



Teaching
Regulation
Agency

Mr David Crawford: Professional conduct panel outcome

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

December 2024

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

Teacher:	Mr David Crawford
Teacher ref number:	8839817
Teacher date of birth:	17 March 1966
TRA reference:	20271
Date of determination:	13 December 2024
Former employer:	Fishburn Primary School, Stockton-on-Tees

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 11 to 13 December 2024 by way of a virtual hearing, to consider the case of Mr David Crawford.

The panel members were Ms Emma Garrett (lay panellist – in the chair), Mr Philip Thompson (teacher panellist) and Ms Kristen Hughes (lay panellist).

The legal adviser to the panel was Mr Daniel Hales of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Adam Slack of Capsticks LLP solicitors.

Mr Crawford was not present.

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

Allegations

The panel considered the allegation set out in the notice of proceedings dated 17 September 2024.

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

1. On or around 9 August 2021 you were convicted of Assault contrary to s.39 criminal justice act 1988

Mr Crawford provided no admission of fact prior to the hearing.

Preliminary applications

Application to proceed in the absence of the teacher

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

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 Crawford in accordance with the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (the '2020 Procedures').

The panel concluded that Mr Crawford's absence was voluntary and that he was aware that the matter would proceed in his absence.

The panel noted that Mr Crawford had initially sought an adjournment to the hearing on 3 December 2024 until he had consulted his union representative. On being told that this request was refused, and having taken union advice, he confirmed that he no longer sought an adjournment to the hearing, and he did not intend to attend the hearing. 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 Crawford 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.

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 Crawford was neither present nor represented.

Application to admit additional documents

The panel considered a preliminary application from the presenting officer for the admission of additional documents. The additional documents were a series of emails between Mr Crawford and the TRA on 3 and 4 December 2024.

In the emails Mr Crawford initially sought a postponement of the hearing. When this was refused, he then confirmed that he had taken advice from his Union representative, he no longer sought a postponement of the hearing, he did not intend to attend the hearing, and that the allegations against him were dishonest.

The documents subject to the application had not been served in accordance with the requirements of paragraph 5.37 of the 2020 Procedures. Therefore, the panel was required to decide whether the documents should be admitted under paragraph 5.34 of the 2020 Procedures. The panel considered the additional documents were relevant and that it would be fair for these to be admitted. Accordingly, the documents were added to the bundle at pages 168 to 172.

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 5
- Section 2: Notice of proceedings and response – pages 6 to 29
- Section 3: TRA witness statements – pages 30 to 61
- Section 4: TRA documents – pages 62 to 167

In addition, the panel agreed to accept the following:

- An email exchange between Mr Crawford and the TRA on 3 and 4 December 2024 – pages 168 to 172

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

- Witness A, [REDACTED]

- Witness B, [REDACTED]
- Witness C, [REDACTED]
- Witness D, [REDACTED]

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Crawford was a teacher at Fishburn Primary School ('the School') from 3 May 2005 until 18 November 2021.

On 4 May 2020, an incident took place between Mr Crawford and Witness A. Witness A reported the incident to Durham County Council HR and the Chair of Governors alleging that Mr Crawford engaged in threatening and intimidating behaviour.

On 5 to 11 May 2020, an internal fact-finding process was carried out by the [REDACTED] at the time, Individual E, who spoke to Mr Crawford and Witness A. Individual E also spoke to Witness D, who witnessed the incident.

On 1 June 2020, Individual F, was appointed to formally investigate the allegations against Mr Crawford.

On 3 June 2020, Witness A reported the incident to the police. On the following day, 4 June 2020, the disciplinary investigation was put on hold pending the outcome of the police investigations and any criminal case.

On 9 August 2021, Mr Crawford was convicted of assault contrary to s.39 Criminal Justice Act 1988.

Following the conclusion of the criminal case, the school's disciplinary process resumed, and a disciplinary hearing was held on 12 November 2021.

On 14 January 2022, a referral was made to the TRA by the LADO.

Findings of fact

The findings of fact are as follows:

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

1. On or around 9 August 2021 you were convicted of Assault contrary to s.39 criminal justice act 1988

Mr Crawford did not provide any admission of fact or any submissions in respect of the allegation, although he did state in an email on 4 December 2024 that the accusations against him were “*dishonest*”.

