asked Mr Parnell what he could tell her about the photograph of him at the beach with Pupil A. In response, Mr Parnell stated '*yes, after the messaging we*

arranged to meet on the beach, short meeting.' The panel also noted that messaging between Mr Parnell and Pupil A ceased on 1 September 2022 when Pupil A sent Mr Parnell an image of her and [REDACTED] as confirmed by Pupil A in the statement she provided to the School regarding this matter.

The panel also noted that the interview notes of Witness C's interview with Mr Parnell also show that he was asked whether he asked to meet with her to give her bracelets. In response Mr Parnell stated 'Yes I did, *while at home, she contacted me...I stopped by*'.

The panel concluded that Mr Parnell did meet Pupil A outside of the School grounds, on at least one occasion between the dates specified.

The panel found allegation 1(c) proven.

2. In relation to your conduct at paragraph 1a) – 1c), you continued when you knew and/or ought to have known Pupil A was vulnerable.

The panel considered the witness statements of both Witness B and Witness C. In his witness statement, Witness B stated '[REDACTED]'. Furthermore, during his oral evidence Witness B was asked to what extent teachers would be aware of pupils' vulnerabilities to which Witness B replied, '*they would have known*' and that at the School '*safeguarding was effective*'. In addition, in her witness statement Witness C explained that she chose not to interview Pupil A as part of the internal disciplinary investigation for a '*few reasons*', including that she was '[REDACTED]'.

The panel also noted the interview notes of Witness C's interviews with [REDACTED], and [REDACTED], conducted as part of the internal disciplinary investigation. As part of those interviews, Witness C asked [REDACTED] and [REDACTED]'. The panel noted that Witness C also asked [REDACTED] whether Mr Parnell would have been aware of Pupil A's [REDACTED]. [REDACTED] responded explaining that '*staff would have been made aware that [REDACTED] and so to keep an eye out for her*'.

The panel then considered the interview notes of Witness C's interview with Mr Parnell conducted as part of the internal disciplinary investigation. Those notes recorded that Witness C asked Mr Parnell whether Pupil A spoke to him about her [REDACTED], what Mr Parnell can tell her about Pupil A's [REDACTED] and whether Mr Parnell would consider Pupil A [REDACTED]. In response Mr Parnell responded '*she did mention it, [REDACTED]*'. The panel also considered that the interview notes record that Mr Parnell was aware '[REDACTED]'.

The panel concluded that Pupil A was determined to be a [REDACTED] by the School and that Mr Parnell ought to have known that not only because it was communicated by the School to its staff but also because Pupil A herself had referred to her [REDACTED] to Mr Parnell directly.

The panel found allegation 2 proven.

3. Your conduct at paragraph 1a) – 1c) above was sexually motivated.

The panel's attention was drawn to section 78 *Sexual Offences Act 2003* and to the cases of *Basson v General Medical Council [2018]* and *The General Medical Council v Haris [2020] EWHC 2518*.

The panel noted that in *Basson* it was stated that “A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship”. The panel further noted that in *General Medical Council v Haris [2021] EWCA Civ 763*, in the context of an inappropriate examination it was stated that, ‘in the absence of a plausible innocent explanation for what he did, the facts spoke for themselves. A sexual motive was plainly more likely than not; I would go so far as to say that that inference was overwhelming.’

The panel noted that Mr Parnell gave no plausible innocent explanation for the conduct which they had found proven at allegations 1(a), 1(b) and 1(c). Whilst the panel noted that during his interview as part of the internal disciplinary investigation Mr Parnell explained that he had had a ‘really odd year’ following the [REDACTED], the panel could not see a cogent reason why a [REDACTED] could be a prompt for the conduct as proven. The panel noted that the conduct proven included messages in which Mr Parnell acknowledged really liking Pupil A but that it ‘can’t go anywhere’ and multiple indecent images of his genitals which the panel considered would not have occurred without sexual motivation. The panel therefore concluded that on the balance of probabilities, and in the absence of any plausible innocent explanation, Mr Parnell’s conduct at 1a) to 1c) as proven was sexually motivated and done in pursuit of sexual gratification and/or a future sexual relationship.

