



Teaching  
Regulation  
Agency

# **Mr Gareth Mellor: Professional conduct panel meeting outcome**

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

**January 2025**

## Contents

Introduction	3
Allegations	4
Preliminary applications	4
Summary of evidence	4
Documents	4
Statement of agreed facts	4
Decision and reasons	5
Findings of fact	6
Panel's recommendation to the Secretary of State	8
Decision and reasons on behalf of the Secretary of State	10

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

<b>Teacher:</b>	Mr Gareth Mellor
<b>Teacher ref number:</b>	0238831
<b>Teacher date of birth:</b>	03 December 1979
<b>TRA reference:</b>	20097
<b>Date of determination:</b>	31 January 2025
<b>Former employer:</b>	Kettlethorpe High School

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 31 January 2025, to consider the case of Mr Gareth Mellor.

The panel members were Dr Louise Wallace (lay panellist – in the chair), Dr Andrew Harries (lay panellist) and Mrs Georgina Bean (teacher panellist).

The legal adviser to the panel was Miss Tania Dosoruth of Blake Morgan solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Mellor that the allegation be considered without a hearing. Mr Mellor provided a signed statement of agreed facts and admitted conviction of relevant offences. The panel considered the case at a meeting without the attendance of the presenting officer, Mr Mellor or any representative instructed on his behalf.

The meeting took place in private.

## **Allegations**

The panel considered the allegation set out in the notice of meeting dated 28 October 2024.

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

On 8 November 2023, he was convicted at Leeds Crown Court of the following offence(s)

- a. Making indecent photographs or pseudo photographs of children between 7 January 2014 and 20 May 2021 [Class A images]
- b. Making indecent photographs or pseudo photographs of children between 7 January 2014 and 20 May 2021 [Class B images]
- c. Possessing an indecent photograph or pseudo photographs of a child between 7 January 2014 and 20 May 2021 [Class C images]

Mr Mellor admitted the facts of the allegation and that the conviction was a relevant offence.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

Section 1: Notice of Referral, response and Notice of Meeting – pages 1 to 5

Section 2: Statement of Agreed Facts pages 6 to 8

Section 3: Teaching Regulation Agency documents – pages 9 to 36

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

### **Statement of agreed facts**

The panel considered a statement of agreed facts, which was signed by Mr Mellor on 24 September 2024.

## Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Mellor for the allegation to be considered without a hearing.

The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

The panel proceeded to carefully consider the case, having read all the documents, and reached a decision.

Mr Mellor was previously undertaking teaching work at Kettlethorpe High School ("the School") and was the Designated Safeguarding Lead at the School and the Pastoral Lead for 320 students.

The National Crime Agency within the Child Exploitation and Online Protection Team ("the NCA") received intelligence regarding a payment transaction to a supplier that was known to supply indecent material. The transaction contained an email address that was linked to Mr Mellor. The NCA conducted further investigations which linked Mr Mellor's email address to other websites with links to indecent material.

A search warrant was obtained and executed on 20 May 2021 following which Mr Mellor was arrested. Mr Mellor admitted that he had attempted to delete content from his mobile phone, however police were still able to recover a significant amount of indecent material. Mr Mellor was first interviewed by the police and on 20 May 2021 and made no comment to the questions asked. When interviewed for a second time on 7 June 2023 however Mr Mellor made some admissions to having used the email addresses to search for material.

Mr Mellor was subsequently charged and first appeared at Leeds Magistrates' Court on 11 October 2023 where he did not enter a plea. On 8 November 2023, Mr Mellor entered guilty pleas to three offences at Leeds Crown Court.

## Findings of fact

The findings of fact are as follows:

**On 8 November 2023, you were convicted by Leeds Crown Court of the following offence(s)**

**a. Making indecent photographs or pseudo photographs of children between 7 January 2014 and 20 May 2021 [Class A images]**

**b. Making indecent photographs or pseudo photographs of children between 7 January 2014 and 20 May 2021 [Class B images]**

**c. Possessing an indecent photograph or pseudo photographs of a child between 7 January 2014 and 20 May 2021 [Class C images]**

Mr Mellor admitted the facts of the allegation.