The panel was provided with a copy of the memorandum of conviction from County Durham and Darlington Magistrates’ Court which was in the bundle. This confirmed that on 9 August 2021 Mr Crawford had been convicted of the assault of Witness A on 4 May 2020 at the School, contrary to section 39 Criminal Justice Act 1988.

The memorandum of conviction further confirmed that Mr Crawford was fined £440; ordered to pay a victim surcharge of £44; and ordered to pay costs of £620 to the Crown Prosecution Service.

The panel also heard witness evidence relating to the allegation and the circumstances leading up to the allegation.

The panel considered the oral evidence and written statement of Witness A. Witness A explained that she joined the School as [REDACTED] on 1 September 2019, shortly after the School had been rated as ‘Requires Improvement’ by Ofsted. She described numerous occasions on which she felt Mr Crawford was uncooperative and aggressive, refused to follow her instructions, became angry, called her fat and sought to undermine her by stealing things from her desk, unscrewing the back of her chair so that she fell off her chair when she sat down, touching her clothes, sitting on her lap and holding her leg, putting his arm around her and squeezing her arm. Witness A said that she tried to move away from Mr Crawford when he touched her or put his arms around her, and she tried to avoid being in a room alone with him.

The panel heard that there were concerns about Mr Crawford’s teaching. Witness A and the [REDACTED] had agreed to arrange a support plan for him. However, she said before the plan could be implemented, Mr Crawford then commenced a period of sickness absence between September 2019 and January 2020. He then returned to work on a phased return in January 2020. Witness A told the panel that during a meeting on 9 January 2020, while discussing his return to work, Mr Crawford became angry and banged the table with his fist. She said Mr Crawford told her he was best friends with [REDACTED] and that [REDACTED] had not been listening to anything she said. He also said that, because of his relationship with [REDACTED] and the [REDACTED], everyone would listen to him.

Witness A said that around this time, the [REDACTED] began a period of absence, and she acted up as [REDACTED] in his absence.

Witness A said that on the 4 May 2020, she was working in the School's main office after taking the register. She stated that she was working on the computer with her back to the office door and Witness D was sat opposite her. Witness A said that at 10.15am Mr Crawford came into the office from behind her and pinned her to her chair with his arm around her chest, pushed her back into her chair and pressed a knife into her neck. Witness A said she could feel the metal being pressed into her neck. She stated that she could not move, and she panicked.

Witness A explained that as Mr Crawford pressed the knife to her neck, he made a comment that he was going to "*slash*" her. She said she tried to wiggle back to free herself and told him to pack it in. She said that Mr Crawford laughed and said "*the things I could do to you girl*" and told her that she needed "*slashing down a size*". Witness A said she told Mr Crawford that no one had ever said that to her before and he replied that he had done "*quite a bit of slashing down to size*" in his time and he left the room. Witness A said the whole incident lasted approximately two minutes. Afterwards, Witness A said Witness D looked at her and she burst into tears.

After the incident Witness A said she made calls to the School's business manager and HR and told them what had happened. She said that Mr Crawford returned an hour later and asked to speak with her on her own. He indicated that he wanted to talk to her in the staffroom, but Witness A said she was not going to be alone with him. She said he then tried to make a joke of the incident and said he was just "*clowning around*".

The panel considered the statement Witness A gave to the police on 3 June 2020, which alleged that Mr Crawford "*... approached me from behind and put his left arm tightly across my chest which pinned me to the chair and in his right hand held a knife up to my throat. The knife was pressed tightly into my neck...*" The statement further alleged that Mr Crawford "*made a comment at that point saying he was going to slash me*".

The panel considered the oral evidence and written statement of Witness D. He said he had previously worked with the School for approximately six years, running outdoor residential training. Then, in 2019 he became [REDACTED] for the School. Witness D said that when he became [REDACTED], he saw Mr Crawford constantly touching Witness A. He said Mr Crawford put his arm around her, pretended to massage her, adjusted her clothes or stood really close to her. Witness D said he could see that Mr Crawford's behaviour made Witness A feel uncomfortable as she would move away from him. He said he saw this behaviour from Mr Crawford at least five times and he was told by other staff members that it was happening more frequently. Witness D explained that he did not like Mr Crawford's behaviour, which he considered "*creepy*" and inappropriate, and whenever he noticed Mr Crawford go into a room with Witness A, he [Witness D] would go in and work in the room to ensure that Mr Crawford and Witness A were not alone together. Witness D explained that Mr Crawford defended his behaviour by saying he was "*mucking about*" and a "*joker*".

