



Teaching
Regulation
Agency

Mr Christopher Harrison: Professional conduct panel hearing

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

November 2024

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

Teacher:	Mr Christopher Harrison
Teacher ref number:	9651283
Teacher date of birth:	15 September 1970
TRA reference:	20111
Date of determination:	27 November 2024
Former employer:	St George's Academy, Sleaford

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 25 to 27 November 2024 by way of a virtual hearing, to consider the case of Mr Christopher Harrison.

The panel members were Mrs Melissa West (teacher panellist – in the chair), Mr Terry Hyde (former teacher panellist) and Mrs Anila Rai (lay panellist).

The legal adviser to the panel was Mr Nicholas West of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Lee Bridges, instructed by Kingsley Napley LLP solicitors.

Mr Harrison was not present and was not represented.

The hearing took place by way of a virtual hearing in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 30 August 2024.

It was alleged that Mr Harrison was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst a teacher at St George's Academy between 1 September 2020 and 16 April 2021 he:

1. Made inappropriate physical contact with one or more students in his Year 11 Intervention classes including:
 - a) On or around 4 December 2020 he gave Student B a massage on her shoulders while in the intervention group;
 - b) On multiple occasions including on or around 9 December stroked Student A's arm and/or back;
 - c) On an unknown date rested his head against Student A's hip once when she was standing near his desk and/or;
 - d) On multiple occasions stroked Student B's arm and/or back
2. Used inappropriate language and/or behaviour in his interactions with his Year 11 Intervention Class and/or other classes, examples of which are set out in Schedule 1.
3. The behaviour described at 1 and/or 2 above was sexual and/or sexually motivated.

Schedule 1:

1. On one or more occasions he told inappropriate jokes and/or made innuendos or sexual remarks including for a Trigon problem, he used "sex on hard concrete always hurts oval areas" or words to that effect as a mnemonic for the SOHCAHTOA formula;
2. On or around 9 December 2020, he spoke inappropriately about his female tennis coach having an amazing backhand to one or more pupils;
3. On an unknown date, when there was an IT issue he said:
 - a) "I could curl up under the table and cry" or words to that effect and when Student E said "I could join you" or words to that effect and he replied "easy tiger" or words to that effect; and/or
 - b) He added something like "you're way out of my league" or words to that effect;

4. On an unknown date, when a pupil made a comment about being in a downward direction in respect to Maths and he responded “you’d know all about that” or words to that effect;
5. On an unknown date, when discussing with two female pupils about additional support, when Student A responded with “whenever, I’m easy” or words to that effect, he said “well I know that” or words to that effect;
6. On an unknown date he used a graph as an example of attractiveness and age for the axis;
7. On one or more occasions he discussed his family life to one or more pupils including:
 - a. making jokes about [REDACTED]
 - b. joking about [REDACTED], and/or
 - c. stating “marriage is best to be avoided” or words to that effect;
8. On or around 16 September 2020 he tapped a Student X on the back of the hand with a ruler and told him “you’re a very naughty boy” or words to that effect;
9. On or around 11 December 2020 he told Student B “hey gorgeous, missed you” or words to that effect;
10. On one or more occasions he used swear words in front of one or more pupils and stated “I will put my mask on so you cannot see me” or words to that effect;
11. Told Student B that she was an “attractive girl” or words to that effect;
12. Told the class that he had called a girl at his previous school a “hoe” and/or said to her that “she was so much of a hoe that her knickers say ‘next’ on them”, or words to that effect; and/or
13. Stuck a sticker onto Student A’s chest just above her breast.

Mr Harrison made no admission of fact prior to the hearing.

Preliminary applications

Application to proceed in the absence of the teacher

Mr Harrison was not present at the hearing nor was he represented. The presenting officer made an application to proceed in the absence of Mr Harrison.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones [2003] 1 AC 1* (as considered and applied in subsequent cases, particularly *GMC v Adeogba*).

The panel was satisfied that the Notice of Proceedings had been sent to Mr Harrison in accordance with the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (the '2020 Procedures').

The panel noted an email from Mr Harrison to the TRA on 3 May 2024 which attached a written submissions document he prepared to reply to the allegations. This document stated, "*This will be my final communication with you on this matter*". The panel therefore concluded that Mr Harrison's absence was voluntary and that he was aware that the matter would proceed in his absence.

The panel noted that Mr Harrison had not sought an adjournment to the hearing and the panel did not consider that an adjournment would procure his attendance at a hearing. There was no medical evidence before the panel that Mr Harrison was unfit to attend the hearing. The panel considered that it was in the public interest for the hearing to take place. It also considered the effect on the witnesses of any delay, which could have been significant as two of the witnesses were considered vulnerable.

Having decided that it was appropriate to proceed, the panel agreed to seek to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mr Harrison was neither present nor represented.

Application to amend an allegation

The presenting officer made an application to amend allegation 2 to insert the wording in bold, "*Used inappropriate language and/or behaviour in your interactions with your Year 11 Intervention Class **and/or other classes** examples of which are set out in Schedule 1*".

