



Teaching
Regulation
Agency

Mr Robert Hanna: Professional conduct panel outcome

**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 Robert Hanna
Teacher ref number:	0533577
Teacher date of birth:	11 January 1978
TRA reference:	19662
Date of determination:	27 November 2024
Former employer:	St Saviour's and St Olave's C of E Secondary School

Introduction

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 27 November 2024 via MS Teams to consider the case of Mr Robert Hanna.

The panel members were Mr Ian McKim (lay panellist – in the chair), Mrs Bev Williams (teacher panellist) and Ms Katie Dent (lay panellist).

The legal adviser to the panel was Ms Clare Strickland of Blake Morgan solicitors.

The presenting officer for the TRA was Ms Natalia Constantine of counsel, instructed by Kingsley Napley solicitors.

Mr Hanna was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of hearing dated 2 September 2024.

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

1. On 23 November 2021 he was convicted of causing/inciting sexual activity with a female 13-17 (offender over 18 or over abuse of position of trust) on 01/08/18 – 01/4/19 contrary to Sexual Offences Act 2003 s.17 (1) (e) (i)
2. On 23 November 2021 he was convicted of 5 counts of sexual activity with a female 13- 17 offender does not believe victim is over 18 (abuse of position of trust) on 01/08/18- 01/04/19 contrary to Sexual Offences Act 2003. S.16 (1) (e) (i)
3. On 13 December 2021 he was convicted of 4 counts of failing to comply on 01/04/19 with conditions 4 (a) and (b) subject to which a shotgun certificate was held by him. Contrary to Section 2(2) of and Schedule 6 to the Firearms Act 1968.
4. On 13 December 2021 he was were convicted of failing to comply on 01/04/19 with condition 4 (a) and (b) subject to which a firearm certificate was held by him. Contrary to Section 1(2) of and Schedule 6 to the Firearms Act 1968.

Mr Hanna did not make any admissions.

Preliminary applications

Proceeding in absence

The panel considered an application from the presenting officer that the hearing should proceed in the absence of Mr Hanna. She relied on the evidence set out in the PIA bundle, which included evidence that:

- The notice of hearing was sent to Mr Hanna's address in [REDACTED] on 2 September 2024 but returned undelivered.
- Prior to that, Mr Hanna had emailed the TRA on 12 February 2024 and said he wished to receive all correspondence in writing not via email. He did not provide any other postal address.
- On 12 July 2024, a letter from Kingsley Napley solicitors dated 11 July 2024 and sent to Mr Hanna at an address in [REDACTED] was signed for by "LL" before being returned.

- On 20 July 2024, an unidentified item was delivered and signed for by “Hanna”
- At various times, Kingsley Napley solicitors and the TRA attempted to email Mr Hanna at the address he had emailed from in February 2024 but he did not reply.
- Kingsley Napley solicitors instructed tracing agents, who identified a potential address in [REDACTED], but post sent to this address was returned marked “not known”.
- On 31 October 2024, a TRA caseworker spoke to Mr Hanna on the telephone and told him about the hearing date. He said he had not received correspondence about it, and was told that the correspondence sent had been returned as undelivered. He repeated that he did not want to receive email correspondence and said he “did not see the point” in attending the hearing. He said he would seek advice. Since then, there has been no further contact from him.
- On 11 November 2024, the TRA sent a further letter to Mr Hanna at his [REDACTED] address. It was signed for by “Robert” but then returned marked “not known here”.

The panel was satisfied that the notice of hearing had been served in accordance with paragraph 5.23 of *Teacher misconduct; Disciplinary procedures for the teaching profession*, May 2020 (the Procedures).

It went on to consider whether to exercise its discretion to proceed in the absence of Mr Hanna, in accordance with paragraphs 5.45 – 5.47 of the Procedures. It had regard to the decisions of the House of Lords in *R v Jones* [2002] UKHL 5 and the Court of Appeal in *GMC v Adeogba* [2016] EWCA Civ 162.

The panel concluded that it would proceed in Mr Hanna’s absence. It considered that there was a significant public interest in bringing this matter to a conclusion, given that Mr Hanna was convicted three years ago and the events dated back to 2018-2019. It had regard to the nature and circumstances of his absence. The panel concluded that he was actually aware of the hearing from 31 October 2024 onwards, and that he had the means of attending and/or accessing the material to be relied on by the TRA. He had not sought an adjournment. The panel concluded he had voluntarily absented himself, and that an adjournment was unlikely to result in his attendance.

