



Teaching
Regulation
Agency

Mr Matthew Edison: Professional conduct panel outcome

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

February 2025

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

Teacher:	Mr Matthew Stephen Edison
Teacher ref number:	3742453
Teacher date of birth:	21 May 1989
TRA reference:	19979
Date of determination:	14 February 2025
Former employer:	Finborough School, Suffolk

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on the 3 and 4 February 2025, 7 February 2025, 10 to 12 February 2025, and 14 February 2025 to consider the case of Mr Edison.

The panel members were Ms Mona Sood (lay panellist – in the chair), Miss Sue Davies (lay panellist) and Mrs Ashley Emmerson (teacher panellist).

The legal adviser to the panel was Miss Claire Watson of Eversheds Sutherland (International) LLP.

The presenting officer for the TRA was Mr Howard Tobias of Capsticks LLP solicitors. On 12 and 14 February 2025, the presenting officer for the TRA was Ms Jessica Bass of Capsticks LLP solicitors.

Mr Edison was present on 3 February 2025 and was not represented. Mr Edison was not present for the remainder of the hearing and was not represented.

The hearing took place in public, except for parts of the hearing that took place in private, and was recorded.

Allegations

The panel considered the allegations set out in the Notice of proceedings dated 19 November 2024.

It was alleged that Mr Edison was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Finborough School, Suffolk (“the School”):

1. On or around 25 January 2018, he:
 - a. Consumed alcohol and/or was drunk in the presence of students on school premises;
 - b. Supplied and/or assisted in the supply of alcohol to students;
 - c. Made inappropriate physical contact with one or more female students by kissing them on the cheek and/or placing his hand around their waist;
 - d. Commented to students that he would drive them to the local town to buy alcohol and/or drugs and/or cigarettes;
 - e. Invited one or more students into the staff accommodation area;
2. Between September 2016 and April 2021 he made one or more inappropriate comments to Pupil A, saying:
 - a. “you should be a model” or words to that effect;
 - b. “you are my favourite” or words to that effect;
 - c. “I love you” or words to that effect;
 - d. “you look beautiful” or words to that effect;
 - e. “you looked stunning last night”, the day after a formal dinner, or words to that effect;
 - f. “the more time I spend with you, the better”, or words to that effect;
 - g. “as long as I’ve spoken with you, my day is the best”, or words to that effect;
 - h. “the high of my days are when I am with you”, or words to that effect;
 - i. “you do not realise how much you mean to me”, or words to that effect;
 - j. he would “kill someone if they hurt [Pupil A]”, or words to that effect;
 - k. he was “glad” that she had failed her maths exam so that he could spend more time together, or words to that effect;
 - l. he was “scared to lose” her and/or Pupil B, or words to that effect;
 - m. he had arranged a charity walking event so that he could “spend more time with [Pupil A and/or Pupil B]”, or words to that effect;
 - n. Telling Pupil A not to tell anyone about his interactions and/or comments;

3. Between September 2016 and April 2021 in relation to Pupil B, he:
 - a. on one or more occasions stared at her body while she exercised;
 - b. complimented her about her gym wear;
 - c. suggested that they both attempt a variety of yoga poses that required close physical contact;
 - d. told her that he was “scared to lose” her and/or Pupil A;
 - e. told her that he had arranged a charity walking event so that he could spend more time with Pupil A and/or Pupil B;
4. In or around March 2021 he shared inappropriate song lyrics that he had written with Pupil A via ‘Google Docs’, in the form of or similar to those at Schedule A.
5. On or around 16 March 2021 he told Pupil A that the song lyrics at Schedule A were written about Pupil A;
6. On one or more occasions between September 2018 and March 2021 he made intentional physical contact with the knee and/or leg of Pupil A and/or Pupil B when sat alongside and/or opposite them during a lesson;
7. In or around December 2020 he invited Pupil A and/or Pupil B to his home without good reason;
8. Between 2019 and April 2021, he gave gifts to Pupil A by handing them to her at School, or by arranging for packages and/or gifts to be sent from Amazon to the home address of Pupil A;
9. On or around 21 April 2021 he received a formal warning from the police not to contact Pupil A and/or Pupil B following a complaint of harassment;
10. His conduct as may be found proved in relation to any or all of paragraphs 1-8 was sexually motivated.

The teacher verbally admitted allegations 1a, 4 and 5. The teacher denied the remainder of the allegations. The teacher did not admit unacceptable professional conduct or conduct that may bring the profession into disrepute.

Preliminary applications

Hearsay evidence

The presenting officer applied to admit correspondence with Pupil B in relation to her attendance at the proceedings, contained together with the evidence of Pupil B, in a ‘hearsay bundle’. Thereafter, the presenting officer applied to admit Pupil B’s evidence as hearsay evidence.

The legal adviser advised the panel that there was further hearsay evidence within the bundle, including statements taken from students and a boarding assistant during the

School's investigation relating to allegation 1. The panel was advised that it should also consider the admissibility of such hearsay evidence, prior to deciding what weight to attach to such evidence.

Under paragraph 5.33 of the Teacher misconduct: Disciplinary procedures for the teaching profession 2020 (the "Procedures"), the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel was satisfied that the documents were relevant to the case. The panel noted that, in relation to the witness statement of Pupil B and exhibits, Pupil B was a student at the School and a witness to the allegations in relation to Pupil A, as well as Pupil B.

In relation to the statements taken from the students and a boarding assistant during the School's internal investigation into the incidents, the panel noted that the students were witnesses to the allegations as set out in allegation 1.

The central question for the panel was whether it was fair in the circumstances to allow evidence to be put forward by the presenting officer without the opportunity for the witness to be cross-examined by the teacher.

The panel took account of the efforts made to secure the attendance of Pupil B and concluded that the presenting officer's firm and the TRA had made a number of attempts to contact Pupil B and secure their attendance. Pupil B had firmly stated that they stood behind their statement and did not want to attend the hearing. Pupil B had also expressed that attending the hearing would have [REDACTED]. The presenting officer also stated that Pupil B was [REDACTED] to be able to compel them to give evidence.

The panel concluded that no efforts had been made to secure the attendance of the pupils and boarding assistants who had given statements to the School in relation to allegation 1.

The panel had regard to the seriousness of the allegations in this case, and that it was open to the panel to recommend prohibition in this case if the allegations were found proven.

The panel also considered the importance of the evidence and whether it constituted a critical part of the evidence against the teacher. The panel noted that Pupil B's evidence was that of a key witness to a central allegation in this case. The panel also noted that while the statements of the students and boarding assistant in relation to allegation 1 were key to a central allegation in this case, no individual statement was the sole and decisive evidence. Photographs of the incident had also been provided. There was no suggestion that the witnesses had reason to fabricate their allegations. Furthermore, the teacher would have the opportunity to cross-examine the investigating officers in the course of the School's two investigations, in order to test the reliability of the witness statements.

In the circumstances, given that considerable efforts had been made to secure the attendance of Pupil B and also that no individual hearsay statement in relation to allegation 1 was the sole and decisive evidence in support of allegation 1, the panel decided that there were sufficient safeguards to protect the teacher against any unfairness caused by being unable to cross-examine the witnesses. The panel was to be provided with a hearsay warning in due course, and would be able to determine what weight, if any it should attach to the evidence.

With regard to the overall question of fairness, Pupil B's statement and the statements of other students and boarding assistants were provided to the teacher in line with the timeframes as set out in the Procedures. The teacher was present at the hearing at the outset and had the opportunity to make representations as to whether the statements and exhibits should be included in the bundle, but raised no objections.

By reason of the above, the panel decided to admit each of the documents as hearsay evidence, including the hearsay bundle.

Vulnerable witness measures

The presenting officer applied for special measures for Pupil A to give evidence, including the presence of a witness supporter and that Mr Edison should not personally cross-examine Pupil A.

The panel directed that Pupil A was to be treated as a vulnerable witness since the panel was satisfied that the quality of her evidence was likely to be adversely affected given that the allegation against the teacher was of a sexual nature and she was the alleged victim.

The panel considered paragraph 5.102 of the Procedures, and noted that there was no medical evidence that the welfare of Pupil A would be prejudiced by her giving evidence and the panel was content for her to give evidence on this basis.