The panel noted that Mr Harrison had not been informed of the proposed change to this allegation.

The panel was advised that it had the power to amend allegations in accordance with paragraph 5.83 of the 2020 Procedures.

The panel considered that the proposed amendment would not change the nature and scope of the allegation in that it would still relate to the same examples of misconduct which have been addressed by Mr Harrison in his written responses. As such, the panel considered that the proposed amendment did not amount to a material change to the allegation.

The legal adviser drew the panel's attention to the case of *Dr Bashir Ahmedsowida v General Medical Council [2021] EWHC 3466 (Admin), 2021 WL 06064095* which held that the lateness of amendments did not necessarily mean they were unjust, as acknowledged in the previous case of *Professional Standards Authority v Health and Care Professions Council and Doree [2017] EWCA Civ 319 at [56]*.

Accordingly, the panel did grant this application and considered the amended allegations, which are set out above.

Application to adopt special measures

The panel considered an application from the presenting officer for special measures to be adopted in respect of two witnesses, Student A and B. This application was made on the basis that these two witnesses should be considered vulnerable, and therefore that they should be allowed a witness supporter to be present when giving their evidence.

The panel heard submissions from the presenting officer on the application before reaching its decision.

The panel considered Student A and Student B were vulnerable witnesses within the meaning of paragraph 5.102 of the Procedures which states that: "*A person is a vulnerable witness if the quality of the person's evidence is likely to be adversely affected at a professional conduct panel hearing...this may include any witness...(iv) who is the alleged victim of conduct which is the subject of an allegation against the teacher of a sexual nature*".

The panel went on to consider paragraph 5.103 of the Procedures which states that: "*The panel will adopt such measures as it considers appropriate in order to safeguard the interests of a vulnerable witness, which may include (amongst other things) ... (vii) the attendance of a witness supporter*".

The panel considered the balance of the potential impact on the welfare of the vulnerable witnesses against the interests of justice in determining whether the vulnerable witnesses should be permitted to give evidence with a witness supporter present. The panel was satisfied that no unfairness would result by Student A and Student B having a witness supporter present whilst they give their evidence. The panel therefore granted the application.

Application for statement of witness to be admitted as hearsay

The presenting officer made an application that the statement of Student C be admitted as hearsay evidence in the absence of the witness. The panel noted that there was no evidence that Mr Harrison was aware of the application. After receiving submissions from the presenting officer and receiving legal advice, the panel made the following decision.

The panel carefully considered the submissions made in determining whether it would be fair to admit the statement as hearsay evidence. The panel noted that the evidence of Student C was clearly relevant to the allegations but it was not the sole and decisive evidence in relation to the allegations. Furthermore, the evidence was not such that the panel felt that it would be unable to test its reliability in the absence of the witness as there was a contemporaneous statement from Student C and internal investigation notes with Student C that had been recorded within a short period of the concerns being raised.

The panel was satisfied that the reason provided by Student C for their non-attendance was perfectly valid and the TRA had made reasonable efforts to attempt to enable Student C to attend the hearing before making the hearsay application.

The panel concluded that the balance of fairness was not against admitting the statement as hearsay evidence. Accordingly, the statement of Student C was admitted and considered in the panel's deliberations.

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 5 to 8
- Section 2: Notice of proceedings and response – pages 9 to 26
- Section 3: TRA witness statements – pages 27 to 40
- Section 4: TRA documents – pages 41 to 325
- Section 5: Teacher response – pages 326 to 334.

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

Witnesses

The panel heard oral evidence from the following witnesses called by the TRA:

- [REDACTED]

- Student A
- Student B

Decision and reasons

The panel announced its decision and reasons as follows:

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

On 1 January 2020, Mr Harrison commenced employment as a teacher of Maths at St George's Academy Trust ('the School').

On 1 September 2020, Mr Harrison also took on the role of Intervention teacher at the School.

On 10 December 2020, three pupils made allegations concerning Mr Harrison's conduct.

On 11 December 2020, the LADO was informed of the allegations.

On 16 April 2021, Mr Harrison tendered his resignation to the School.

On 19 April 2021, the School made a referral 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. Made inappropriate physical contact with one or more students in your Year 11 Intervention classes including:

- a) On or around 4 December 2020 you gave Student B a massage on her shoulders while in the intervention group;**

The panel considered the written statement of Student A, who stated that Mr Harrison gave Student B a massage. She stated that Student B was stressed out because of the work that they were doing, and so Mr Harrison "*massaged her shoulders and down her arms*" to calm her down. The panel considered Student A's account had remained consistent since the allegations were first made and the panel took account of her contemporaneous statement dated 10 December 2020 which stated "*On the 4th of December we was in R9 for Maths as we was doing a quiz. Student B was sat next to me and was getting stressed out so he gave her a massage*" and the notes from her

investigation meeting on 16 December 2020 which also stated, “*Mr Harrison gives Student B a massage on her shoulders while in the small class intervention group*”.