The panel was presented with a certificate of conviction from Leeds Crown Court and the transcript from Leeds Crown Court of Mr Mellor's sentencing hearing.

These documents confirmed that Mr Mellor was convicted on 8 November 2023, further to his guilty pleas of two counts of making indecent photographs or pseudo photographs of children contrary to section 1(a) of the Protection of Children Act 1978 and one count of possessing an indecent photograph of a child contrary to section s.160 of the Criminal Justice Act 1988.

Mr Mellor was sentenced on 7 December 2023 to 24 months imprisonment suspended for 24 months with a requirement that he complete 200 hours of unpaid work, a programme activity and rehabilitation activity. Mr Mellor was also made the subject of a Sexual Harm Prevention Order for a period of 10 years and his name was added to the sex offenders register.

None of the photographs or videos involved pupils at the School.

The panel carefully considered all of the evidence within the hearing bundle relating to the circumstances of the offences.

The panel accepted the certificate of conviction as conclusive proof of the commission of the offences by Mr Mellor. The panel also considered that the transcript of the sentencing hearing also provided confirmation that 520 Category A images, 619 Category B images and 10,450 Category C images were the respective number of images for each offence which Mr Mellor pleaded guilty to. The transcript also confirmed that period for each of the offences which Mr Mellor committed ran from 7 January 2014 to 20 May 2021.

The panel accordingly found the allegation proved.

## Findings as to conviction of a relevant offence

Having found the allegation proved, the panel went on to consider whether Mr Mellor's conviction was for a relevant criminal offence, which he also admitted.

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 Mellor in relation to the facts it found proved involved breaches of the Teachers' Standards.

The panel considered that by reference to Part 2, Mr Mellor 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
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Although Mr Mellor's conduct took place outside of the School environment, the panel noted that the behaviour involved in committing the offence could have had an impact on the safety of pupils and/or members of the public given the nature and the gravity of the offences. The panel also noted that within the sentencing hearing there was reference to Mr Mellor searching for pupils at the School on social media platforms albeit that the offences did not involve pupils.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Mellor's behaviour in committing offences of this nature could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community. This was particularly so given not just the nature of the offences, but also the fact that they were committed over a prolonged period of time and involved large quantities of indecent material. The panel also noted that Mr Mellor was the Designated Safeguarding Lead and Pastoral Lead at the time that the offences came to light which in its view had the further potential to undermine confidence in the teaching profession.

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

This was a case involving an offence of activities involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, which the Advice states is likely to be considered a relevant offence.

The panel was not provided with anything from Mr Mellor by way of testimonials, reflection or anything which confirmed that he had completed the rehabilitation requirements of his sentence.

The panel therefore concluded that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Mellor's ongoing suitability to teach. Given the nature and circumstances of the offences in this case, the panel considered that a finding that this conviction was for a relevant offence. This 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 mindful 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 protection of pupils/the protection of other members of the public
- the maintenance of public confidence in the profession and
- declaring and upholding proper standards of conduct

The panel was of the view that there was a strong public interest consideration in respect of the protection of pupils/other members of the public given that the convictions related to numerous indecent images of children. In the absence of any reflection or testimonials from Mr Mellor or any confirmation that he had completed the rehabilitation elements of his sentence, the panel could not be satisfied that Mr Mellor was not at risk of repeating his conduct so as to place members of the public at risk.

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

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



Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Mellor.

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 Mellor. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- 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;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image, or indecent pseudo photograph or image, of a child, or permitting such activity, including one-off incidents;

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 whether there were any mitigating factors which could indicate that a prohibition order would not be appropriate or proportionate. As noted above the panel were not provided with any testimonials, reflection or any other evidence from Mr Mellor which could be regarded as mitigation.