The panel considered adopting such measures as it considered necessary to safeguard the interests of Pupil A as a vulnerable witness.

The panel noted that in accordance with paragraph 5.103 of the Procedures, vulnerable witness measures the panel may adopt to safeguard the interests of a vulnerable witness include the attendance of a witness supporter. The panel directed that should Pupil A give evidence, a witness supporter could be present for Pupil A, but should have no participation in the hearing and should remain on camera during Pupil A's evidence.

The panel also directed, in accordance with paragraph 5.106 of the Procedures, that should Pupil A give evidence, Mr Edison would not be allowed to examine or cross-examine her and that questioning would be undertaken by such means, or by such person, as the panel considered appropriate. The panel noted that an independent

person had been appointed by the TRA for the purposes of cross-examination of Pupil A, and the teacher was content with this appointment.

Late documents

The teacher applied to admit eight witness statements, including his own witness statement. Those documents were not served in accordance with the requirements of paragraph 5.37 of the Procedures, and as such the panel was required to decide whether those documents should be admitted under paragraph 5.34 of the Procedures at the discretion of the panel. The panel took into account the representations from the teacher. No objections were raised by the presenting officer.

Under paragraph 5.33 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel was satisfied that the documents were relevant to the case as they set out Mr Edison's position in response to the allegations and provided character references. The panel noted that there was a distinction to be drawn between the situation when a presenting officer sought to rely upon hearsay evidence, and the current situation when it was the defence seeking to introduce hearsay evidence, without the witness being in attendance. The former invoked considerations relating to the teacher's right to a fair hearing, whereas the latter did not, although there remained a question of the fairness between the parties. The panel had regard to whether it would be a sufficient safeguard for a hearsay warning to be given before the panel's determination on the facts. The panel was satisfied that any imbalance caused to the presenting officer in being unable to cross-examine the witness could be addressed by the panel's decision in due course as to what weight it should attach to the evidence, if such evidence was admitted.

By reason of the above, the panel decided to admit each of the documents and these were paginated as follows:

- Statement of Mr Edison – pages 927 to 935
- Teacher witness statements - pages 936 to 944

Proceeding in absence

On the second day of the hearing, the panel had sight of an email from Mr Edison, stating that he would not be attending the remainder of the hearing [REDACTED], that he did not wish to question witnesses and that he hoped that the hearing could proceed in his absence. The panel decided to admit that email from Mr Edison, dated 3 February 2025, into evidence under paragraph 5.33 of the Procedures.

The presenting officer applied for the hearing to proceed in the absence of Mr Edison.

The panel was satisfied that the TRA had complied with the service requirements of paragraph 19(1) (a) to (c) of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The panel was also satisfied that the Notice of proceedings complied with paragraphs 5.23 and 5.29 of the Procedures.

The panel determined to exercise its discretion under paragraph 5.47 of the Procedures.

The panel took as its starting point the principle from *R v Jones* that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the panel recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in *GMC v Adeogba & Visvardis*.

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of *R v Jones [2003] 1 AC1*.

The panel was satisfied that the teacher was aware of the proceedings, as he had attended on the first day of the hearing, after which he had communicated his intention to the TRA not to attend the remainder of the hearing. A completed Notice of proceedings response form was completed and returned by the teacher on 13 December 2024.

No wish to adjourn for the teacher to attend the hearing at a later date or obtain legal representation was expressed by Mr Edison. He stated in his email of 3 February 2025 that he hoped "*the process can continue in a smooth fashion*". The panel did not consider that an adjournment would result in the teacher attending voluntarily.

The panel had the benefit of representations by means of an opening statement made by the teacher on the first day of the hearing and a witness statement from the teacher, so was able to ascertain the lines of defence. The panel also had the teacher's written evidence addressing mitigation and would be able to take this into account at the relevant stage. The panel noted that Pupil A was being called to give evidence and the panel could test their evidence in questioning that witness, considering such points as were favourable to the teacher, as were reasonably available on the evidence.

The panel recognised that the teacher would be unable to address any new evidence that emerged. However, in his communication to the TRA at the end of day one, he detailed his reasons for absence and that he had presented his case as best as he could in his written statement.

The panel had not identified any significant gaps in the documentary evidence provided to it and should such gaps arise during the course of the hearing, the panel could take

such gaps into consideration in considering whether the hearing should be adjourned for such documents to become available and in considering whether the presenting officer had discharged the burden of proof. The panel was extra mindful of the need to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.

The panel recognised that the allegations against the teacher were very serious and that there was a real risk that if proven, the panel would be required to consider whether to recommend that the teacher ought to be prohibited from teaching.

The panel recognised that the efficient disposal of allegations against teachers was required to ensure the protection of pupils and to maintain confidence in the profession.

The panel also noted that witnesses were present at the hearing, who were prepared to give evidence, and considered that it could be distressing for them to return again. Delaying the case would impact upon the memories of witnesses, given that the allegations were made in 2021.

The panel decided to proceed with the hearing in the absence of the teacher. The panel considered that in light of the teacher's waiver of his right to appear; by taking such measures referred to above to address that unfairness insofar as is possible; and taking account of the inconvenience an adjournment would cause to the witnesses; that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time was in favour of the hearing continuing.

Excluding the public

The panel considered whether to exercise its discretion under paragraph 11 of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations") and paragraph 5.85 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession (the "Procedures") to exclude the public from all or part of the hearing. This followed the panel identifying that the teacher and a witness could stray into evidence that was of a personal nature.

The panel determined to exercise its discretion under paragraph 11(3)(a) of the Regulations and the first and third bullet points of paragraph 5.85 of the Procedures that the public should be excluded from parts of the hearing.

The panel took into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of these proceedings and also to maintain confidence in the teaching profession. On this occasion, however, the panel considered that the that the request for the hearing to be heard in private, was a reasonable one given concerns about confidential matters relating to the teacher's and witness' [REDACTED] being placed in the public domain. The panel considered whether there were any steps short of excluding the public that would serve the purpose of protecting the confidentiality of matters relating to the teacher's

[REDACTED]. The panel considered that to the extent it became necessary during the course of the hearing to discuss such matters, the panel could consider at that stage whether to exclude the public from that portion of the hearing only.

The panel also considered whether it would sufficiently protect the interests of third parties to grant anonymity to those third parties without the need to exclude the public from the hearing. The panel decided that matters relating to the [REDACTED] of a witness should be heard in private.

The panel had regard to whether excluding the public ran contrary to the public interest. The panel would be required to announce its decisions in public as to whether the facts have been proven and whether those facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In the event that the case continued, any decision of the Secretary of State would also be in public. The panel considered that in the circumstances of this case that the public interest would be satisfied by these public announcements. Those public announcements would ensure that public confidence in these proceedings and in the standards of the profession are maintained.

Amendment to the allegations

An application was made by the presenting officer, after witness evidence had been heard and before closing statements, to amend the Notice of proceedings by amending:

- Allegation 4 to state 'In or around March 2021 you shared inappropriate song lyrics that you had written with Pupil A via 'Google Docs'.
- Allegation 5 to state 'On or around 16 March 2021 you told Pupil A that the song lyrics written by you were written about Pupil A'.
- Allegation 10 to state paragraphs 1 to 7.

The panel had the power to, in the interests of justice, amend an allegation or the particulars of an allegation, at any stage before making its decision about whether the facts of the case have been proved.

This application was made as there was no 'Schedule A' as mentioned in the allegations within the bundle. The application to amend allegation 10 was made in relation to the presenting officer's application to discontinue allegations 8 and 9.

Before making an amendment, the panel was required to consider any representations by the presenting officer and by the teacher. The teacher had been afforded the opportunity to comment on the application in relation to the removal of the reference to 'Schedule A' as this had been mentioned at the outset of the hearing and made no objection, but had waived his right to make representations at the time the application was made to amend the allegations. The panel exercised caution given that it proceeded with the hearing in the absence of the teacher.

The panel considered that the amendment proposed being a correction of a typographical error did not change the nature, scope or seriousness of the allegations. A screenshot of the lyrics had been provided to Mr Edison in the bundle, and therefore Mr Edison was aware of the nature of the lyrics. There was no prospect of the teacher's case being presented differently had the amendment been made at an earlier stage, and therefore no unfairness or prejudice caused to the teacher.