The panel considered the oral evidence and written statement of Student B, who stated that on two separate occasions, Mr Harrison massaged her shoulders. Student B commented that in one lesson she was struggling with the work and said that she was stressed, to which Mr Harrison said “*don’t be stressed*” or words to that effect and proceeded to massage her shoulders. Student B stated that he did the massaging motion 3-4 times and in her oral evidence stated that he was “*pushing his fingers in*” to her shoulders a few times. The panel considered Student B’s account had remained consistent since she provided her contemporaneous statement dated 10 December 2020 in which she stated, “*In Maths last Friday (4th Dec) I asked sir a question about the work and he came up behind me and started massaging my shoulders while telling me to relax which made me feel uncomfortable*”.

The panel considered the written submissions of Mr Harrison, where he suggested that one of the students had moved their chair back as he side stepped, his foot caught this and he started to stumble. He stated that rather than put his full body weight on them, he put his hand on the student’s shoulders, so that he did not fall on top of her. Mr Harrison stated that he apologised to her at that moment whilst he “*gently squeezed her upper shoulders as an apology*” because he didn’t want her to feel uncomfortable.

The panel considered the account provided by Student B, which was corroborated by Student A, to be credible and more likely to have happened than Mr Harrison’s explanation of the incident on 4 December 2020. The panel considered Mr Harrison’s version of events to be inconsistent as he stated in his investigation meeting on 2 February 2021 that if he had briefly made contact with a student’s arm, given the prevailing COVID procedures, he would have washed his hands afterwards but there was no evidence from any students to support this suggestion.

The panel considered there was sufficient evidence to find that Mr Harrison had given Student B a massage on her shoulders on or around 4 December 2020 and this amounted to inappropriate physical contact in that it made Student B feel uncomfortable. The panel therefore found allegation 1(a) proven.

b) On multiple occasions including on or around 9 December stroked Student A’s arm and/or back;

The panel considered the oral evidence and written statement of Student A, who stated that in “*more or less every intervention lesson*” Mr Harrison stroked her arm or sometimes rubbed her back. She stated that it was during COVID times but despite the restrictions Mr Harrison moved tables together and sat with them and would stroke her arm and Student B’s arm. Student A stated that he would do this “*in a way that you would to a family member or partner*”. Student A submitted that Mr Harrison often stroked her arm or

sometimes rubbed her back if she got a question right, and that he would also do this to Student B.

The panel noted the contemporaneous statement of Student A dated 10 December 2020 which stated that on multiple occasions he had stroked her arm or down her back and “Yesterday, (9th Dec), he stroked my arm and admitted it was ‘creepy’”.

The panel considered the oral evidence and written statement of Student B who stated on 10 December 2020 “Mr Harrison has been very touchy with me and Student A since I joined the group. He’s always touching our arms and backs when he’s near us”. In the notes from Student B’s investigation meeting dated 16 December 2020, Student B stated “if he sits next to Student A he will touch her shoulder or arm” and “he’s always touching our arms and backs when he is near us”.

The panel considered the written statement of Student C, who stated that when Student A asked a question, Mr Harrison would walk over to their desk and crouch down to help her and he “also stroked her arm and shoulders whilst doing so”. The panel considered sufficient weight could be provided to Student C’s hearsay evidence as it was supported by his contemporaneous statement dated 10 December 2020 where he stated, “Mr Harrison came over and started stroking her arm and back multiple times and when she asked for help again he stroked her again” and the notes from his investigation meeting dated 16 December 2020.

The panel considered the written submissions of Mr Harrison, where he stated that this was a misrepresentation, but it is possible that as he was working with the student and was wandering around the classroom he might have tapped her on the forearm, or the shoulder in passing as reassurance and to remind and just say “that’s fine”, “well done”, “don’t worry that’s good” etc.

The panel preferred the evidence of Student A, who confirmed in her oral testimony that the motion was that of a stroke, not a tap, and it was not received by her as a form of reassurance. Student A explained that other teachers had told her that she had done well and not felt the need to come near her or give her an encouraging stroke, especially during COVID times. Student A further clarified in her oral evidence that it was a stroke like a partner on her arm and this is why she found it to be “creepy and weird” which the panel accepted.

The panel considered there was sufficient evidence to support the allegation that Mr Harrison stroked Student A’s arm and back on multiple occasions, including on 9 December 2020, and this amounted to inappropriate physical contact as it made Student A feel scared and anxious. The panel therefore found allegation 1(b) proven.

c) On an unknown date rested your head against Student A’s hip once when she was standing near your desk and/or;

The panel considered the oral evidence and written statement of Student A, who stated that she was standing by the desk and Mr Harrison was sitting on his chair. His head was level with her hips and when he was marking her work “*he proceeded to place his head on my hip*”. She stated that this made her feel “*dirty*” and she did not want him to touch her.