Witness D said that he witnessed the incident between Mr Crawford and Witness A on 4 May 2020. He had a conversation with Mr Crawford around 9.30am or 10am about making some toast and then returned to the office. A short time later Mr Crawford returned to the office with a butter or eating knife in his hand. Witness D stated that Mr Crawford walked into the office and stood behind Witness A's chair, moved her chair so that she was facing the wall, put his arm against her chest and the knife to her throat. He recalled that Mr Crawford said, "*the things I could do to you girl*" and "*I could cut you down*" or "*I could cut you down to size*". Witness D explained that Witness A was held in her seat, could not move, went white and said, "*you're holding a knife to my throat*". He stated that Witness A was panicking and could not speak properly, and she appeared scared for her life. He said that while this was happening the office door was open and Key Stage 1 pupils were walking up and down the corridor.

Witness D explained that Mr Crawford then left the school office. He stated that Witness A was panicking, she "*stopped acting human*" and was in significant shock. He believed that Mr Crawford held the knife to Witness A's throat for roughly 30 seconds.

The panel considered the oral evidence and written statement of Witness B, who stated that she supported the School governors at the disciplinary hearing on 12 November 2021. She explained that this was after Mr Crawford had been convicted for assault, but he gave a different version of events and described the incident as a joke. She told the panel that he did not accept the criminal verdict and said that he might have been waving the knife about while he was speaking to Witness A.

The panel considered the oral evidence and written statement of Witness C, who stated that her team supported the School with the incident reported by Witness A on 4 May 2020. The panel accepted Witness C's statement as read.

The panel noted paragraph 15 of the document Teacher misconduct: the prohibition of teachers ('the Advice') which states that where there has been a conviction at any time, of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply.

The panel did not find that any exceptional circumstances applied in this case.

Therefore, on the basis of the memorandum of conviction, the panel found that Mr Crawford was convicted of assault on 9 August 2021 contrary to s.39 criminal justice act 1988. On consideration of all the evidence before it, the panel found the following facts were necessarily implied by the conviction. On 4 May 2020, Mr Crawford assaulted Witness A at the School by approaching her from behind, pinning her in her chair with his arm across her chest and placing a knife, which was used to butter toast, against her neck. The panel found that Mr Crawford made threatening comments to the effect of "*I'm going to slash you*" and "*you need slashing down a size*".

Accordingly, the panel found the allegation proven.

Findings as to conviction of a relevant offence

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

In doing so, the panel had regard to the Advice.

The panel considered paragraph 32 of the Advice and took into account the circumstances of the offence. The panel considered that, while the offence did not involve misconduct in the course of teaching, it was a very serious offence. The panel noted that Mr Crawford's actions took place while he was working in an education setting. The offence took place in school and during school hours. Mr Crawford was at work in his capacity as a teacher at the time and Witness A was the [REDACTED]. The panel heard evidence that the office door was open at the time of the offence and pupils could have seen Mr Crawford's actions if they had walked past, although there was no evidence that the offence was in fact witnessed by a pupil.

Further, the panel was satisfied that Mr Crawford's actions in committing the offence, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2 of the Teachers' Standards, Mr Crawford's actions breached the following standards:

"A teacher is expected to demonstrate consistently high standards of personal and professional conduct..."

- *Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:*
 - *showing tolerance of and respect for the rights of others"*

The panel did not consider that Mr Crawford's actions had a potential impact on the safety or security of pupils or members of the public, as the panel had not seen any evidence that Mr Crawford had engaged in similar behaviour with anyone other than Witness A. However, the panel took account of the way the teaching profession is viewed by others. The panel considered that Mr Crawford's behaviour in committing the offence could undoubtedly affect public confidence in the teaching profession if he were allowed to continue teaching. The panel considered that members of the public would be gravely concerned about an assault by a teacher against a colleague with a knife on school premises while there were pupils in School.