The panel therefore decided to amend allegations 4, 5 and 10. However, in relation to allegation 5, the panel decided to amend this to 'On or around 16 March 2021 you told Pupil A that the song lyrics were about Pupil A'. The panel considered this to remove the reference to 'written by you', as although this had been the inference, this was not specifically outlined as the amendment at the start of the hearing when Mr Edison was present.

Discontinuance

At the end of witness evidence, the presenting officer applied to discontinue allegations 8 and 9 pursuant to paragraph 5.82 of the Procedures, as in his view the burden of proof had not been met.

The panel accepted the advice of the legal adviser. The panel considered whether it was fair and appropriate to discontinue the proceedings. The panel noted that no further guidance was given in the Procedures beyond this as to how it should exercise its discretion.

The panel had in mind that if it continued with the proceedings, the test it would have to apply in determining whether the allegations were to be found proven, would be on the balance of probabilities. The panel recognised that, at this stage, it was not required to decide if the allegations had been proven, but to decide whether the allegations met the threshold for the case to continue.

The panel determined to delete allegations 8 and 9. The panel noted that Pupil A had herself stated in evidence that she had not received presents from Mr Edison. She explained he might have bought sweets, and these were shared in class. There was no evidence that the parcels received from Amazon had been sent by Mr Edison. The panel had sight of a crime report print, which stated that the "non-crime investigation" could be filed and Mr Edison had been given verbal advice by the police not to make further contact with Pupil A, but there was no record of a formal caution or written warning in the bundle. The panel considered the evidence to be so tenuous that it could not be used as the basis to find the allegation proven, and therefore determined to amend the allegations to delete allegations 8 and 9.

The allegations to be determined by the panel following the above amendments and decisions regarding partial discontinuance were as follows:

1. On or around 25 January 2018, you:

- a. Consumed alcohol and/or were drunk in the presence of students on school premises;
 - b. Supplied and/or assisted in the supply of alcohol to students;
 - c. Made inappropriate physical contact with one or more female students by kissing them on the cheek and/or placing your hand around their waist;
 - d. Commented to students that you would drive them to the local town to buy alcohol and/or drugs and/or cigarettes;
 - e. Invited one or more students into the staff accommodation area;
2. Between September 2016 and April 2021 you made one or more inappropriate comments to Pupil A, saying:
- a. “you should be a model” or words to that effect;
 - b. “you are my favourite” or words to that effect;
 - c. “I love you” or words to that effect;
 - d. “you look beautiful” or words to that effect;
 - e. “you looked stunning last night”, the day after a formal dinner, or words to that effect;
 - f. “the more time I spend with you, the better”, or words to that effect;
 - g. “as long as I’ve spoken with you, my day is the best”, or words to that effect;
 - h. “the high of my days are when I am with you”, or words to that effect;
 - i. “you do not realise how much you mean to me”, or words to that effect;
 - j. you would “kill someone if they hurt [Pupil A]”, or words to that effect;
 - k. you were “glad” that she had failed her maths exam so that you could spend more time together, or words to that effect;
 - l. you were “scared to lose” her and/or Pupil B, or words to that effect;
 - m. you had arranged a charity walking event so that you could “spend more time with [Pupil A and/or Pupil B]”, or words to that effect;
 - n. Telling Pupil A not to tell anyone about your interactions and/or comments;
3. Between September 2016 and April 2021 in relation to Pupil B, you:
- a. on one or more occasions stared at her body while she exercised;
 - b. complimented her about her gym wear;
 - c. suggested that you both attempt a variety of yoga poses that required close physical contact;
 - d. told her that you were “scared to lose” her and/or Pupil A;

- e. told her that you had arranged a charity walking event so that you could spend more time with Pupil A and/or Pupil B;
4. In or around March 2021 you shared inappropriate song lyrics that you had written with Pupil A via 'Google Docs'.
5. On or around 16 March 2021 you told Pupil A that the song lyrics were written about Pupil A;
6. On one or more occasions between September 2018 and March 2021 you made intentional physical contact with the knee and/or leg of Pupil A and/or Pupil B when sat alongside and/or opposite them during a lesson;
7. In or around December 2020 you invited Pupil A and/or Pupil B to your home without good reason;
10. Your conduct as may be found proved in relation to any or all of paragraphs 1-7 was sexually motivated.

Summary of evidence

Documents

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

Section 1: Chronology, anonymised pupil list and list of key people – pages 4 to 9

Section 2: Notice of proceedings and response – pages 10 to 76

Section 3: Teaching Regulation Agency witness statements – pages 77 to 828

Section 4: Teaching Regulation Agency documents – pages 829 to 833

In addition, the panel agreed to accept the following:

- Hearsay application bundle – pages 834 to 926
- Mr Edison's witness statement – pages 927 to 935
- Teacher witness statements – pages 936 to 944
- Mr Edison's email dated 3 February 2025 – pages 945 to 947

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 presenting officer:

- Witness A, [REDACTED]
- Pupil A
- Witness B, [REDACTED]
- Witness C, [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 Edison had been employed at the School since 5 September 2016, as a mathematics teacher. He also had responsibilities for teaching physical education. Following a 'Burns Night Supper' at the School on [REDACTED], the School commenced an investigation following damage to a table in the sixth form area at the School and Mr Edison received a final written warning with conditions applicable for two years. Mr Edison complied with these conditions, and was appointed as Head of Maths in September 2020. On or around 15 April 2021, Pupil A and Pupil B approached the School to allege that Mr Edison had shared inappropriate song lyrics with Pupil A. The School commenced an investigation and Mr Edison's contract with the School was terminated on 30 April 2021.

Findings of fact

The findings of fact are as follows:

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

1. On or around 25 January 2018, you:

a. Consumed alcohol and/or were drunk in the presence of students on school premises;

This allegation was admitted and was supported by evidence presented to the panel.

The panel had sight of a number of notes from the School's disciplinary meeting with Mr Edison, during which Mr Edison admitted to having drunk alcohol during a formal dinner at the School on [REDACTED] for 'Burns Night'. During the School's investigation, Mr Edison described drinking prosecco, wine and whisky on the evening. He outlined how non-drinkers at his table passed their whisky to him and in his witness statement, how colleagues asked him to drink theirs. Mr Edison stated during that investigation that his memory of the evening was limited.

The panel was also provided with six statements taken from sixth form students during the School's investigation into the incidents on [REDACTED], as well as a statement from a boarding assistant and a note of the investigating officer's conversation with a student. The panel had the opportunity to question Witness C on the veracity of the statements. One of the statements was not legible in the copy of the document provided to the panel in the bundle.

These statements outlined how students and Mr Edison spent time in the sixth form area after the formal dinner had ended. Although these statements were hearsay accounts of the event, three of these statements referred to Mr Edison being "drunk". The panel considered these statements to be corroborating, and supported Mr Edison's admission to consuming alcohol and being drunk on the School premises.

The allegation was therefore, found proved.

b. Supplied and/or assisted in the supply of alcohol to students;

In his statement to the panel and opening statement, Mr Edison stated that he could neither deny nor admit this allegation, as he could not remember the events of that evening. Mr Edison had also stated during the School's investigation that his memory of the evening was limited. In his written statement within the bundle, Mr Edison stated that "I am afraid my mind goes blank until I wake up in the morning".

However, two of the seven statements taken during the School's investigation and provided to the panel referred to Mr Edison supplying and/or assisting in the supply of alcohol to the students. For instance, one of the statements states that "alcohol was brought from Mr Edison's flat where he was staying that night". While other statements from pupils in the bundle referred to alcohol being present during the course of the evening in the sixth form area of the School after the formal dinner, they did not verify the source of the alcohol.

The panel heard from Witness C, the School's investigating officer into the incident, that the students providing the statements at the time of the School's investigation were diligent students and held positions of trust within the School. The panel also heard from Witness A that Mr Edison was a respected teacher, liked by students. Witness A's recollection was that students appeared concerned about potentially getting Mr Edison into trouble in providing the School with information. The panel considered that there was no reason why the students would have lied in their written statements.

The panel considered the evidence to support the allegation that Mr Edison assisted in the supply of alcohol, but there was insufficient evidence to prove that Mr Edison had supplied the alcohol. Multiple of the hearsay statements referred to alcohol being present, but it was unclear as to whether Mr Edison himself had brought the alcohol into the sixth form area to supply alcohol to students. There was no evidence that Mr Edison had attempted to remove the alcohol from the students.