In Student A’s contemporaneous statement dated 10 December 2020 she stated “*we had to go up to the desk instead of him coming over to us so I did and got him to check my work and when I got the question right he leaned his head on my hip as he was sitting down and I was standing up that was the height he reached*”. This is consistent with the account that Student A provided in her investigation meeting dated 16 December 2020.

The panel considered the written submissions of Mr Harrison, where he recollected that Student A came to his desk to ask for some help, and she stood with her thigh against his shoulder and arm. Mr Harrison stated that in order to not make her feel uncomfortable/embarrassed by asking her publicly to step away so he could move his right arm, he leaned against her with his shoulder to create a little bit of space between them. He stated that when she stepped aside slightly, he was then able to pick up his pen without brushing his arm against her leg and then assisted her with the problem.

During her oral evidence, Student A confirmed in her oral evidence that Mr Harrison deliberately tipped his head towards her to rest his head next to her stomach, on her hip area. Student A confirmed that there was space between them before and Mr Harrison deliberately moved his head towards her which “*you would not do*” if you were trying to create space. Student A also confirmed that due to her height it would not be possible for Mr Harrison’s shoulder to be touching her thigh as he had suggested. The panel accepted Student A’s evidence as her rebuttal of Mr Harrison’s version of events was convincing and, on balance, more credible.

The panel also noted an inconsistency between Mr Harrison’s response during the investigation meeting on 2 February 2021 when he suggested that if his head did accidentally brush against someone’s hip “*it would only have been to look to see a book*” and he “*may have stretched closer to see something*” and the explanation provided in his more recent written submissions.

The panel considered there was sufficient evidence to find that Mr Harrison had rested his head against Student A’s hip once when she was standing near his desk and this amounted to inappropriate physical contact. The panel accepted Student A’s evidence that Mr Harrison moved his head towards Student A’s hip which was unnecessary and made her feel “*dirty*”. The panel therefore found allegation 1(c) proven.

d) On multiple occasions stroked Student B’s arm and/or back

The panel considered the oral evidence and written statement of Student B, who stated that Mr Harrison would always approach her by touching or stroking her back or arm. She stated that Mr Harrison always found a way to touch her when it was not necessary to do so.

Student B stated that she would confidently say that Mr Harrison touched or stroked her during every lesson, sometimes more than once. Student B stated that the more questions she asked, the more that Mr Harrison would come up to her and touch her. She stated that Mr Harrison had the same approach towards Student A who she sat next to in the intervention lessons.

The panel noted that Student B's account was consistent with her contemporaneous statement dated 10 December 2020 which stated, "*He will always stroke mine and Student A arms and backs when talking to us and when he does it it's very unnecessary*".

The panel considered the written statement of Student A which stated, "*he moved the tables together and sat with us and would also stroke my arm, and Student B's arm*" and "*No other teachers did this, and he only did this to Student B and I*". Student A's oral evidence confirmed that this was something that Mr Harrison did to her and Student B as he came to their table more often than other students' tables.

The panel considered the written submissions of Mr Harrison, where he stated that he had no recollection of these incidents, but stated that it was "*not beyond the wit of man*" that as he was working with Student B and wandering around the classroom that he might have tapped her on the shoulder in reassurance to say that "it's fine" or "well done" or "don't worry that's good" etc.

The panel found Student B's oral evidence to be credible and compelling when she confirmed that Mr Harrison would "*rub her arms up and down, or her back*" and it was an "*up and down movement*", not a tap as suggested by Mr Harrison.

The panel considered that there was sufficient evidence to find that Mr Harrison stroked Student B's arm and/or back on multiple occasions and this amounted to inappropriate physical contact. Student B accepted in her oral evidence that some of the stroking may have been for praise but she confirmed that it was constant, such as whenever he approached her, and this made her feel uncomfortable and she knew it was wrong.

Student B also noted a differential in Mr Harrison's treatment of female and male students which the panel considered added to the inappropriate nature of Mr Harrison's physical contact. The panel therefore found allegation 1(d) proven.

2. Used inappropriate language and/or behaviour in your interactions with your Year 11 Intervention Class and/or other classes examples of which are set out in Schedule 1:

1. On one or more occasions you told inappropriate jokes and/or made innuendos or sexual remarks including for a Trigon problem, you used “sex on hard concrete always hurts oval areas” or words to that effect as a mnemonic for the SOHCAHTOA formula;

The panel considered the notes from Mr Harrison’s investigation meeting dated 2 February 2021 when he accepted that he gave the year 11 intervention group a mnemonic he heard years ago which was “*sex on hard concrete always hurts oval areas*” and a parent had complained that it was not appropriate.

Mr Harrison accepted in his written submissions that the School spoke to him about this incident and he apologised to the “*member of SLT*” and then also apologised to the class. The panel considered that this suggested that Mr Harrison accepted his behaviour was inappropriate at that time. The panel also noted Student A’s written statement which stated she “*found this uncomfortable*” and now recognised that this was unprofessional.