The panel noted that Mr Crawford's conviction did not lead to a sentence of imprisonment, which was indicative that the offence was at the less serious end of the possible spectrum of violent offences. However, the panel considered the factors listed at paragraph 34 of the Advice. The panel had regard to the fact that the offence of which Mr

Crawford was convicted involving violence. The Advice states that offences relating to or involving violence are likely to be considered a relevant offence.

The panel considered whether there was any evidence before it of potentially mitigating circumstances. There was evidence in the bundle that Mr Crawford had been on a period of sickness absence due to stress at work several months before the offence.

[REDACTED]. However, there was no medical evidence before the panel in relation to this, and the panel found that this was not sufficient to mitigate the serious nature of the offence. Moreover, there was evidence before the panel that the offence was not an isolated incident, but was the last of an escalating series of incidents of inappropriate behaviour by Mr Crawford towards Witness A. Further, there was evidence before the panel that Mr Crawford had not demonstrated any remorse for his actions, or any understanding of the impact of his actions on Witness A. Instead, the evidence indicated that Mr Crawford considered his actions to have been a joke and that the allegations against him were “*dishonest*”. The panel noted that Mr Crawford received the full bundle, which included all the witness statements. The panel was mindful that Mr Crawford was not present at the hearing and did not formally respond to the allegation or any of the TRA’s evidence. However, in his email to the TRA dated 4 December 2024, Mr Crawford stated that the accusations against him were “*dishonest*”.

The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Crawford’s ongoing suitability to teach. The panel considered that a finding that this conviction was a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Panel’s recommendation to the Secretary of State

Given the panel’s findings in respect of a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so.

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 paragraph 37 of the Advice and, having done so, found a number of them to be relevant in this case, namely: the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In the light of the panel's findings against Mr Crawford, which involved findings of an assault against a colleague, with a knife, in a school setting, during school hours, and while there were pupils in the school, there was a strong public interest consideration in declaring and upholding the proper standards of conduct in the teaching profession, as the conduct found against Mr Crawford was outside that which could reasonably be tolerated.

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

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 Crawford. 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 Crawford. The panel took further account of the Advice, which states that the seriousness of the behaviour should be taken into account, and that when doing so it is important to consider the influential role that a teacher can play in the formation of pupils' views and behaviours. The panel considered paragraph 39 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...”*

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 in the case. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel noted that there was no evidence that Mr Crawford had a previous disciplinary record and that he had not been sanctioned by the TRA before. The panel considered this as mitigation in Mr Crawford's favour.

The panel considered the mitigating factors at paragraph 43 of the Advice. There was no evidence that Mr Crawford's actions were not deliberate. There was no evidence that Mr Crawford was acting under extreme duress. There was no evidence to suggest that Mr Crawford demonstrated exceptionally high standards in both personal and professional conduct and has contributed significantly to the education sector.

As noted above, there was evidence in the bundle that Mr Crawford had been on a period of sickness absence [REDACTED] several months before the offence, [REDACTED]. However, there was no medical evidence before the panel in relation to this, and the panel found that this was not sufficient to mitigate the serious nature of the offence. Additionally, there was evidence before the panel that the offence was not an isolated incident, but was the last of an escalating series of incidents of intimidating and inappropriate behaviour by Mr Crawford towards Witness A.

The panel did not have any evidence of any insight or remorse on the part of Mr Crawford. On the contrary there was evidence before the panel that Mr Crawford had not demonstrated any insight or remorse for his actions, or any understanding of the impact of his actions on Witness A. Instead, the evidence indicated that Mr Crawford considered his actions to have been a joke and that the allegations against him were “*dishonest*”. The panel was mindful that denial of misconduct is not a bar to a finding of insight. However, the panel considered that the evidence of Mr Crawford’s attitude to the allegation found proven, indicated that he had not identified and understood the motivations or triggers for his behaviour. The panel considered that this lack of insight meant that there was a future risk of repetition of the conduct to which the offence related.