Mr Edison had passively permitted the consumption of alcohol, thus assisting in its continued supply.

The allegation was therefore, found proved, on the basis that Mr Edison had assisted in the supply of alcohol.

c. Made inappropriate physical contact with one or more female students by kissing them on the cheek and/or placing your hand around their waist;

In his statement to the panel and opening statement, Mr Edison stated that he could neither deny nor admit this allegation, as he could not remember the events of that evening. Mr Edison had also stated during the School's investigation that his memory of the evening was limited.

The panel had sight of a photograph within the bundle, although it was heavily redacted. It appeared to show Mr Edison kissing the cheek of another individual. The panel was not in a position to confirm from the photograph alone that it was an image of Mr Edison, due to the quality of the photograph and the angle. However, there was no suggestion that the individual in the photograph was not Mr Edison and four of the statements within the bundle referred to a polaroid picture being taken of Mr Edison kissing a pupil on the cheek. The panel also had sight of a statement from a student stating that "We started taking photos as a big group and Mr Edison kissed my cheek but I moved my head away and then he stopped". Although these statements were hearsay evidence, the panel considered that the multiple statements referring to a polaroid picture of Mr Edison kissing a pupil on the cheek corroborated that the picture it had sight of within the bundle was of Mr Edison kissing a female student on the cheek.

In his witness statement, Witness C stated that during the School's investigation, he reviewed the photographs from Burns Night. In his witness statement, Witness C also stated that during the School's investigation, Mr Edison admitted to kissing a female student on the cheek and that he had his hand on her waist. In oral evidence, Witness C reviewed this statement, and clarified that his inference was that Mr Edison had accepted the incident happened after being presented with the physical evidence in the form of a photograph although Mr Edison may not have remembered it happening specifically.

The panel considered Witness C to be a credible witness, being measured in his responses and clarifying where matters were his opinion or where he could not recall matters with certainty.

The allegation was therefore, found proved.

d. Commented to students that you would drive them to the local town to buy alcohol and/or drugs and/or cigarettes;

In his statement to the panel and opening statement, Mr Edison stated that he could neither deny nor admit this allegation, as he could not remember the events of that evening. Mr Edison had also stated during the School's investigation that his memory of the evening was limited.

However, two of the seven statements taken during the School's investigation and provided to the panel referred to Mr Edison offering to drive to [REDACTED] to get drugs. One of those statements also referred to purchasing "fags".

The panel heard from Witness C, the School's investigating officer into the incident, that the students providing the statements at the time of the School's investigation were diligent students and held positions of trust within the School. The panel also heard from Witness A that his recollection was that students appeared concerned about potentially getting Mr Edison into trouble in providing the School with information. The panel considered that there was no reason why the students should lie.

Although hearsay evidence, the panel noted that more than one student had referenced Mr Edison offering to drive to [REDACTED] to get drugs. Although only one student referenced an offer to purchase cigarettes, multiple students had stated that Mr Edison was smoking and was drunk, and so the panel considered on the balance of probabilities it was likely that cigarettes were mentioned on the evening.

The panel therefore considered, on the balance of probabilities, that Mr Edison had offered to drive students to the local town to buy drugs and cigarettes, although there was no evidence to support the allegation that Mr Edison had offered to drive students to the local town to buy alcohol.

There was no evidence that Mr Edison had actually supplied drugs and/or cigarettes to students.

The allegation was therefore, found proved.

2. Between September 2016 and April 2021 you made one or more inappropriate comments to Pupil A, saying:

a. "you should be a model" or words to that effect;

In his written statement to the panel, Mr Edison specifically denied saying that Pupil A should be a model, stated that it "is too suggestive and is not my language". During the School's investigation meetings, Mr Edison stated that he could not remember the specifics of what he had said and that comments had been taken out of context. The panel considered there to be no evidence that the School had specifically put this wording to Mr Edison during the School's investigation, and Mr Edison was looking at this retrospectively.

The panel had sight of written notes from Pupil A, taken during the School's investigation at the time of her complaint to the School about the song lyrics. In this statement, Pupil A had stated that Mr Edison had "told me I should be a model". In live evidence, Pupil A confirmed that Mr Edison had said "you should be a model" or words to that effect.

Given the different accounts of the statements made, and since there was no evidence of such statements made in the emails provided to the panel between Pupil A and Mr Edison, the panel had to very carefully examine the credibility of Pupil A and Mr Edison by examining matters such as:

- whether their accounts remained consistent during the course of giving evidence;
- whether their accounts remained consistent with what they said on other occasions;
- how inherently probable their evidence was and;
- the extent to which the witness evidence was corroborated or contradicted by contemporaneous evidence to the limited extent the panel had this available to them.

The panel questioned Pupil A and thereby had the opportunity to consider how her evidence withstood that challenge. The panel did not have the opportunity to question Mr Edison as he was not present for the duration of the hearing.

Pupil A remained materially consistent throughout the School's disciplinary investigation, her written statement for the panel and in oral evidence that Mr Edison told her she should be a model. The panel noted that Pupil A had stated that comments started from [REDACTED], but that Pupil A had not brought this to the attention of the School until 2021, when she was in [REDACTED]. It was only around the incident of the song lyrics in 2021 when she was older that she looked back on the comments she then reported, realising them to be inappropriate. The panel considered this to be a reasonable explanation, in that Pupil A, [REDACTED] in September 2016, did not immediately recognise whether Mr Edison's comments were appropriate or not.

Mr Edison denied stating the word 'model', but did accept during the School's investigation that he would tell Pupil A that she looked fine. By way of context, he said this was when the students were concerned about the way they looked. The panel was conscious that the burden of proof in this case is upon the presenting officer. Mr Edison did not have to adduce evidence of an alternative conversation, as it was not incumbent upon him to prove his innocence.

However, the panel considered the plausibility of Pupil A misinterpreting Mr Edison's words. The panel also considered Pupil A's credibility. The panel noted that there was no suggestion that Pupil A had any particular motive to have fabricated the allegations, although it was clear that Pupil A and Pupil B [REDACTED] regularly discussed matters

relating to the allegations and Mr Edison's behaviour towards them. The panel heard from Witness A that Pupils A and B were "friendly" and "excellent young ladies", who were "polite" and "a credit to themselves and the School".

The panel noted that there did not appear to be exaggeration in her account, although comments may not have been made "daily" as she had stated. For instance, she confirmed with certainty that Mr Edison had used the word 'model'. Pupil A did not make any suggestion that there was any sexual inference behind Mr Edison commenting that she should be a model. Pupil A appeared balanced in her oral evidence before the panel. For example, she stated that she had not witnessed Mr Edison staring at Pupil B's body and stated that Mr Edison had not told her to keep the lyrics secret from others.

The panel considered Pupil A to be a credible witness. She had reported at the time of the original complaint to the School that Mr Edison had told her she should be a model and the account she gave at the time and to the panel in relation to this allegation remained consistent.

The allegation was therefore, found proved.

b. "you are my favourite" or words to that effect;

In written notes taken during the School's investigation, Pupil A had stated that Mr Edison had said that she was his "no.1 favourite". In oral evidence, Pupil A confirmed that Mr Edison had called her his favourite. The panel considered the credibility of Pupil A, as outlined under allegation 2a. above.

Mr Edison denied this allegation. In his written statement to the panel, he stated he would not use the word "favourite". He also stated that he had a closer connection with both Pupil A and Pupil B than most and felt as though they had a "good connection which led to speaking to them in too much of an informal way".

The panel considered the evidence presented to it and noted that Mr Edison had a close connection to Pupil A, [REDACTED]. The panel considered that Mr Edison did appear to treat Pupil A in a way which suggested that he set her apart from other students, such as sending her a colouring book and sharing jokes via informal email exchanges, and in Pupil A's written evidence, she stated that Mr Edison used to tell her she was his favourite. She also stated in written evidence that others overheard this and would openly joke that she was his favourite, "but then eventually everyone got used to it".

The allegation was therefore, found proved.

c. "I love you" or words to that effect;

In written notes taken during the School's investigation, Pupil A stated Mr Edison had told her "I love you". Pupil A confirmed this during oral evidence to the panel. She stated that

Mr Edison would say this regularly. In her written statement to the TRA, Pupil A stated Mr Edison would say at the end of the lesson, “you know I love you don’t you”.

