



Teaching  
Regulation  
Agency

# **Mr Antony Phillips: Professional conduct panel meeting outcome**

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

**February 2025**

## Contents

Introduction	3
Allegations	4
Preliminary applications	4
Summary of evidence	4
Documents	4
Statement of agreed facts	5
Decision and reasons	5
Findings of fact	5
Panel's recommendation to the Secretary of State	8
Decision and reasons on behalf of the Secretary of State	11

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

<b>Teacher:</b>	Mr Antony Phillips
<b>Teacher ref number:</b>	3633682
<b>Teacher date of birth:</b>	29 January 1991
<b>TRA reference:</b>	21458
<b>Date of determination:</b>	4 February 2025
<b>Former employers:</b>	Calday Grange Grammar School, Wirral

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 4 February 2025 by way of a virtual meeting, to consider the case of Mr Phillips.

The panel members were Mrs Bev Williams (teacher panellist – in the chair), Mr Nathan Cole (teacher panellist) and Ms Sarah Daniel (lay panellist).

The legal adviser to the panel was Miss Eleanor Bullen-Bell of Birketts LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Phillips that the allegations be considered without a hearing. Mr Phillips provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer, Jon Walters of Brabners LLP, Mr Phillips or any representative for Mr Phillips.

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

## **Allegations**

The panel considered the allegations set out in the notice of meeting dated 15 January 2025.

It was alleged that Mr Phillips was guilty of having been convicted of a relevant offence, in that on or around 31 July 2023, he was convicted at Merseyside Magistrates' Court of:

1. Distributing indecent photographs or pseudo-photographs of children on 19/09/22  
Protection of Children Act 1978 s.1
2. Making indecent photograph or pseudo-photograph of children on 10/05/18 –  
20/12/22 Protection of Children Act 1978 s.1(a)
3. Making indecent photograph or pseudo-photograph of children on 10/05/18 –  
20/12/22 Protection of Children Act 1978 s.1(a)
4. Making indecent photograph or pseudo-photograph of children on 10/05/18 –  
20/12/22 Protection of Children Act 1978 s.1(a)
5. Possessing an indecent photograph or pseudo-photograph of children on 10/05/18  
– 20/12/22 Criminal Justice Act 1988 s.160
6. Possess prohibited images of children on 10/05/18 – 20/12/22 Coroners and  
Justice Act 2009 s.62(1)

Mr Phillips admitted the facts of allegations 1 to 6 and that his behaviour amounted to a conviction of a relevant offence falling short of the standards of behaviour expected of a teacher, as set out in the statement of agreed facts signed by Mr Phillips on 22 November 2024.

## **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 26
- Section 2: Statement of agreed facts – pages 27 to 29

- Section 3: Crown Court documents – pages 30 to 48
- Section 4: Police documents – pages 49 to 75
- Section 5: Teacher representations – pages 76 to 80

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 Phillips on 22 November 2024, and subsequently signed by the presenting officer on 26 November 2024.

## **Decision and reasons**

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

In advance of the meeting, the TRA agreed to a request from Mr Phillips for the allegations 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.

Mr Phillips was undertaking work at Calday Grange Grammar School ('the School') at the time in which the conduct took place.

On 12 December 2022, Mr Phillips was arrested, and the police recovered his electronic devices, which were then analysed. Analysis of his devices showed that Mr Phillips had shared an indecent image via Snapchat and had made or possessed over 5,000 still indecent photographs or pseudo-photographs of children.

On 31 July 2023, Mr Phillips was convicted at Merseyside Magistrates' Court for 6 counts of offences.

Mr Phillips was sentenced at Liverpool Crown Court on the 25 August 2023.

## **Findings of fact**

The findings of fact are as follows:

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

**On or around 31 July 2023, Mr Phillips was convicted at Merseyside Magistrates' Court of:**

- 1. Distributing indecent photographs or pseudo-photographs of children on 19/09/22 Protection of Children Act 1978 s.1**
- 2. Making indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Protection of Children Act 1978 s.1(a)**
- 3. Making indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Protection of Children Act 1978 s.1(a)**
- 4. Making indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Protection of Children Act 1978 s.1(a)**
- 5. Possessing an indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Criminal Justice Act 1988 s.160**
- 6. Possess prohibited images of children on 10/05/18 – 20/12/22 Coroners and Justice Act 2009 s.62(1)**

The panel considered the statement of agreed facts, signed by Mr Phillips on the 22 November 2024. In that statement of agreed facts, Mr Phillips admitted allegations 1 to 6, and further admitted that the facts of the allegations amounted to a conviction of a relevant offence. Notwithstanding this, the panel made a determination based on the facts available to it.

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

The panel had been provided with a copy of the certificate of conviction from Liverpool Crown Court, dated 1 October 2024, which detailed that Mr Phillips had been convicted of the following offences:

1. Distributing indecent photographs or pseudo-photographs of children on 19/09/22 Protection of Children Act 1978 s.1
2. Making indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Protection of Children Act 1978 s.1(a)
3. Making indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Protection of Children Act 1978 s.1(a)

4. Making indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Protection of Children Act 1978 s.1(a)
5. Possessing an indecent photograph or pseudo-photograph of children on 10/05/18 – 20/12/22 Criminal Justice Act 1988 s.160
6. Possess prohibited images of children on 10/05/18 – 20/12/22 Coroners and Justice Act 2009 s.62(1)

The panel noted that Mr Phillips admitted and pleaded guilty to all 6 offences.