The panel found allegation 3 proven.

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

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document *Teacher Misconduct: The Prohibition of Teachers*, which is referred to as “the Advice”.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position; and
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that, whilst the conduct occurred after Pupil A had left the School, it was less than two weeks after Pupil A had [REDACTED]. Additionally, some of the conduct occurred during school working hours whilst Mr Parnell was on a school trip in his professional capacity as a member of staff of the School. The panel was also satisfied that in light of the timescales, Mr Parnell used his position of trust obtained whilst Pupil A was at the School and he was teaching her to instigate the conduct. Lastly, the conduct as proven was known amongst other students of the School, including some of those students seeing the indecent images sent by Mr Parnell. As such, the panel concluded that the conduct of Mr Parnell fell significantly short of the standard of behaviour expected of a teacher.

The panel also considered whether Mr Parnell'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 communication with a child and activity involving taking and distributing any indecent photograph was 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 unacceptable professional conduct.

The panel noted that the conduct in question took place outside the education setting in that messages and images were exchanged on Snapchat and via email. However, the conduct involved an ex-pupil of the School whom Mr Parnell was only able to form a relationship with because she had been a pupil of his during her time at the School. Furthermore, the conduct was found to be sexual in nature. The panel were therefore satisfied that the fact the conduct took place outside of the education setting did not extinguish the fact that the conduct fell short of the standard of behaviour expected of a teacher.

The panel was satisfied that the inappropriate messages sent to Pupil A as well as the indecent images of himself sent to Pupil A fell significantly short of the standards required

of the profession. The panel concluded that he also failed to observe appropriate boundaries with Pupil A or have regard for the need to safeguard pupils.

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

The panel went on to consider whether Mr Parnell was guilty of conduct that may bring the profession into disrepute.

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.

In considering the issue of disrepute, the panel also considered whether Mr Parnell'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 offences of sexual communication with a child and activity involving taking and distributing an indecent photograph 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 the conduct proven, which involved a [REDACTED] young person, would be sufficient conduct to bring the profession into disrepute, regardless of whether they were an ex-pupil or not. The fact Pupil A was an ex-pupil of Mr Parnell and the School at which he worked exacerbated this.

The panel therefore found that Mr Parnell'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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Parnell 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 punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils and protection of other members of the public;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct; and
- that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In the light of the panel's findings against Mr Parnell which involved an abuse of his position of trust, a failure to maintain professional boundaries and that his conduct was sexually motivated, the panel concluded that there was a strong public interest consideration, particularly in respect of the safeguarding and wellbeing of pupils given Pupil A was [REDACTED] when the conduct occurred. Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Parnell 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 Parnell was outside that which could reasonably be tolerated.

The panel paid particular attention to the evidence it had read in the bundle and the oral evidence it had heard. However it noted that there was no evidence before the panel of Mr Parnell'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 Parnell in the profession. His behaviour fundamentally breached the standard of conduct expected of a teacher, and he exploited his position of trust.

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 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, for example, 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; and
- any activity involving taking, making, distributing or publishing any indecent photograph or image;
- 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);
- other deliberate behaviour that undermines pupils, the profession, the school or colleagues;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence; and
- collusion or concealment including lying to prevent the identification of wrongdoing.

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 be allowed to continue to teach, the panel went on to consider whether there were mitigating circumstances.

The panel determined that Mr Parnell's actions were deliberate. There was no evidence that Mr Parnell was acting under extreme duress, e.g. a physical threat or significant intimidation.