In his written statement to the panel, Mr Edison stated that he “cared deeply about both students” (with reference to Pupil A and Pupil B), “always had their best interest at heart” and “would have said things like ‘you know I love you guys’ in a way which meant that I was looking out for them and that I would do what I can to help them”. This was consistent with what Mr Edison said during the School’s investigation.

The allegation was therefore, found proved.

d. “you look beautiful” or words to that effect;

In written notes taken during the School’s investigation and in her written statement, Pupil A stated that Mr Edison would compliment her and would mention how beautiful she was. Pupil A confirmed this during oral evidence to the panel. The panel considered the credibility of Pupil A, as outlined under allegation 2a. above.

In his statement to the panel, Mr Edison said he did not recall ever specifically commenting on the way either Pupil A or Pupil B looked, but there may have been a throwaway comment such as “you look great” and he would make positive comments that they already looked fine, when they were worried about how they looked. He further went on to state that it was “by no means ever anything along the lines of ‘you look beautiful today”.

The panel considered Pupil A to be a credible witness. She had reported at the time of the original complaint to the School in 2021 that Mr Edison had told her she looked beautiful and her account had remained consistent in relation to this comment.

The allegation was therefore, found proved.

g. “as long as I’ve spoken with you, my day is the best”, or words to that effect;

In written notes taken during the School’s investigation and in her written statement, Pupil A stated that Mr Edison said “as long as I’ve spoken to you, my day is the best”. Pupil A confirmed this during oral evidence to the panel.

During the School’s investigation, Mr Edison had stated that he could not remember the specifics of what he said to the pupils and his position was that his statements have been taken out of context. In his written statement to the TRA, Mr Edison stated that he would say “speaking to you has brightened my day” and that he did look forward to meeting Pupil A and Pupil B. The panel therefore considered it was more likely than not that Mr Edison used words to the effect of those alleged.

The allegation was therefore, found proved.

h. “the high of my days are when I am with you”, or words to that effect;

In written notes taken during the School’s investigation and in her written statement, Pupil A stated that Mr Edison said “my high of my days are whenever I’m with you”. Pupil A confirmed this during oral evidence to the panel.

During the School’s investigation, Mr Edison had stated that he could not remember the specifics of what he said to the pupils and his position was that his statements have been taken out of context. In his written statement to the TRA, Mr Edison stated that he would say “speaking to you has brightened my day” and that he did look forward to meeting Pupil A and Pupil B. The panel therefore considered it was more likely than not that Mr Edison used words to the effect of those alleged.

The allegation was therefore, found proved.

i. “you do not realise how much you mean to me”, or words to that effect;

In her written statement during the School’s investigation, Pupil A stated that Mr Edison had told her she didn’t “realise how much I mean to him”. Pupil A confirmed this during oral evidence to the panel. In her written statement to the TRA, Pupil A said that Mr Edison had said this on one occasion, but did not recall exactly when it was.

In his written statement to the TRA, Mr Edison has stated that he cared deeply about Pupil A and Pupil B and had their best interests at heart. Mr Edison denied this allegation.

Pupil B had also stated in her written statement during the School’s investigation that Mr Edison had said she meant a lot to him. Although this was hearsay evidence and the panel treated it with caution, it corroborated Pupil A’s evidence as to the nature of the comments made. The panel recognised that Pupil A and Pupil B [REDACTED] had spoken about Mr Edison’s behaviour on a number of occasions. The panel therefore considered whether there had been any collusion between Pupil A and Pupil B. However, the panel noted in Pupil B’s statement that Pupil B had only initially disclosed to the School the song lyrics with Pupil A, being reluctant to disclose anything further, and then went back to the School to make a second statement after thinking about what the owner of the School had said about promising there was nothing else. The panel considered that whilst Pupil B’s statement corroborated Pupil A’s statement, it was not identical. For instance, Pupil B did not reference all of the statements that Pupil A said Mr Edison had made, but rather statements made to the both of them. Pupil B also disclosed concerns relating to Mr Edison’s behaviour towards her, which were not included in Pupil A’s statement.

The panel therefore considered it was more likely than not that Mr Edison used words to the effect of those alleged.

The allegation was therefore, found proved.

j. you would “kill someone if they hurt [Pupil A]”, or words to that effect;

Mr Edison denied this allegation. In a follow-up email from Mr Edison to Witness A during the School’s investigation, Mr Edison wrote “Stating I would kill someone if they hurt [Pupil A] would have been said in jest as a joke”. The panel considered this to be an admission that it was plausible that he had said this or words to that effect.

In her written statement during the School’s investigation, Pupil A stated that Mr Edison had told her he would “kill someone” if they hurt her. In her written statement, she said she remembered this on one occasion. Pupil A confirmed this during oral evidence to the panel. Pupil A’s account remained consistent, and she did not seek to embellish her evidence making it clear that she only recalled this occurring on one occasion. On questioning from the panel about the context and how the conversation happened, Pupil A said she thought it was related to a “boy scenario”, and if a boy hurt her he would kill them.

The allegation was therefore, found proved.

k. you were “glad” that she had failed her maths exam so that you could spend more time together, or words to that effect;

Mr Edison denied this allegation. In his written statement to the panel, Mr Edison stated that he “may have tried to lighten her mood” by saying that her fail “at least meant for me I got to teach her more” and that “in hindsight I can see that was a comment that could be misinterpreted”.

In written notes taken during the School’s investigation and in her written statement, Pupil A stated that Mr Edison told her he was “glad” she failed her maths exam, as he got to spend more time with her. Pupil A confirmed this during oral evidence to the panel. The panel asked Pupil A about the context and whether Mr Edison had said the word “glad”. Pupil A could not remember where they were, but said that they were sat together and so it must have been in a classroom, and that he said to her that he was “glad you failed so we could spend more time together”.

The panel therefore considered it was more likely than not that Mr Edison used words to the effect of those alleged.

The allegation was therefore, found proved.

l. you were “scared to lose” her and/or Pupil B, or words to that effect;

Mr Edison denied this allegation. In his written statement to the panel, he outlined how he encouraged Pupil A to “spread her wings” and look at lots of different career opportunities and universities. He also outlined how, when Pupil B was contemplating staying on at the

School, he was of the opinion that Pupil B would “benefit from breaking out of the school environment” and “spread her wings and look to develop in a new environment”.

In her statement to the TRA, Pupil A stated that as she was approaching the end of [REDACTED], Mr Edison would say things such as “he was scared to lose us”, meaning her and Pupil B. Pupil A confirmed this in oral evidence.

In her statement to the TRA, Pupil B stated that Mr Edison would often say to her and Pupil A [REDACTED] that he was scared to lose them when they left. The panel exercised caution given that this was hearsay evidence, but considered that it corroborated Pupil A’s account and the panel noted that Pupil B had also made reference to this during the School’s investigation. The panel gave consideration as to whether there had been an element of collusion between Pupil A and Pupil B, as outlined above under allegation 2i.

The panel therefore considered it was more likely than not that Mr Edison used words to the effect of those alleged.

The allegation was therefore, found proved.

m. you had arranged a charity walking event so that you could “spend more time with [Pupil A and/or Pupil B]”, or words to that effect;

In the minutes of the School’s investigation meeting, it is recorded that Mr Edison has said that this was a “misconception on their part”. He had said that it would be a “nice memory” and to spend some time together, but that it would have to be groups of four or five and that it was never specifically organised for them. In his written statement to the TRA, Mr Edison stated that he “thought the trip would be a great end of school experience for the [REDACTED] ... plus a good opportunity for the teachers to spend time with students in their final year of conventional education considering we had mainly taught them through computer screens to this point. I did say that it would be great if I could walk with [Pupil A and Pupil B’s] group before they left school but not only or exclusively with them and think they have misinterpreted that”.