The panel considered the extent of disadvantage he would be under by not being present. It noted that the allegations concerned convictions, and concluded this reduced the disadvantage, but by no means eliminated it. The panel was confident that it could and would mitigate the remaining disadvantage by having careful regard to the written information submitted by Mr Hanna to the TRA.

Discontinuance of allegations 3 and 4

The panel considered an application from the presenting officer to discontinue allegations 3 and 4. These were put on the basis that Mr Hanna had been convicted, but this was technically incorrect as Mr Hanna had been conditionally discharged. The presenting officer submitted that there was no public interest in seeking to proceed with amended allegations relating to the conduct set out in allegations 3 and 4, as this would necessitate an adjournment to obtain further evidence, and given the seriousness of allegations 1 and 2, there was no public interest in this. She confirmed that discontinuance of the allegations would be final – the TRA would not seek to revive them in future.

The panel noted that the Procedures did not cover this specific situation but concluded that it was appropriate for them to consider the application to discontinue. As a professional regulatory panel, the panel had a duty to ensure that the public interest was served adequately by the proper exploration of allegations. The panel concluded that in the circumstances of this case, the public interest would be satisfied by the discontinuance of allegations 3 and 4. There was no public interest in delaying the final consideration of allegations 1 and 2, which were extremely serious and directly relevant to Mr Hanna's work as a teacher. Findings on allegations 3 and 4 would be unlikely to add anything to the seriousness of the case, and in those circumstances, there was no public interest in delaying matters to amend or seek further evidence on them.

The panel also considered whether it should make a finding on allegations 3 and 4, and if there was insufficient evidence to prove them, find them not proved. It decided that this would not result in any substantial difference to allowing the application to discontinue.

Accordingly, the panel agreed that allegations 3 and 4 should be discontinued. It noted that as a professional panel, it could and would disregard those matters entirely when making its decision on the remaining allegations.

Summary of evidence

Documents

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

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

Section 2: Notice of hearing and response – pages 6 to 17

Section 3: Teaching Regulation Agency documents – pages 18 to 99

Section 5: Teacher documents – pages 100 to 144

The panel had also received an anonymised hearing list.

In addition, the panel agreed to accept the following:

- A 21-page bundle of documents entitled “PIA bundle”
- An unredacted copy of the notice of hearing confirming the address it was sent to
- Evidence that the notice of hearing was returned to the TRA undelivered

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

Witnesses

The panel did not hear any oral evidence.

Decision and reasons

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

Mr Hanna was head of physics at St Saviour’s and St Olave’s C of E Secondary School (the School). In April 2019, Pupil A disclosed that they had been engaged in a sexual relationship with Mr Hanna. It had started in June 2018, when Pupil A was [REDACTED], shortly after they had completed their GCSEs. It continued for a time after they returned to the School to study for their A levels. For some of the time, Mr Hanna was [REDACTED].

Mr Hanna initially arranged a social meeting with Pupil A and some other pupils, then started messaging [REDACTED] via social media. There was an occasion when he kissed [REDACTED], and then they began having sexual intercourse. This took place on a number of occasions, including at his home and in hotels.

[REDACTED].

Mr Hanna was arrested and charged with a number of criminal offences. He pleaded not guilty. He was convicted following a trial at which Pupil A gave evidence. He was sentenced to a total of 3 years’ imprisonment. He appealed against the length of his sentence, but this appeal was rejected. His appeal against a sexual harm prevention order was allowed. So far as the panel is aware, there is currently no live appeal against the convictions before the Court of Appeal.

Findings of fact

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

You have been convicted of the following relevant offences, in that:

- 1. On 23 November 2021 you were convicted of causing/inciting sexual activity with a female 13-17 (offender over 18 or over abuse of position of trust) on 01/08/18 – 01/4/19 contrary to Sexual Offences Act 2003 s.17 (1) (e) (i)**
- 2. On 23 November 2021 you were convicted of 5 counts of sexual activity with a female 13- 17 offender does not believe victim is over 18 (abuse of position of trust) on 01/08/18- 01/04/19 contrary to Sexual Offences Act 2003. S.16 (1) (e) (i)**

The panel had regard to the certificates of conviction dated 9 April 2024, which confirmed that Mr Hanna was convicted as set out in the allegations. It also had regard to a transcript of Mr Hanna’s sentencing hearing on 23 November 2021, and the Court of Appeal’s judgment on his appeal against sentence dated 9 November 2022.