2. On or around 9 December 2020, you spoke inappropriately about your female tennis coach having an amazing backhand to one or more pupils;

The panel considered the contemporaneous statement of Student A dated 10 December 2020 which stated “*Yesterday (9th Dec) he told us that on Thursdays (the day he doesn’t work) he plays tennis and that the younger woman who coaches him has ‘an amazing backhand’, then winked*”. The panel noted Student A’s account was consistent with the notes from her investigation meeting on 16 December 2020. Student D also stated “*He was making jokes about a tennis instructor we told him that is not right*” and Student K stated “*he had discussed with the class a really fit girl at tennis*”.

The panel noted Mr Harrison’s response in the notes from his investigation meeting dated 2 February 2021 stated “*On a Thursday I sometimes go and play tennis with someone from the village. I have talked about their amazing backhand and made a comment about their legs, a double entendre*”. The panel noted this account was inconsistent with Mr Harrison’s more recent written representations which suggested his tennis coach was male and that any inappropriate comments were misinterpreted.

3. On an unknown date, when there was an IT issue you said:

- a) **“I could curl up under the table and cry” or words to that effect and when Student E said “I could join you” or words to that effect and you replied “easy tiger” or words to that effect and/or**
- b) **You added something like “you’re way out of my league” or words to that effect;**

The panel noted Mr Harrison’s written submissions accepted that he stated, “*I could curl up under the table and cry*” and when Student E stated “*I could join you*” he replied “*easy tiger*”. The panel noted that Mr Harrison also accepted he said, “*if I were your age you*

would be way out of my league anyway". This was consistent with Mr Harrison's account in the notes from the investigation meeting on 2 February 2021.

4. On an unknown date, when a pupil made a comment about being in a downward direction in respect to Maths and you responded "you'd know all about that" or words to that effect;

The panel noted Mr Harrison's written submissions accepted that he made a joke to Student E when she talked about being in a "downward direction" in respect to Maths. The panel considered Mr Harrison's response in the more recent written submissions was inconsistent with his account in the investigation meeting on 2 February 2021 where he denied making such a comment stating, "I am appalled to think anyone has suggested this...I am totally aghast at that suggestion".

5. On an unknown date, when discussing with two female pupils about additional support, when Student A responded with "whenever, I'm easy" or words to that effect, you said "well I know that" or words to that effect;

The panel considered the written statement of Student A, who stated that on one occasion she and Student B were left in the class and Mr Harrison asked when they would be free for a lunchtime or breaktime extra revision session to which she replied "whenever... I'm easy". She stated that Mr Harrison responded in a jokey manner saying "well, I know that", which she interpreted to mean that he insinuated she "slept around".

Mr Harrison's evidence in the investigation meeting on 2 February 2021 was that he adamantly refuted this comment stating, "that is appalling", whereas his more recent written submissions accepted he made this statement, although the panel noted that Mr Harrison did not accept it was inappropriate.

The panel found that there was a clear inconsistency in Mr Harrison's recollection as to whether he did or did not make this comment and on the balance of probabilities it was more likely than not that he did make this comment.

6. On an unknown date you used a graph as an example of attractiveness and age for the axis;

The panel considered Mr Harrison's evidence from the investigation meeting on 2 February 2021 when he accepted that he used a graph with attractiveness and age as the two axes. Mr Harrison's written submissions also accepted that he made the point "as we got older, we tend to get less attractive". The panel took into account an extract from a student's exercise book which included a graph with these specific axes.

- The panel noted that this incident was also supported by Student B's written statement which stated "I felt that it was not appropriate for him to actively choose these specific labels...I believe he then made a comment about how younger girls

are more attractive than older women” and a phone call conversation log between [REDACTED] and Student B’s mum which stated, “*she understood Mr Harrison had discussed younger girls being more attractive*” which she also did not feel was appropriate.

7. On one or more occasions you discussed your family life to one or more pupils including:

a) making jokes about [REDACTED]

c) stating “marriage is best to be avoided” or words to that effect;

The panel considered the written evidence from Mr Harrison’s investigation meeting on 2 February 2021 where he accepted that he “*routinely*” talked about his family including putting his [REDACTED] down, giving the example [REDACTED] to which pupils allegedly replied, “*that’s horrible sir*”. The panel noted that Mr Harrison accepted stating “*marriage is best to be avoided at their age definitely and I was joking*” in his written submissions.

b) joking about [REDACTED]

The panel could not find any evidence to suggest that Mr Harrison had joked about his son and did not find this example proved.

8. On or around 16 September 2020 you tapped a Student X on the back of the hand with a ruler and told him “you’re a very naughty boy” or words to that effect;

The panel noted the written evidence of Mr Harrison’s investigation meeting on 2 February 2021 where he accepted he had tapped Student X on the back of his hand and told him he was a “*very naughty boy*”. Mr Harrison also accepted this incident in his written submissions but stated he called Student X a “*bad student*”.