In her written statement to the TRA, Pupil A outlined that Mr Edison had organised a charity walk and put her and Pupil B in his group, that he told them he was looking forward to walking with them and it was going to be the best trip. The walk did not go ahead. In her written notes during the School’s investigation, Pupil A wrote “organised trips away ‘so he can spend more time with me’” but it was not clear what trip this was or how Pupil A was under the impression that it was organised for Mr Edison to spend more time with them. In her oral evidence, when questioned by the presenting officer on the nature of a conversation with Mr Edison about the walk, Pupil A stated that Mr Edison was trying to organise a walking trip to spend time away with her. The presenting officer asked whether Mr Edison had told her that he had arranged the walk to spend more time with her. Pupil A responded that he was planning to arrange it so that he could. She

further stated that he was organising this and another trip so that they could spend time away together.

In Pupil B's written notes during the School's investigation, Pupil B wrote "organised a trip away to spend more time with us" but it was not clear what trip this was or how Pupil B was under the impression that it was organised for Mr Edison to spend more time with them. In her written statement to the TRA, Pupil B did not specifically mention a charity walk or Mr Edison saying that he had arranged this to spend more time with them. She did mention a charity event where Mr Edison placed Pupil A and her in a group with him, and the students themselves added two others to the group.

In her additional statement during the School's investigation, Pupil B stated that in the week before Easter, Mr Edison had spoken to her and Pupil A and had mentioned a charity walk. Pupil B further stated that Mr Edison had said the only reason he had arranged the walk was so that he could spend time with her and Pupil A before they left the School. The panel gave consideration as to whether there had been an element of collusion between Pupil A and Pupil B, as outlined above under allegation 2i.

Based on the panel's assessment of the credibility of Pupil A, and the corroborating evidence of Pupil B, the panel therefore considered it was more likely than not that Mr Edison arranged the charity walking event for the reason alleged and used words to the effect of those alleged.

The allegation was therefore, found proved.

n. Telling Pupil A not to tell anyone about your interactions and/or comments;

Mr Edison denied this allegation.

In her written statement to the panel, Pupil A stated "he used to make me swear these comments would not leave his classroom 4 walls". In questioning from the panel, Pupil A said that Mr Edison would ask her not to tell anyone, then a couple of weeks later would thank her for not telling anyone. In her oral evidence after a question from the panel about Mr Edison apologising to Pupil A, Pupil A stated that she remembered going to him on the first day after the Easter break and said that he should not be saying this stuff to her, which is when he apologised and went on to say that he was grateful for her not telling anyone about the previous comments made.

The panel considered the credibility of Pupil A, as outlined above under allegation 2a. She was clear in oral evidence that Mr Edison had never asked her to keep the lyrics secret. The panel noted that Pupil A had not sought to embellish her evidence on this, and was clear as to the extent of Mr Edison's actions.

The allegation was therefore, found proved.

3. Between September 2016 and April 2021 in relation to Pupil B, you:

d. told her that you were “scared to lose” her and/or Pupil A;

For the reasons as outlined in allegation 2l. above, this allegation was found proved.

e. told her that you had arranged a charity walking event so that you could spend more time with Pupil A and/or Pupil B;

For the reasons as outlined in allegation 2m. above, this allegation was found proved.

4. In or around March 2021 you shared inappropriate song lyrics that you had written with Pupil A via ‘Google Docs’.

This allegation was admitted and was supported by evidence presented to the panel.

In his statement during the School’s investigation, Mr Edison stated that he had decided to write a song, which Pupil A helped with and the lyrics were shared by a Google document. In his statement to the TRA, Mr Edison added further context in that he challenged himself to learn an instrument during the Covid-19 lockdown, and had started to learn to play the piano. He enjoyed the challenge and decided to write some music to his own song.

Pupil A stated that Mr Edison shared the song lyrics with her by a Google document, and her and Pupil B looked at the document together. Pupil A stated that Mr Edison wrote the song lyrics, and she was helping with the music to go with the song. Although hearsay evidence, Pupil B’s statement corroborated that she had seen lyrics that Mr Edison had shared with Pupil A via a Google document.

The panel also had sight of emails between Pupil A and Mr Edison around March 2021, in which Pupil A provided advice on how to play the piano. In these emails, Pupil A also asks how the song was coming along, and Mr Edison shared a link to a Google document and said “Lets make it a Colab!!! [sic]”.

In the bundle, the panel had sight of a screenshot of song lyrics. Pupil A’s written statement noted that, when she and Pupil B were looking at the document in Google documents, Mr Edison was typing something along the lines of “I can’t get you out of my head, I want you in my bed”. In Pupil B’s witness statement, she also stated that one line of the song lyrics referred to “thinking about her in bed”. They then both state that they witnessed this line being deleted by Mr Edison in the Google document. Pupil B told Pupil A to screenshot the song before Mr Edison deleted any further lines. The screenshot of the lyrics provided to the panel did not contain this line.

The screenshot of the lyrics provided to the panel did contain lines such as “I have everything a man could want, but you”, “I love you” and “Tell me darling, is this gonna

ever work". The panel considered the song lyrics to be inappropriate to be shared with a student.

The allegation was therefore, found proved.

5. On or around 16 March 2021 you told Pupil A that the song lyrics were written about Pupil A;

This allegation was admitted and was supported by evidence presented to the panel.

In her statement to the TRA, Pupil A outlined that she had shown Pupil B the lyrics after a few weeks and Pupil B had said that it sounded like the song was about her. She asked Mr Edison in the chat if the song lyrics were about her and he said no, that they were just lyrics and not about anyone in particular. Pupil A went on to outline that Mr Edison had later approached her [REDACTED] and said that he had lied earlier. She asked what he was talking about and he said the lyrics were about her. She then discussed this with Pupil B. In her oral evidence, she said she felt "shocked, numb and didn't want to believe it".

Although there was some inconsistency in Pupil A's statements about the conversation with Mr Edison and whether it was her or Pupil B who typed the question to Mr Edison either in a chat function or on the document, the panel accepted that with the passage of time, memories fade. Pupil A was materially consistent in that the conversation had happened in the [REDACTED] and Mr Edison had either told her directly or confirmed after she had asked that the song lyrics were about her. The panel found it significant that Pupil A was able to clearly describe her reaction at the time.

In his statement during the School's investigation, Mr Edison stated that Pupil A had asked whether the song was about her. He initially said 'no', but then later said 'yes', as "it was inspired by her". This was on the last day of term and he realised how inappropriate it was, and apologised to Pupil A on the first day back after the Easter break. Mr Edison stated that this was "a complete lack of judgement on my part as it was interpreted completely wrong".

In his statement to the TRA, Mr Edison expanded on this and said he did not seek out Pupil A, but she was in the [REDACTED]. She asked "so it wasn't about me then?" and "in a moment of madness, attention-seeking or ego" he said it was and then left. Mr Edison described this as the "single, most stupid, idiotic and reckless thing" he has ever done, and did not know why he said it. The song was "categorically not and never meant to be interpreted as me having feelings for [Pupil A]". He realised the gravity of his mistake straight away and deleted the song. He then spoke with Pupil A after the Easter break, and stated that he was completely in the wrong, the song was not about her, and apologised for saying it.

The allegation was therefore, found proved.

6. On one or more occasions between September 2018 and March 2021 you made intentional physical contact with the knee and/or leg of Pupil A and/or Pupil B when sat alongside and/or opposite them during a lesson;

Mr Edison denied this allegation, which focused on contact during Pupil A and Pupil B's [REDACTED] lessons with Mr Edison. During the School's investigation, he stated if there was physical contact, this would have been accidental. In his written statement to the panel, he outlined that Pupil A and Pupil B would regularly ask him for help. In several evaluations of his teaching, it was noted that he managed to get round to help students, getting down to their level and offering individual help, and was told that this was very good practice and to continue with what he was doing.

The panel heard from Witness A and Witness B that they would conduct lesson observations, including of Mr Edison's classes, and did not have any concerns in relation to his physical proximity to students. Witness C worked in a different department and had limited contact with Mr Edison.

In oral evidence, Pupil A outlined how Mr Edison's knee would make contact with hers and how the legs were "interlocked". The panel did not interpret this as Mr Edison's legs being wrapped around her knee, but in between her legs. Pupil A outlined one incident she could recollect during a one-to-one session with Mr Edison, where he was wearing gym shorts and she was wearing a gym skort, and Mr Edison put his bare legs on top of hers, with his feet off the floor, saying her legs were in his way. Pupil A stated that they were alone on this occasion.

