



Teaching  
Regulation  
Agency

# **Mr Jonathan Drew: 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**

<b>Teacher:</b>	Mr Jonathan Drew
<b>Teacher ref number:</b>	1585456
<b>Teacher date of birth:</b>	24 August 1988
<b>TRA reference:</b>	21767
<b>Date of determination:</b>	25 October 2024
<b>Former employer:</b>	Westbury Academy, Bilborough

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 25 October 2024 by way of a virtual meeting, to consider the case of Mr Jonathan Drew.

The panel members were Ms Joanna Hurren (teacher panellist – in the chair), Mr Peter Whitelock (lay panellist) and Mrs Jane Brothwood (lay panellist).

The legal adviser to the panel was Ms Abigail Reynolds of Birketts 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 Drew that the allegations be considered without a hearing. Mr Drew provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer, Cyale Bennett of Browne Jacobson LLP, Mr Drew or any representative of Mr Drew.

The meeting took place in private by way of a virtual meeting.

## **Allegations**

The panel considered the allegation set out in the notice of meeting dated 22 October 2024.

It was alleged that Mr Drew was guilty of having been convicted of a relevant offence, in that:

1. On or around 3 October 2022, he was convicted at Nottingham Crown Court for the offence of:
  - a. Wounding/inflicting grievous bodily harm, on 20.12.2019, under the Offences Against the Person Act 1861, section 20.

Mr Drew admitted the allegation and that his conduct amounted to conviction of a relevant offence as set out in the statement of agreed facts signed by Mr Drew on the 19 May 2024. The panel noted that the statement of agreed facts was dated prior to notice of the meeting, however, was satisfied that Mr Drew had sufficient notice of the meeting and that the statement of agreed facts responded to the allegations as set out within the notice of meeting.

## **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 referral, response and notice of meeting – pages 4 to 19
- Section 2: Statement of agreed facts and presenting officer representations – pages 21 to 25
- Section 3: TRA documents – pages 27 to 55
- Section 4: Teacher documents – pages 57 to 62

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 Drew on 19 May 2024 and subsequently signed by the presenting officer on 20 May 2024.

## Decision and reasons

The panel carefully considered the case and reached the following decision and reasons:

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

On 1 July 2016, Mr Drew commenced his employment at Westbury Academy ('the School').

On 20 December 2019, Mr Drew was involved in an incident whereby a member of the public, having been removed from a bar, was restrained by door staff. Mr Drew involved himself in the incident by standing on this individual's legs, which resulted in injury to this individual which subsequently required this individual to undergo surgery.

On 22 January 2020, a media appeal took place regarding the incident. Mr Drew approached the police to confirm that he was the individual identified in the CCTV footage.

On 19 August 2022, Mr Drew attended Nottingham Crown Court and pleaded guilty to a charge of wounding/inflicting grievous bodily harm on the 20 December 2019, under the Offences Against the Person Act 1861, section 20.

Mr Drew was convicted at Nottingham Crown Court on 3 October 2022.

## 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:

- 1. On or around 3 October 2022, you were convicted at Nottingham Crown Court for the offence of:**
  - a. Wounding/inflicting grievous bodily harm, on 20.12.2019, under the Offences Against the Person Act 1861, section 20.**

The panel noted page 8 of the Teacher misconduct: the prohibition of teachers ('the Advice') which states that where there has been a conviction at any time, of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a certificate of conviction from Nottingham Crown Court dated 8 May 2024 which detailed that, on 19 August 2022, Mr Drew was convicted of wounding/ inflicting grievous bodily harm without intent. The panel noted that Mr Drew pleaded guilty to the offence.

On 3 October 2022, Mr Drew was sentenced to 8 months imprisonment, suspended for 12 months, to carry out 150 hours of unpaid work, to pay compensation of £6000 and to pay a victim surcharge of £149.

The panel found allegation 1(a) proven.