The panel also took into account the document entitled “School’s behavioural log – 16/9/21”. The panel noted that the log entry itself was dated 16 September 2020 which must have been the correct date of the complaint. Mr Harrison accepted he should not have tapped Student X on the back of his hand and [REDACTED] discussed how inappropriate that was, that “*we do not physically touch students*” and she mentioned safeguarding. The log stated that Mr Harrison listened and agreed and apologised which the panel considered suggested that he accepted that his actions were inappropriate.

9. On or around 11th December 2020 you told Student B “hey gorgeous, missed you” or words to that effect;

The panel noted a contemporaneous handwritten note from Student B dated 14 December 2020 where she described Mr Harrison’s actions on “*Friday 11th*”, stating “*Mr Harrison came over and sat next to me (with a mask on) to explain the work that I missed. When he sat down he said “hey gorgeous, missed you”*”.

Mr Harrison denied making this comment in his written submissions, suggesting he addressed the whole class following a period of isolation. However, the panel accepted Student B's oral evidence that this comment would not make sense if it had been made to the entire class as he didn't refer to everyone as gorgeous, it was only the female students. Student B also recollected she had returned to school after [REDACTED] and when she walked in, he approached her and stated "*hey gorgeous, missed you*" which was consistent with her contemporaneous written statement.

10. On one or more occasions you used swear words in front of one or more pupils and stated "I will put my mask on so you cannot see me" or words to that effect;

The panel noted Mr Harrison's written submissions accepted he said, "*I'm so angry with you I'm going to have to put my mask on so I can swear at you*" feigning outrage and disgust. Student J's written statement confirmed, "*he will pretend to swear and says "I will put my mask on so you cannot see me"*" and Student D's written statement confirmed "*Mr Harrison swears under his breath or sometimes puts his mask on so we cannot see him do it*". Although Student D confirmed they never felt uncomfortable, the panel considered this behaviour by a teacher to be inappropriate.

11. Told Student B that she was an "attractive girl" or words to that effect;

The panel noted the oral and written evidence of Student B where she explained that she went to see Mr Harrison to discuss her A Level options and he said "*well, you're an attractive girl*" which she found to be "*really weird and unnecessary*" and it made her feel uncomfortable. Student B expanded on this incident in her oral evidence and explained that she had asked Student N to accompany her as she did not want to be alone with Mr Harrison and she recalled the comment as it had "*nothing to do*" with the discussion about her A Levels.

The panel considered Mr Harrison's account in his written submissions that he allegedly pointed at Student C and said, "*lets say you're attractive*", however, the panel considered Student B's recollection to be more credible and that it was more likely than not that he made this inappropriate comment to Student B.

12. Told the class that you had called a girl at your previous school a "hoe" and/or said to her that "she was so much of a hoe that her knickers say 'next' on them", or words to that effect; and/or

The panel noted in Mr Harrison's written submissions that he accepted telling the class that he called a girl a "*hussie*" at his previous school and he stated "*the hussie joke and moniker arrived after she asked my advice on how to deal with the fact she was dating 3 different boys at the same time*".

The panel also considered Student A's oral and written statement which stated, "*he called one of the girls he taught in his previous school a 'hoe' and said to her that she was so much of a hoe that her 'knickers say next on them'*". Student A confirmed that she felt "*so uncomfortable*" when Mr Harrison made this comment. The panel considered the words "hoe" and "hussie" were largely interchangeable and therefore this allegation was proved as it amounted to words "to that effect".

The panel considered that this was an inappropriate story to tell his Year 11 class.

13. Stuck a sticker onto Student A's chest just above her breast.

The panel considered the oral and written evidence of Student A that Mr Harrison had given her a sticker and "*placed this on my chest just above my breast*" which made her feel "*disgusted*". Student A's oral evidence was consistent with her written account and the panel found her evidence to be highly credible. Student A could recall the date as it was a non-uniform day and she could recall the outfit that she was wearing as she said that she did not wear those clothes again after this incident. Student A explained that it stuck out more in her memory as it was an incident involving physical touch.

The panel noted Mr Harrison's written submissions denied placing the sticker on Student A but accepted that he did start giving stickers out as "*jokey rewards*".

Taking the above examples into account, the panel was satisfied that there were numerous examples of Mr Harrison using inappropriate language and/or behaviour in his interactions with his Year 11 Intervention Class and/or other classes. The panel therefore found allegation 2 proved.

3. The behaviour described at 1 and/or 2 above was sexual and/or sexually motivated.

The panel noted that in *Basson v General Medical Council [2018] EWHC 505 (Admin)* it was stated that "*A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship*".

The panel further noted that in *General Medical Council v Haris [2021] EWCA Civ 763*, 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 therefore considered whether a plausible innocent explanation for the conduct which they had found proven at allegations 1 and 2 had been demonstrated by Mr Harrison.