[REDACTED]. If they put their hands up, Mr Edison would reach out for a chair, sit opposite them and make contact with their knees. Pupil B stated that she stopped asking questions in class because she was uncomfortable with this.

The panel was conscious that there may have been an element of collaboration between Pupils A and B in this aspect of the statements provided in April 2021, hence the panel exercised caution. The panel considered that discussions between Pupil A and Pupil B had not influenced their evidence, as outlined above under allegation 2i. when considering the potential of collusion between Pupil A and Pupil B.

In oral evidence, the panel asked Pupil A about the nature of the discussions about the touching of legs. Pupil A stated that Pupil B was uncomfortable to put her hand up and ask for help as she knew physical contact was coming. Pupil B had stated this in her written statement to the School.

[REDACTED] The legal adviser asked Pupil A if she had witnessed Mr Edison touch Pupil B's legs. Pupil A responded no, but "you could feel it" and that his legs were sometimes "in between both of us". The panel considered this to be Pupil A's direct experience, as opposed to something Pupil B had mentioned to her.

The panel considered Pupil A and Pupil B to have been consistent in their recollection of Mr Edison making physical contact with their knees and/or leg, and Pupil A had clearly recollected one occasion when their bare legs were touching.

The allegation was therefore, found proved.

7. In or around December 2020 you invited Pupil A and/or Pupil B to your home without good reason;

This allegation was denied by Mr Edison. In the notes of the School's disciplinary meeting, it is noted that an allegation was put to Mr Edison that he asked Pupil A and Pupil B to go to his house for a coffee during lockdown [REDACTED]. Mr Edison is noted to have said "That's ridiculous that I would even think that, it wouldn't happen". [REDACTED]

[REDACTED]

In her witness statement to the TRA, Pupil A stated that on one occasion she recalled that Mr Edison had told her and Pupil B [REDACTED] and he invited them to his home. In oral evidence, Pupil A stated that she only remembers being invited twice, and on one occasion this was with Pupil B. Although hearsay evidence, Pupil B's witness statement supported this, stating that Mr Edison told her and Pupil A [REDACTED], that he had the house to himself for three days and that they should go over. Pupil B thought this was the only time Mr Edison had invited them to his house.

The panel considered the statements of Pupil A and Pupil B to be consistent in their recollections of Mr Edison inviting them over to his house. The panel did not consider there to be a good reason for this invitation.

This allegation was therefore, found proved.

10. Your conduct as may be found proved in relation to any or all of paragraphs 1-7 was sexually motivated.

Mr Edison strongly denied this allegation. In his written statement to the panel, Mr Edison outlined the classes that he taught and additional help sought by Pupil A and Pupil B, which meant that he had "developed a stronger bond" with Pupil A and Pupil B and "felt a sense of responsibility for their well-being and their future". Mr Edison further stated "I accept my actions and words were over familiar, irresponsible and at times inappropriate, however there was no sexual motivation behind them. No sexual advances were ever made, no inappropriate physical contact was made, and no private means of communication were ever used".

Mr Edison stated that he had reflected on his actions and that it was clear to him now that "the relationship I had developed with the students [REDACTED] was not appropriate. I was over-involved, and the correct teacher/student boundary had been crossed". He also

stated that “trying to play a father-figure type role is also not appropriate”. Mr Edison outlined how he had a desire to be seen as a hero figure which was unhealthy, but that “this is very different from having any sexual attraction to any of them and I am appalled that my actions might have been misinterpreted by them and actually caused them the very harm I was trying to avoid”.

In his written statement, Witness A outlined that Mr Edison had sent him an email in April 2021. The panel had sight of this email and in it Mr Edison accepted responsibility, saying that some of the things he had said were “inappropriate and naïve, in particular surrounding the song. This was out of character and I believe my judgement was clouded by my relationship with [Pupil A] [REDACTED].”

In written evidence, Witness B stated that the “risks of boundaries being blurred for pupils is that the boundaries may not be respected. This can also be seen as the first steps of grooming”. He also noted that “I cannot suggest that Mr Edison was thinking [that] at the time”.

The panel heard from Witness C, who stated that he “never saw anything malicious” in Mr Edison, but that Mr Edison was perhaps naïve and was sometimes prone to allow boundaries to be blurred. Witness C could understand how Mr Edison’s behaviour, whatever his intention, could be interpreted as “grooming”, although Witness C was clear and measured in his evidence that he had not reached this conclusion. Regardless, the panel was conscious that it had to turn its own independent mind to determine the allegation before it.

The panel noted that Witnesses A, B and C were looking at Mr Edison’s behaviour in hindsight, but prior to Pupil A and Pupil B’s disclosure and with the exception of allegation 1, did not witness or hear anything which was a cause of concern. The witnesses noted that Mr Edison was at times overfamiliar with students, but other than the incident in allegation 1, this had not been at a level which was a cause of concern to be raised with Mr Edison. For instance, Witness C stated that his concerns about Mr Edison being overfamiliar with students related to the use of nicknames. Witness B stated that Mr Edison was a “popular member of staff” and “had good relationships with his students”. In oral evidence, Witness A stated that based on observations, Mr Edison was “very effective in the classroom” and that he was “well respected across the School”.

The panel considered each of the allegations 1 to 7 individually. The panel noted that Mr Edison’s state of mind could not be proved by direct observation, but only by inference or deduction from the surrounding evidence. The panel exercised caution given that Mr Edison was not present, and although the panel had Mr Edison’s written statement, they were not able to ask Mr Edison further questions on his state of mind.

The panel did not find that Mr Edison’s behaviour as found proven at allegation 1 was sexually motivated. The panel had found that Mr Edison had been drunk at the time of the incident, and the consumption of alcohol had influenced Mr Edison’s behaviour. The

panel considered this to be a one-off incident, and there was no evidence that Mr Edison had acted for sexual gratification or in the pursuit of a future sexual relationship.

In relation to allegation 2 and the sub-allegations found proven only, the panel firstly considered each allegation individually. When taken separately the panel did not find that these comments were sexually motivated as they could have been taken out of context.

Taken individually, the comments could be interpreted as having been made to bolster Pupil A's confidence. This accords with Mr Edison's statement that he made no advances. However, the constant repetition and increasing intensity led the panel to conclude that there was an escalation in inappropriate behaviour. The panel found that Mr Edison had made the comments, as set out in allegations 2k. to 2n., or words to the effect of those comments. They were made when Pupil A [REDACTED] at the School, as [REDACTED].

Taken as a whole the panel did find that there was a pattern of behaviour that indicated an escalation and that Mr Edison was acting in pursuit of a future sexual relationship.

The panel accepted that Mr Edison's behaviour was not sexually motivated at the outset when first teaching Pupil A, but as they spent more time together and as Pupil A got older and [REDACTED], the panel considered Mr Edison's comments to be sexually motivated. The panel heard from Pupil A that Mr Edison would make an inappropriate comment frequently, and the panel considered there to be no other reasonable explanation for the number of comments and frequency of the comments. The panel therefore found Mr Edison's conduct as found proven in allegation 2 to be sexually motivated.

In relation to allegation 3, the panel did not find Mr Edison's actions towards Pupil B to be sexually motivated. The panel noted that the state of Mr Edison's mind could only be inferred or deduced from surrounding evidence. The panel considered sexual motivation to be a particularly serious allegation in this particular case, and did not consider there to be sufficient evidence to meet the threshold to find this allegation proved on the balance of probabilities.

In relation to allegations 4 and 5, the panel considered Mr Edison's actions to be sexually motivated. The panel had sight of a screenshot of the song lyrics, and considered these to be of a sexual nature. The lyrics included lines such as "I have everything a man could want, but you" and "I love you". The panel had sight of a statement from Pupil B and heard from Pupil A that as they were looking at the lyrics in the document, they saw Mr Edison delete a line which said something along the lines of 'thoughts in his head of her in his bed', which is why they screenshotted the lyrics before anything further was deleted. The screenshot of the lyrics the panel had sight of in determining allegations 4 and 5 did not include such a line. The panel considered the wording of the lyrics in the screenshot and, having found that Mr Edison told Pupil A that the lyrics were about her, found that these indicated a sexual motivation towards Pupil A. The panel therefore found allegations 4 and 5 to be conduct that was sexually motivated.