### **Findings as to conviction of a relevant offence**

Having found the allegation proved, the panel went on to consider whether the facts of the proved allegation amounted to a conviction of a relevant offence.

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 Drew in relation to the facts it found proved involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Drew 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; and
  - 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.

The panel noted that the offences had taken place outside of the education setting and had not involved pupils or other members of the School's staff. Nevertheless, having considered all of the facts of the case, the panel decided that Mr Drew's conviction, which included violence towards another member of the public, was relevant to his profession as a teacher.

The panel noted that the behaviour involved in committing the offence could have had an impact on the safety or security of pupils and/or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Drew's behaviour in committing the offence could undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils, parents and others in the community.

The panel noted that Mr Drew's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offences committed.

This was a case involving an offence of violence, which the Advice states is more likely to be considered a relevant offence.

The panel further noted that in the statement of agreed facts, signed by Mr Drew, he admitted the facts amounted to the conviction of a relevant offence. Notwithstanding his admission the panel, having considered all the evidence before them, was satisfied on the evidence before it that Mr Drew had been convicted of a relevant offence.

The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Drew's ongoing suitability to teach. The panel considered that a finding that these convictions were for relevant offences 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 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 should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct; 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 Drew, which involved being convicted for an offence of wounding/inflicting grievous bodily harm, there was a strong public interest consideration in respect of the protection of pupils and other members of the public.

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

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

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Drew. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Drew. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards; and
- 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 disclosures.

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

There was no evidence that Mr Drew's actions were not deliberate. However, the panel understood that the nature of Mr Drew's conviction indicated that, whilst Mr Drew had committed an act of violence by way of wounding/inflicting grievous bodily harm, the extent of the injury to the individual in question was inflicted without intent on the part of Mr Drew.

There was no evidence to suggest that Mr Drew was acting under extreme duress.



There was no evidence to suggest that Mr Drew demonstrated exceptionally high standards in both personal and professional conduct and has contributed significantly to the education sector.

The panel considered Mr Drew's written statement in which he expressed his regret and remorse in respect of the incident. Mr Drew stated that, during his court appearance, the Judge indicated that Mr Drew was a "good contributor to society" and that the Judge "had no doubt that he would never see me in a situation like this again". Mr Drew submitted that this reflected the "isolated, uncharacteristic nature" of the incident.

Mr Drew submitted that the incident had "[REDCATED]".

Mr Drew's written statement detailed that, when he became aware of the issue, he immediately contacted the police and his headteacher. Mr Drew further stated that he was informed by his solicitors that the "charging type" was based on the incident resulting in a broken leg, and that it would be agreed that there was no intent by Mr Drew to cause injury.

Mr Drew described himself as a "conscientious and caring individual" who is "genuinely passionate about the education of young people".

Mr Drew stated that, upon reflection, he understood that the incident was "unfortunate and avoidable". Mr Drew stated that he was "genuinely trying to be of assistance". Mr Drew submitted that, in future, he would not be so quick to engage in what he referred to as a "volatile situation".

Mr Drew further stated that the incident had no bearing on his ability to work with children or to perform well in an educational setting. Mr Drew reiterated that this was an isolated, uncharacteristic incident not directly linked in any way to his profession. Further, Mr Drew stated that the School contacted the LADO and the police and "it was agreed that [he] would continue working with the school as [he] posed no threat to the children or staff". Mr Drew stated that this remained the case until the charges were brought against him in 2022.

The panel also considered character references, provided on behalf of Mr Drew, and noted the following comments in particular:

- "I have always known him to be an honest, sincere, calm, dependable and kind person"

Individual A, former colleague

- "[Mr Drew] has secured opportunities for the Academy's pupils in participating in events and providing pathways to positive academic results for the pupils."