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

Mr Parnell adduced no testimonial statements attesting to his character. However, the panel did note that during his interview as part of the School's internal disciplinary investigation Mr Parnell stated '*I'm sorry, if I could take it back I would*' and that he was '*...ashamed of [his] behaviour*'. He also acknowledged the impact on [REDACTED], '*[REDACTED] doesn't deserve this*'. However, the panel also noted that despite this, when he was first questioned about the rumours of his relationship with Pupil A, Mr

Parnell denied it and tried to conceal them by asking Pupil A to delete the Snapchat messages. Furthermore, he did not acknowledge the impact on Pupil A or the School. He instead tried to suggest the conduct was two sided when, in an email to Kingsley Napley dated 1 December 2023, he stated, '*there are two sides to every story*'. The panel considered this to show Mr Parnell lacked insight of his actions.

The panel considered that this case was serious but recognised none of the allegations included physical sexual activity. The panel noted this was conduct that took place over a relatively short period of time but did involve the sending of inappropriate messages and multiple indecent images by Mr Parnell to a [REDACTED] young person who only a matter of weeks before had been a student of his. The panel also noted Mr Parnell appeared to show little or no remorse.

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 Parnell 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 Parnell. This case involved conduct which was sexually motivated including the sending of indecent images to a child. 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 for example where the act was sexually motivated and had the potential to result in harm to a person, any sexual misconduct involving a child and any activity involving taking and distributing any indecent photograph or image. The panel found that Mr Parnell was responsible for such conduct.

The panel considered the limited written evidence it had as to Mr Parnell's level of insight and remorse and determined it showed he had no insight as to the impact of the conduct

on Pupil A, the School or the profession and that he had very little remorse for his actions.

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 all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

In particular, the panel has found that Mr Parnell 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; and
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are particularly serious as they include a finding of sending inappropriate messages and indecent images to a [REDACTED] young person who had been a pupil of Mr Parnell only a few months beforehand.

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 likely to 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 Parnell, 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 that “the inappropriate messages sent to Pupil A as well as the indecent images of himself sent to Pupil A fell significantly short of the standards required of the profession. The panel concluded that he also failed to observe appropriate boundaries with Pupil A or have regard for the need to safeguard pupils.” 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. The panel has commented that Mr Parnell “did not acknowledge the impact on Pupil A or the School. He instead tried to suggest the conduct was two sided when, in an email to Kingsley Napley dated 1 December 2023, he stated, ‘*there are two sides to every story*’.” The panel considered this to show Mr Parnell lacked insight of his actions.” The panel has also noted that “Mr Parnell appeared to show little or no remorse.” In my judgement, the lack 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, “The panel considered that the conduct proven, which involved a [REDACTED] young person, would be sufficient conduct to bring the profession into disrepute, regardless of whether they were an ex-pupil or not. The fact Pupil A was an ex-pupil of Mr Parnell and the School at which he worked exacerbated this.” I am particularly mindful of the finding of sending inappropriate messages and indecent images to a former pupil 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 Parnell himself. The panel has commented "There was no evidence before the panel that Mr Parnell had demonstrated exceptionally high standards in his professional conduct or of having contributed significantly to the education sector."

A prohibition order would prevent Mr Parnell 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 finding of the panel as to the serious nature of the misconduct. The panel has said, "The panel considered that this case was serious but recognised none of the allegations included physical sexual activity. The panel noted this was conduct that took place over a relatively short period of time but did involve the sending of inappropriate messages and multiple indecent images by Mr Parnell to a [REDACTED] young person who only a matter of weeks before had been a student of his."

I have also placed considerable weight on the panel's comments concerning the lack of insight or remorse. The panel has said, "The panel considered the limited written evidence it had as to Mr Parnell's level of insight and remorse and determined it showed he had no insight as to the impact of the conduct on Pupil A, the School or the profession and that he had very little remorse for his actions."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Parnell 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 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.

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 not offering a review period. These cases include serious sexual misconduct for example where the act was sexually motivated and had the potential to result in harm to a person, any sexual misconduct involving a child and

any activity involving taking and distributing any indecent photograph or image. The panel found that Mr Parnell 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 misconduct found proven and the lack of full insight and 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 Jason Parnell 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 Parnell 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 Jason Parnell 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', with a large, sweeping flourish at the end.

Decision maker: David Oatley

Date: 21 October 2024

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