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. The panel was of the view that publication of the findings alone would unacceptably compromise the public interest considerations present in this case, despite the severity of the potential consequences for Mr Mellor.

The panel was of the view that prohibition was therefore both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Mellor in this case. The gravity of the criminal offences including the duration of the offending and the volume of indecent material found was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

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

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period.

The behaviours which were relevant to this case include:

- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents.

The panel found that the nature and gravity of Mr Mellor's offences meant that the public interest factors related to protection of the public, maintenance of confidence in the profession weighed more heavily in the balance in deciding whether or not there should be a review period. In the absence of any evidence of insight on the part of Mr Mellor into the impact of his offending on public confidence in the profession and/or evidence of the steps that Mr Mellor had taken to prevent any future re-occurrence, the panel could not conclude with any confidence that Mr Mellor was no longer at risk of repeating his conduct.

The panel therefore 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 Gareth Mellor should be the subject of a prohibition order, with no provision for a review period.

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

The findings of misconduct are particularly serious as they include a finding of a relevant conviction related to indecent images of children.

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 Mellor, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "The panel was of the view that there was a strong public interest consideration in respect of the protection of pupils/other members of the public given that the convictions related to numerous indecent images of children. In the absence of any reflection or testimonials from Mr Mellor or any confirmation that he had completed the rehabilitation elements of his sentence, the panel could not be satisfied that Mr Mellor was not at risk of repeating his conduct so as to place members of the public at risk." 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, which the panel sets out as follows, "The panel was not provided with anything from Mr Mellor by way of testimonials, reflection or anything which confirmed that he had completed the rehabilitation requirements of his sentence." In my judgement, the lack of evidence of insight 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 observe, "The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Mellor's behaviour in committing offences of this nature could affect public confidence in the

teaching profession, given the influence that teachers may have on pupils, parents and others in the community. This was particularly so given not just the nature of the offences, but also the fact that they were committed over a prolonged period of time and involved large quantities of indecent material. The panel also noted that Mr Mellor was the Designated Safeguarding Lead and Pastoral Lead at the time that the offences came to light which in its view had the further potential to undermine confidence in the teaching profession.” I am particularly mindful of the nature of the offences that took place over a prolonged period 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 Mellor himself and the panel comment “Mr Mellor was previously undertaking teaching work at Kettlethorpe High School (“the School”) and was the Designated Safeguarding Lead at the School and the Pastoral Lead for 320 students.”

A prohibition order would prevent Mr Mellor 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, “Although Mr Mellor’s conduct took place outside of the School environment, the panel noted that the behaviour involved in committing the offence could have had an impact on the safety of pupils and/or members of the public given the nature and the gravity of the offences. The panel also noted that within the sentencing hearing there was reference to Mr Mellor searching for pupils at the School on social media platforms albeit that the offences did not involve pupils.”

I have also placed considerable weight on the finding of the that “The panel decided that the public interest considerations outweighed the interests of Mr Mellor in this case. The gravity of the criminal offences including the duration of the offending and the volume of indecent material found was a significant factor in forming that opinion.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Mellor has made to the profession. In my view, it is necessary to impose a prohibition

order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by full insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel's comments "The panel found that the nature and gravity of Mr Mellor's offences meant that the public interest factors related to protection of the public, maintenance of confidence in the profession weighed more heavily in the balance in deciding whether or not there should be a review period. In the absence of any evidence of insight on the part of Mr Mellor into the impact of his offending on public confidence in the profession and/or evidence of the steps that Mr Mellor had taken to prevent any future re-occurrence, the panel could not conclude with any confidence that Mr Mellor was no longer at risk of repeating his conduct."

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 seriousness of the findings 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 Gareth Mellor 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 Mellor 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 Mellor 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 'S Buxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 5 February 2025**

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