The panel considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the finding of conviction of a relevant offence made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen and considering the seriousness of the offence, it would not be a proportionate and appropriate response to recommend that no prohibition order should be made. 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 Crawford of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate and concluded that the public interest considerations outweighed the interests of Mr Crawford. The seriousness of the offence and that the offence involved violence with a knife, took place in the School, against a colleague, during school hours and while there were pupils in school, were significant factors in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate 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 are listed at paragraph 50 of the Advice. The panel found none of these behaviours to be relevant.

The Advice also indicates that there are behaviours listed at paragraph 51 of the Advice that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours includes violence. The panel found that Mr Crawford was responsible for a violent offence against a colleague, involving a knife, in school, during school hours, and while children were at school. There was also evidence before the panel which indicated that this was not an isolated incident, and was in fact the last in a series of escalating incidents of intimidating and inappropriate behaviour by Mr Crawford towards Witness A. The panel had regard to the fact that the behaviours at paragraph 50 of the Advice is not an exhaustive list of behaviours where no review period would be appropriate, and that each case should be considered on its own individual merits, taking into account all the circumstances involved. The panel considered whether the offence in this case was so serious as to make it appropriate to recommend no review period, notwithstanding the fact that the Advice indicates that in cases involving violence a longer period for review is likely to be considered appropriate, rather than no review period. In particular the panel considered whether the aggravating factors referred to above meant that this case was so serious that recommending no review period was necessary to protect the public interest.

The panel had regard to the fact that the recommended approach must be necessary to protect the public interest and that the impact on the teacher must be proportionate. The panel had regard to the fact that violence is listed at paragraph 51 of the Advice, as behaviour which makes it more likely that a longer review period would be appropriate, rather than no review period. 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 appropriate and proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period.

In light of the seriousness of the offence, which involved violence with a knife, the panel recommended a minimum period of seven years before Mr Crawford may be allowed to apply for the prohibition order to be reviewed and set aside. In doing so, the panel considered all the circumstances of the case. The panel was concerned that there was evidence of a lack of insight and remorse from Mr Crawford which meant that there was a future risk of repetition of the conduct to which the offence related. However, the panel noted the Advice, which states that a panel considering a set aside application from Mr Crawford would consider whether he was suitable to carry out teaching work as at the date of the hearing of a set aside application. The panel noted that Mr Crawford would need to demonstrate insight and remorse to a review panel in order for a prohibition order to be set aside. Insight requires identification and understanding of motivation and triggers for behaviour, neither of which had been demonstrated by Mr Crawford.

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 David Crawford should be the subject of a prohibition order, with a review period of seven years.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - showing tolerance of and respect for the rights of others”

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

The findings of misconduct are particularly serious as they include a relevant conviction for the assault of a colleague.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing 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 Crawford, 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 records that:

“The panel did not consider that Mr Crawford’s actions had a potential impact on the safety or security of pupils or members of the public, as the panel had not seen any evidence that Mr Crawford had engaged in similar behaviour with anyone other than Witness A.”

However, the panel also states that:

“The panel noted that Mr Crawford’s actions took place while he was working in an education setting. The offence took place in school and during school hours. Mr Crawford was at work in his capacity as a teacher at the time and Witness A was the [REDACTED]. The panel heard evidence that the office door was open at the time of the offence and pupils could have seen Mr Crawford’s actions if they had walked past, although there was no evidence that the offence was in fact witnessed by a pupil.

In my judgment, a teacher committing a violent offence against a colleague, involving a knife, in school, during school hours, and while children were at school, is self-evidently likely to jeopardise the wellbeing of pupils (and other members of school staff) and therefore a prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which it sets out as follows:

“The panel did not have any evidence of any insight or remorse on the part of Mr Crawford. On the contrary there was evidence before the panel that Mr Crawford had not demonstrated any insight or remorse for his actions, or any understanding of the impact of his actions on Witness A. Instead, the evidence indicated that Mr Crawford considered his actions to have been a joke and that the allegations against him were “*dishonest*”. The panel was mindful that denial of misconduct is not a bar to a finding of insight. However, the panel considered that the evidence of Mr Crawford’s attitude to the allegation found proven, indicated that he had not identified and understood the motivations or triggers for his behaviour. The panel considered that this lack of insight meant that there was a future risk of repetition of the conduct to which the offence related.”