From these, it was satisfied that Mr Hanna had been convicted as set out in allegations 1 and 2, and it therefore found these allegations proven.

Findings as to conviction of a relevant offence

Having found the allegations proved, the panel went on to consider whether the facts of those proven allegations amounted to convictions for 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 Hanna, in relation to the facts it found proved, involved breaches of the Teachers’ Standards. The panel considered that by reference to Part 2, Mr Hanna 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 an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that Mr Hanna's actions were relevant to teaching, working with children and/or working in an education setting. Pupil A was a pupil at the School where he taught, and for at least part of the time covered by his offences, he was [REDACTED].

The panel noted that the behaviour involved in committing the offences had an impact on the safety and/or security of pupils. The panel noted that in their victim impact statement to the criminal proceedings, Pupil A said the events had a hugely negative effect on [REDACTED]. As a result of what happened, Pupil A's attendance at [REDACTED] and this had an adverse impact on [REDACTED]. [REDACTED] in an attempt to deal with the [REDACTED] and was referred to [REDACTED]. In 2021, Pupil A reported that they remained affected, struggling [REDACTED] and [REDACTED] around male authority figures.

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

The panel noted that Mr Hanna's behaviour ultimately led to a sentence of imprisonment, which was indicative of the seriousness of the offences committed.

This was a case concerning offences involving sexual activity, which the Advice states are likely to be considered relevant offences.

The panel concluded that the seriousness of the offending behaviour that led to the convictions was relevant to Mr Hanna'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 convictions of relevant offences, 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 a punitive effect.

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

protection of pupils, the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the protection of pupils, given the serious findings of convictions for sexual offences involving a vulnerable pupil.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Hanna was far 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 Hanna.

When considering the seriousness of the convictions, the panel had regard to the following factors identified by the judge at Mr Hanna's criminal trial, who described Mr Hanna's offending as "*...as gross a breach of trust between a schoolteacher and pupil as there could be.*" He identified the following aggravating factors:

- Pupil A's vulnerability
- The harm caused to Pupil A
- Grooming
- Significant planning
- Sexual activity involving penetration and ejaculation
- Besmirching Pupil A and the School in an attempt to avoid responsibility
- Absence of remorse or understanding of the impact on Pupil A

The panel also noted the mitigating factor identified by the criminal trial judge, namely Mr Hanna's previous good character.

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 Hanna. 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;

- 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;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. 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;

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 to suggest that Mr Hanna's actions were not deliberate, or that he was acting under duress. The panel accepted the criminal trial judge's conclusion that his actions were calculated and motivated.

The panel accepted that he had a previous good history.

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 consequences for Mr Hanna of prohibition.

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.

These behaviours include:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child.

The panel found that Mr Hanna had committed extremely serious sexual offences against a vulnerable pupil and had shown no remorse or insight into his conduct.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

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

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

In particular, the panel has found that Mr Hanna 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 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 Hanna fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of a conviction for the relevant offence of sexual activity with a female aged 13-17.

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 Hanna, 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, "There was a strong public interest consideration in respect of the protection of pupils, given the serious findings of convictions for sexual offences involving a vulnerable pupil." 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 that Mr Hanna had shown no insight and remorse into his conduct. The panel has noted that the judge at Mr Hanna's criminal trial identified as an aggravating factor the "Absence of remorse or understanding of the impact on Pupil A". 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 would be seriously weakened if conduct such as that found against Mr Hanna were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of serious sexual offences against a vulnerable pupil in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a

failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of 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 Hanna himself. The panel has noted that Mr Hanna had a previous good history but did not comment further on his abilities as a teacher.

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

In this case, I have placed considerable weight on the panel’s comments concerning the seriousness of the sexual offences committed by Mr Hanna against a vulnerable pupil and his lack of insight or remorse.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Hanna 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 that no provision should be made for a review period.

The panel has noted that the Advice indicates that serious sexual misconduct or any sexual misconduct involving a child would militate against the recommendation of a review period. The panel has commented that “Mr Hanna had committed extremely serious sexual offences against a vulnerable pupil and had shown no remorse or insight into his conduct.”

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the offences of which Mr Hanna was convicted, the lack of insight and remorse, and the risk of repetition.

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

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

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

Mr Hanna 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.