- *“Any actions of aggression, violence or force are completely out of character for [Mr Drew].”*

Individual B, former colleague

- *“I was astounded when he told me about the investigation way back in 2020. Jonathan has never presented himself in an aggressive, angry or hostile way during work or social situations.”*
- *“He is absolutely distraught and incredibly remorseful”*

Individual C, former colleague

The panel placed considerable weight to the amount of time that had elapsed since the incident which led to Mr Drew’s conviction, which was at the time of the panel’s decision nearly 4 years, during which there was no evidence that Mr Drew had been involved in any further incidents, and no further regulatory concerns raised.

The panel also considered the extent to which Mr Drew had demonstrated insight and remorse. The panel noted Mr Drew’s written submissions in which he indicated that, in the future, he would not be so quick to engage in what he referred to as a *“volatile situation”*. However, the panel was concerned that Mr Drew had provided no evidence of his understanding of the impact of his actions on his victim. This caused the panel concern as it did not demonstrate that Mr Drew appreciated the impact of his behaviour on his victim, instead focussing on the impact of his behaviour on himself and his loved ones.

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 was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Drew 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 Drew. The conviction for wounding/grievous bodily harm was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice

states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel found none of these behaviours to be relevant.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours includes violence. The panel found that Mr Drew was responsible for violence in the form of wounding/inflicting grievous bodily harm.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a 4 year review period. The panel considered that a review period of 4 years reflected the seriousness of Mr Drew's actions and provided a sufficient period of time to allow him to reflect on his conduct and demonstrate insight and remorse.

## **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 Jonathan Drew should be the subject of a prohibition order, with a review period of four years.

In particular, the panel has found that Mr Drew 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; and
  - 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.

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

The findings of misconduct are serious as they include a conviction for wounding/inflicting grievous bodily harm.

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 Drew, 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, "In the light of the panel's findings against Mr Drew, which involved being convicted for an offence of wounding/inflicting grievous bodily harm, there was a strong public interest consideration in respect of the protection of pupils and other members of the public." 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, "The panel considered Mr Drew's written statement in which he expressed his regret and remorse in respect of the incident. Mr Drew stated that, during his court appearance, the Judge indicated that Mr Drew was a *"good contributor to society"* and that the Judge *"had no doubt that he would never see me in a situation like this again"*. Mr Drew submitted that this reflected the *"isolated, uncharacteristic nature"* of the incident." I have given this element some 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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Drew were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of a conviction for 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 Mr Drew himself and the panel comment “There was no evidence to suggest that Mr Drew demonstrated exceptionally high standards in both personal and professional conduct and has contributed significantly to the education sector.”

A prohibition order would prevent Mr Drew 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 level of insight or remorse. The panel has said, “The panel also considered the extent to which Mr Drew had demonstrated insight and remorse. The panel noted Mr Drew’s written submissions in which he indicated that, in the future, he would not be so quick to engage in what he referred to as a “*volatile situation*”. However, the panel was concerned that Mr Drew had provided no evidence of his understanding of the impact of his actions on his victim. This caused the panel concern as it did not demonstrate that Mr Drew appreciated the impact of his behaviour on his victim, instead focussing on the impact of his behaviour on himself and his loved ones.”

I have also placed considerable weight on the following “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 the protection of other members of the public; the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct; that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.”

I have also placed weight on the panels comments regarding the behaviour involved in committing the offence could have had an impact on the safety or security of pupils and/or members of the public.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Drew 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, involving violence, that is not backed up by full remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 4 year review period.

I have considered the panel's comments "The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a 4 year review period. The panel considered that a review period of 4 years reflected the seriousness of Mr Drew's actions and provided a sufficient period of time to allow him to reflect on his conduct and demonstrate insight and remorse."

In this case, factors mean that allowing a lesser review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are seriousness of the findings and the lack of full insight or remorse.

I consider therefore that a 4 year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Jonathan Drew is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 1 November 2028, 4 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Drew remains prohibited from teaching indefinitely.

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

Mr Jonathan Drew 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.



**Decision maker: Sarah Buxcey**

**Date: 29 October 2024**

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