In my judgement, the lack of evidence that Mr Crawford has developed insight into and remorse for his behaviour means that I agree with the panel that there is some risk of the repetition of this behaviour. 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 records the following:

“The panel considered that Mr Crawford’s behaviour in committing the offence could undoubtedly affect public confidence in the teaching profession if he were allowed to continue teaching. The panel considered that members of the public would be gravely concerned about an assault by a teacher against a colleague with a knife on school premises while there were pupils in School.”

I am particularly mindful of the finding of a teacher receiving a conviction for the assault of a colleague in this case and the impact that such a finding is likely to have 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 Crawford himself. The panel records that:

“The panel noted that there was no evidence that Mr Crawford had a previous disciplinary record and that he had not been sanctioned by the TRA before. The panel considered this as mitigation in Mr Crawford’s favour.”

However, the panel also notes that:

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

A prohibition order would prevent Mr Crawford 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 both the very serious nature of the misconduct found and the lack of evidence that Mr Crawford has developed any degree of insight into or remorse for his behaviour.

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

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

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

In doing so, the panel has referred to the Advice as set out below:

“The Advice also indicates that there are behaviours listed at paragraph 51 of the Advice that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours includes violence. The panel found that Mr Crawford was responsible for a violent offence against a colleague, involving a knife, in school, during school hours, and while children were at school. There was also evidence before the panel which indicated that this was not an isolated incident, and was in fact the last in a series of escalating incidents of intimidating and inappropriate behaviour by Mr Crawford towards Witness A. The panel had regard to the fact that the behaviours at paragraph 50 of the Advice is not an exhaustive list of behaviours where no review period would be appropriate, and that each case should be considered on its own individual merits, taking into account all the circumstances involved. The panel considered whether the offence in this case was so serious as to make it appropriate to recommend no review period, notwithstanding the fact that the Advice indicates that in cases involving violence a longer period for review is likely to be considered appropriate, rather than no review period. In particular the panel considered whether the aggravating factors referred to above meant that this case was so serious that recommending no review period was necessary to protect the public interest.

The panel had regard to the fact that the recommended approach must be necessary to protect the public interest and that the impact on the teacher must be proportionate. The panel had regard to the fact that violence is listed at paragraph 51 of the Advice, as behaviour which makes it more likely that a longer review period would be appropriate, rather than no review period. 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 appropriate and proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period.”

I have considered the panel's comments:

“In light of the seriousness of the offence, which involved violence with a knife, the panel recommended a minimum period of seven years before Mr Crawford may be allowed to apply for the prohibition order to be reviewed and set aside. In doing so, the panel considered all the circumstances of the case. The panel was concerned that there was evidence of a lack of insight and remorse from Mr Crawford which meant that there was a future risk of repetition of the conduct to which the offence related. However, the panel noted the Advice, which states that a panel considering a set aside application from Mr Crawford would consider whether he was suitable to carry out teaching work as at the date of the hearing of a set aside application. The panel

noted that Mr Crawford would need to demonstrate insight and remorse to a review panel in order for a prohibition order to be set aside. Insight requires identification and understanding of motivation and triggers for behaviour, neither of which had been demonstrated by Mr Crawford.”

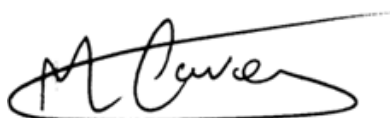
I have considered whether a seven-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that I disagree with the panel and instead consider that allowing for a review period, even a lengthy review period as recommended, is not a sufficient and proportionate response to the misconduct found in this case. In particular and noting the panel’s own comments that the public will likely be “gravely concerned” by the findings in this case, I do not think that it would achieve the aim of maintaining public confidence in the profession. The first of these elements is the very serious nature of the misconduct found, which involved a teacher receiving a relevant conviction for an assault on a colleague involving a knife on school premises during the school day. The second is the lack of evidence of Mr Crawford having demonstrated any insight and/or remorse for this actions which, in my judgment, presents an unacceptable risk of repetition that could endanger pupils and school staff in the future.

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 David Crawford 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 allegation found proved against him, I have decided that Mr Crawford 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 Crawford 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 'M. Cavey', enclosed within a hand-drawn oval.

Decision maker: Marc Cavey

Date: 17 December 2024

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