In respect of the convictions, Mr Phillips was sentenced to nine months imprisonment, suspended for 24 months on counts 1, 2, 5 and 6; 60 hours of unpaid work; 30 days mandatory attendance at the Horizon program; 15 days rehabilitation activity requirement; 6 months imprisonment, suspended for 24 months on counts 3 and 4; to be made subject of a sexual harm prevention order for 5 years, and to be added to the sex offenders register, being made subject to a 10 year sex offenders notice requirement.

On examination of the documents before the panel and the admissions in the signed statement of agreed facts, the panel was satisfied that the facts of allegations 1 to 6 were proven.

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

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

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as 'the Advice'.

The panel was satisfied that the conduct of Mr Phillips in relation to the facts it found proved involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Phillips 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
  - 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
  - not undermining fundamental British values [...] the rule of law, individual liberty and mutual respect [...]
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [...].

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Phillips' behaviour in committing these offences could undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils, parents and others in the community. His conduct ran counter to what should have been at the very core of his practice as a teacher with a duty of care towards children. By virtue of his position, Mr Phillips was also in a position of trust and responsibility. He abused that position.

The panel noted that Mr Phillips' behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended for 24 months on all counts), which was indicative of the seriousness of the offences committed. The child protection and public protection issues engaged by Mr Phillips' actions were demonstrated by the Crown Court's sentence.

This was a case involving an offence of sexual activity and 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 any such activity, including one-off incidents, which the Advice states is likely to be considered a "relevant offence".

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

The panel found that the seriousness of the offending behaviour that led to the conviction was highly relevant to Mr Phillips' ongoing suitability to teach. The panel considered that a finding that these convictions were for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

## **Panel's recommendation to the Secretary of State**

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

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



orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; 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 Phillips, including activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of children, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public.

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

The panel decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Phillips 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 Phillips. 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 Phillips. 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;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;

- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature [...];
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting such activity, including one-off incidents;
- violating of the rights of pupils;
- actions or behaviours that undermine [...] the rule of law [...]; and
- a deep-seated attitude that leads to harmful behaviour.

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

There was no evidence that Mr Phillips' actions were not deliberate.

There was no evidence that Mr Phillips was acting under extreme duress.

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

The panel considered the teacher's representations which included written representations from the "Stop It Now! Helpline" service that Mr Phillips had used for support and advice after his arrest as well as other written representations [REDACTED].

The panel noted that there was an element of insight and remorse on the part of Mr Phillips. The panel considered that he had admitted to the allegations against him as soon as he had been arrested by the police [REDACTED].

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Phillips of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Phillips. The safeguarding and wellbeing of pupils and protection of other members of the

public 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. One of these behaviours includes any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child. The panel found that Mr Phillips had shared an indecent image of a child via Snapchat and was responsible for making or possessing over 5,000 indecent photographs or pseudo photographs of children, for which he had been convicted.

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

The panel decided that the findings indicated a situation in which a review period would 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 Antony Phillips should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Phillips 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
  - 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
  - not undermining fundamental British values [...] the rule of law, individual liberty and mutual respect [...]
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [...].
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The findings of misconduct are particularly serious as they include a relevant conviction for offences involving distributing, making, and possessing indecent images of children which resulted in a sentence of imprisonment (suspended).

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 Phillips, 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 the following:

“In the light of the panel’s findings against Mr Phillips, including activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of children, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public.”

A prohibition order would therefore prevent such a risk from being present in the future.

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

“The panel noted that there was an element of insight and remorse on the part of Mr Phillips. The panel considered that he had admitted to the allegations against him as soon as he had been arrested by the police [REDACTED].

In my judgement, the lack of evidence of full 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 notes the following:

“The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Phillips’ behaviour in committing these offences could undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils, parents and others in the community. His conduct ran counter to what should have been at the very core of his practice as a teacher with a duty of care towards children. By virtue of his position, Mr Phillips was also in a position of trust and responsibility. He abused that position.”

I am particularly mindful of the finding of a teacher being convicted of offences involving indecent images of children in this case and the very negative 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 Phillips himself. The panel notes that it had seen no evidence of him having made an outstanding contribution to the education sector. However, it does note the following:

“The panel considered the teacher’s representations which included written representations from the “Stop It Now! Helpline” service that Mr Phillips had used for support and advice after his arrest as well as other written representations [REDACTED].”

A prohibition order would prevent Mr Phillips 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 very serious and unacceptable nature of the misconduct found by the panel, which involved a teacher receiving a criminal conviction for making, possessing and distributing indecent images of children. I have also taken into account the lack of evidence that Mr Phillips has developed full insight into and remorse for his actions.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Phillips 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, 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 Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child. The panel found that Mr Phillips had shared an indecent image of a child via Snapchat and was responsible for making or possessing over 5,000 indecent photographs or pseudo photographs of children, for which he had been convicted."

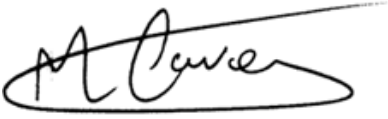
I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate response in order to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient. These elements are the very serious nature of the misconduct found, which in my judgment constitutes behaviour fundamentally incompatible with working as a teacher, and the lack of evidence of full insight and remorse.

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 Antony Phillips 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 Phillips 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 Phillips 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 large, loopy oval shape.

**Decision maker: Marc Cavey**

**Date: 7 February 2025**

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