The panel carefully considered the explanations offered by Mr Harrison but did not consider that these amounted to a "plausible innocent explanation". There were a

number of inconsistencies in his account of incidents between the investigation meeting in February 2021 and his written submissions that were prepared for this hearing. The panel noted that there were a number of separate incidents of touching, comments and other inappropriate behaviours which were plainly sexual in nature and targeted towards female students.

The panel did not consider that all of the individual comments or incidents amounted to misconduct which was sexually motivated. However, after consideration of the cumulative nature of the ongoing comments and behaviours, especially in respect of Mr Harrison's behaviour towards Student A and Student B, the panel concluded that on the balance of probabilities, and in the absence of a plausible innocent explanation, Mr Harrison's conduct was sexual and sexually motivated.

The panel therefore found allegation 3 proven.

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

Having found 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 Harrison, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Harrison 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
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
- 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 the conduct of Mr Harrison amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Harrison's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The panel found that the offence of sexual activity was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel received legal advice as to the possibility of findings being cumulated in accordance with guidance given in the judgment of *Schodlok v General Medical Council [2015]*. However, as the panel concluded that each of the allegations 1(a), 1(b), 1(c), 1(d), 2 and 3 based on the particulars found proved in respect of each allegation, amounted to unacceptable professional conduct, the panel did not need to determine whether it would be appropriate to cumulate any of those allegations.

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

The panel took into account the way the teaching profession is viewed by others 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 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, potentially damaging the public perception. The panel was particularly concerned about the influence Mr Harrison may have had on the male students that he taught providing a negative role model and encouraging misogynistic and chauvinistic behaviours towards women.

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

Having found the facts of allegations 1(a), 1(b), 1(c), 1(d), 2 and 3 proved, the panel further found that Mr Harrison's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order 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.

The panel was aware that 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; 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.

The panel's findings against Mr Harrison involved inappropriate physical contact with students (including massaging, stroking and resting his head on students) and using inappropriate language and behaviour in interactions with students, both of which were found to be sexual in nature and sexually motivated. Consequently, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and 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 Harrison was 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 Harrison was outside that which could reasonably be tolerated.

In view of 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 Harrison. 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 Harrison. 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 were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- 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
- violation of the rights of pupils.

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 Harrison's actions were not deliberate.

There was no evidence to suggest that Mr Harrison was acting under extreme duress and, in fact, the panel found Mr Harrison's actions to be calculated and motivated.

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

The panel did note that there were numerous statements from students speaking highly of Mr Harrison's teaching abilities:

- Student F stated, "*Mr Harrison is organised and a good teacher*", he "*breaks things down really well so that he understands the work*" and is "*professional and helpful*".
- Student E stated, "*Mr Harrison is calm and supportive*", she is "*learning a lot*" and "*overall thinks Mr Harrison is professional*".
- Student H described the "*learning environment as good*" and stated Mr Harrison "*uses and encourages students to help each other*".
- Student J stated, "*the way he teaches is comfortable, he stops me stressing by going over learning until I get it*".

- Student L described Mr Harrison as “*a good teacher*” that “*has made me understand Maths better than any other Maths teacher and I now understand all my work*”.
- Student K stated, “*He really takes his time and will support with 1 to 1 teaching, he does not rush through*”.

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 Harrison 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 Harrison. The complete lack of insight and remorse demonstrated by Mr Harrison was a significant factor in forming that opinion. The panel noted Mr Harrison’s written submissions failed to recognise or acknowledge the adverse effect and harm that his actions had had on students. Even though Mr Harrison had admitted some of the language and behaviours alleged, he failed to recognise that his conduct was inappropriate. The panel therefore could not be satisfied that there would be no risk of future repetition of such behaviour.

The panel was concerned that Mr Harrison’s written submissions qualified any personal regret that he felt for hurt or upset as being caused through the students’ misunderstanding of his actions. The panel was conscious of the way in which Student A and Student B had described feeling as a result of Mr Harrison’s conduct such as “*embarrassed*” and “*dirty*”. However, the harm that Mr Harrison had caused was not acknowledged at all in his written submissions.

Student A’s statement confirmed, “*Because of the way I was being treated by Christopher Harrison I was not doing well in maths...the whole thought of maths made me feel really anxious; Christopher Harrison was supposed to help me, I felt nervous to go into lessons and once I was in the lessons I did not want to be there*”.

The panel was also concerned that Mr Harrison referred to himself as an “*experienced former member of SLT*”, yet he still expected his humour to be managed, for example, by a “*quiet word in his ear*”. The panel noted that the School had reprimanded Mr Harrison on or around 16 September 2020 when he tapped Student X on the back of his hand. Mr Harrison also accepted in his written submissions that the School had spoken to him

about the SOHCAHTOA mnemonic incident and he “*apologised to the member of SLT*” which suggested to the panel that he accepted his behaviour was inappropriate. The panel noted that Mr Harrison continued to behave inappropriately, despite these two attempts by the School to highlight his unacceptable conduct.

The panel further noted from the “*School’s behavioural log*” in September 2020 and oral evidence from [REDACTED] that Mr Harrison would have completed safeguarding training on commencement of his employment with the School or shortly after.

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 behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes any sexual misconduct involving a child. The panel found that Mr Harrison was responsible for sexual misconduct involving a child but considered that this was on the lower end of the spectrum of severity for this type of behaviour.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found none of these behaviours to be relevant.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period of three years. The panel considered that this would provide Mr Harrison with an appropriate period of time to review his conduct and behaviour at the School, recognise and reflect on the harm that he caused and develop his insight and remorse in respect of his actions.

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 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 Christopher Harrison should be the subject of a prohibition order, with a review period of 3 years.

In particular, the panel has found that Mr Harrison is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
- 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 Harrison fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include inappropriate physical contact, language and behaviour with students. The panel has found that this conduct was sexual and sexually motivated.

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 or 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 Harrison, 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’s findings against Mr Harrison involved inappropriate physical contact with students (including massaging, stroking and resting his head on students) and using inappropriate language and behaviour in interactions with students, both of which were found to be sexual in nature and sexually motivated. Consequently, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and 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 finding that Mr Harrison demonstrated a “complete lack of insight and remorse”. The panel has said that “Mr Harrison’s written submissions failed to recognise or acknowledge the adverse effect and harm that his actions had had on students. Even though Mr Harrison had admitted some of the language and behaviours alleged, he failed to recognise that his conduct was inappropriate. The panel therefore could not be satisfied that there would be no risk of future repetition of such behaviour.” 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 that “public confidence in the profession could be seriously weakened if conduct such as that found against Mr Harrison was not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of inappropriate physical contact, language and behaviour which was sexual in nature and sexually motivated 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 or 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 Harrison himself. The panel has commented, “There was no evidence that Mr Harrison demonstrated

exceptionally high standards in both personal and professional conduct and has contributed significantly to the education sector.” The panel has also noted “numerous statements from students speaking highly of Mr Harrison’s teaching abilities”.

A prohibition order would prevent Mr Harrison 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 that Mr Harrison’s physical contact, language and behaviour with students was sexual in nature and sexually motivated, and that this conduct continued despite “two attempts by the School to highlight his unacceptable conduct.”

I have also placed considerable weight on the panel’s comments concerning Mr Harrison’s lack of insight or remorse. The panel has said it “was concerned that Mr Harrison’s written submissions qualified any personal regret that he felt for hurt or upset as being caused through the students’ misunderstanding of his actions. The panel was conscious of the way in which Student A and Student B had described feeling as a result of Mr Harrison’s conduct such as “*embarrassed*” and “*dirty*”. However, the harm that Mr Harrison had caused was not acknowledged at all in his written submissions.”

I have given less weight in my consideration of sanction therefore to the contribution that Mr Harrison 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 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 a 3-year review period.

I have considered the panel’s comments:

“The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes any sexual misconduct involving a child. The panel found that Mr Harrison was responsible for sexual misconduct involving a child but considered that this was on the lower end of the spectrum of severity for this type of behaviour.

“The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found none of these behaviours to be relevant.

“The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period of three years. The panel considered that this would provide Mr Harrison with an appropriate period of time to review his conduct and behaviour at the School, recognise and reflect on the harm that he caused and develop his insight and remorse in respect of his actions.”

I have noted the panel’s comments that the sexual misconduct in this case “was on the lower end of the spectrum of severity for this type of behaviour”. However, I am mindful that the Advice does not indicate that sexual misconduct at the lower end of the spectrum should be treated differently to very serious sexual misconduct, but states that “any” sexual misconduct involving a child will weigh in favour of not offering a review period. I am also mindful that there were several incidents and that the misconduct continued despite Mr Harrison receiving a reprimand. Finally, I am mindful of the harms to students caused by Mr Harrison’s behaviour, which are set out in the panel’s report and which the panel has noted were not acknowledged by Mr Harrison. For example, the panel has noted:

“Student A’s statement confirmed, “Because of the way I was being treated by Christopher Harrison I was not doing well in maths...the whole thought of maths made me feel really anxious; Christopher Harrison was supposed to help me, I felt nervous to go into lessons and once I was in the lessons I did not want to be there”.”

For these reasons, I do not agree that a 3-year review period reflects the seriousness of the sexual misconduct found proven in this case or is sufficient to maintain public confidence in the profession. Furthermore, in my judgement, a longer period is necessary for Mr Harrison to reflect on his conduct and develop insight and remorse in view of the panel’s finding on his “complete lack” of insight and remorse.

I have therefore decided that a 5-year review period is necessary to reflect the seriousness of the misconduct in this case and to achieve the aim of maintaining public confidence in the profession. After 5 years, if Mr Harrison were to apply for the prohibition order to be set aside, he should be required to demonstrate insight and remorse and that there would be no risk that he would repeat the conduct found proven in this case.

This means that Mr Christopher Harrison 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 6 December 2029, 5 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 Harrison remains prohibited from teaching indefinitely.

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

Mr Harrison 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: 29 November 2024

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