In relation to allegation 6, the panel considered good teaching practices and the circumstances in which Mr Edison had made intentional contact with the legs of Pupil A and Pupil B. The panel considered that if it had happened accidentally, Mr Edison would have moved away. The panel heard from Pupil A that the touching of legs and/or knees would happen frequently. The panel found that Mr Edison had gone further than this, and had once deliberately put his bare legs across the top of Pupil A's legs. The panel considered that there was no reasonable explanation for the touching of legs, which occurred more frequently than on an accidental basis, other than it having been sexually motivated. The panel therefore found Mr Edison's conduct as found proven in allegation 6 to be sexually motivated.

In relation to allegation 7, the panel found that Mr Edison had invited Pupils A and B to his home without good reason. While the panel accepted that Mr Edison [REDACTED], the panel considered this invitation to be made in a different context. The panel had found that there was no good reason for Mr Edison inviting Pupil A and Pupil B around to his home. There was no evidence that this invitation was with the intention of anything sexual occurring on that occasion, but the panel considered it to demonstrate Mr Edison pursuing a closer relationship with Pupil A as the teacher/student relationship was coming to an end, to advance a future sexual relationship. [REDACTED]. There was no evidence that Mr Edison had asked the students to invite or tell their parents about the invitation.

This allegation was therefore, found proved in respect of allegations 2, 4, 5, 6 and 7.

The panel found the following particulars of the allegations against you not proved, for these reasons:

1. On or around 25 January 2018, you:

e. Invited one or more students into the staff accommodation area;

The panel had sight of six statements from students, a statement from a boarding assistant and a note of a meeting with a student written by Witness C contained within the bundle, taken during the School's investigation. Two of these statements referred to students entering the staff accommodation area, but only one of these statements said Mr Edison had invited them into the staff accommodation area. Other legible statements from the students referred to being in the sixth form area and then heading back to their dormitories. The statement from the boarding assistant referred to letting students into the common room and heading back down after thirty minutes to let everyone into the boarding house, but did not reference students being in or let into the staff accommodation area.

The panel exercised caution given that these were hearsay statements, and did not consider there to be sufficient evidence to find it proven that Mr Edison had invited one or more students into the staff accommodation area.

The allegation was therefore, not proved.

2. Between September 2016 and April 2021 you made one or more inappropriate comments to Pupil A, saying:

- e. “you looked stunning last night”, the day after a formal dinner, or words to that effect;**

The panel noted that, after the Burns Night incident in [REDACTED], as a condition of his final written warning, Mr Edison was not permitted to attend formal dinners at the School for a period of time. In his oral evidence, Witness A confirmed that Mr Edison was not allowed to attend formal dinners at the School as part of the conditions of his final written warning, which was in place for two years.

In her written statement, Pupil A stated that “after a formal dinner party at school”, Mr Edison approached her and told her that she looked “stunning”. In her oral evidence, Pupil A was clear that this occurred on the night of the formal dinner, when walking back to a car. The panel considered that if Mr Edison had told Pupil A she looked stunning, this was on the night of the formal dinner, and not the day after. Pupil A was certain that this comment was made on the night of the formal dinner and in those circumstances there was no evidence that the comment had been made on the day afterwards.

The allegation was therefore, not proved.

- f. “the more time I spend with you, the better”, or words to that effect;**

The panel did not consider there to be sufficient evidence to support this allegation.

In her written statement to the School, Pupil A had made a note of Mr Edison saying “the more time I spend with you, the better”. Mr Edison denied this allegation.

The panel considered the strength of the evidence, and noted that Mr Edison had stated during the School’s disciplinary investigation that he may have said something to the effect of “speaking to you has brightened my day”. The panel considered such statements not to be words to the effect of “the more time I spend with you, the better”. The panel noted that this was mentioned in Pupil A’s statement to the School in handwritten notes, but is not referenced in Pupil A’s later statement to the TRA, and considered this to be an over extrapolation of what Mr Edison had said to her.

The allegation was therefore, not proved.

3. Between September 2016 and April 2021 in relation to Pupil B, you:

- a. on one or more occasions stared at her body while she exercised;**

In her written statement to the panel, Pupil B stated that a “lot of students have mentioned to me that they have seen Mr Edison looking at my bum”. She further stated “I

was told this by other people and did not notice it myself". Mr Edison taught Pupil B [REDACTED].

The panel exercised caution, given the level of hearsay evidence involved. Pupil B stated that she had not noticed this herself, but had been told by other people.

The panel questioned Pupil A as to whether she had ever seen Mr Edison staring at Pupil B's body while she exercised, and she stated that she had not.

The allegation was therefore, not proved.

b. complimented her about her gym wear;

In her written statement to the TRA, Pupil B stated that she recalled on one occasion Mr Edison complimented her gym clothes and said that she looked really good.

The panel had sight of a number of emails between Mr Edison and Pupil B. In one of these email chains, Mr Edison wrote "I know you have all this Gymshark [sic] stuff" and asks Pupil B whether the men's Gymshark clothing was "any good". While there was a conversation about gym wear, this did not indicate that Mr Edison had complimented Pupil B on her gym wear.

The panel noted Pupil B's evidence was hearsay evidence, and there was no other evidence within the bundle to support this allegation.

Mr Edison denied this allegation.

The allegation was therefore, not proved.

c. suggested that you both attempt a variety of yoga poses that required close physical contact;

In her second statement to the School, Pupil B stated that she remembered Mr Edison had wanted to try couples' yoga or acro poses with her which required close contact. In her written statement to the TRA, Pupil B stated that she told Mr Edison that she wanted to learn yoga, and although she cannot remember how the yoga subject came about, Mr Edison showed her some couples yoga positions and said "we should do those poses".

The panel questioned Witness A and Witness B about the layout of the gym at the School and the use of it. The panel heard that there was a glass wall looking into the gym and that students and staff members could use it when they wanted, but that there had to be more than one person present. The panel also heard that at the time, this could have been a student and a teacher.

Pupil B's evidence was hearsay evidence and the panel did not have the opportunity to question Pupil B to test the strength of her evidence.

In the minutes of the School's investigation meeting, it is recorded that Mr Edison said that he had never once had to lay his hands on her and that he would not do that. He has never suggested doing couples poses with her and it would not cross his mind to do that with a student. He said that this was "100% misinterpreted" by Pupil B. In his written statement to the panel, Mr Edison stated that they would separately sometimes use yoga poses for strength and balance following a YouTube video in the gym, but these were not couples poses and they never touched.

The panel considered it inherently unlikely that Mr Edison would have suggested this to Pupil B given the public nature of the gym. The panel did not consider that the evidence available was sufficient for the panel to consider it more probable than not that this suggestion was made.

The allegation was therefore, not proved.

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

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

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

The panel was satisfied that the conduct of Mr Edison, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Edison was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Edison, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”). As a teacher, Mr Edison was required to understand his safeguarding responsibilities and safeguard and promote the welfare of children as set out in KCSIE, but he had failed to do so in behaving in a way that indicated that he may have posed a risk to Pupil A.

The panel was satisfied that the conduct of Mr Edison fell significantly short of the standard of behaviour expected of a teacher. Mr Edison had repeatedly made inappropriate remarks to Pupil A and the panel had found that he had acted out of sexual motivation. The boundaries between the teacher and student relationship were blurred. In relation to allegation 1, Mr Edison had been drunk in the presence of students and had not been aware of his actions. Mr Edison had offered to buy pupils drugs, which was completely inappropriate in whatever circumstances the comment was made.

The panel also considered whether Mr Edison’s conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

Although not explicit, the panel found that the offences of sexual communication with a child and controlling or coercive behaviour were relevant.

In relation to the offence of sexual communication with a child, Pupil A confirmed in oral evidence that Mr Edison did not have her personal mobile number or email address. Written communication took place via the School’s email system, and the panel had sight of emails between Pupil A and Mr Edison in the bundle. While these were overfamiliar, for example with the use of nicknames and sharing jokes, the panel did not consider these to be sexual communication. However, Mr Edison had shared song lyrics with Pupil A, which the panel had found to be sexually motivated.

In relation to the offence of controlling or coercive behaviour, the panel had found that Mr Edison had asked Pupil A not to tell anyone about his comments made. There was no evidence that Mr Edison had threatened Pupil A, but rather he thanked her when she did not tell anyone.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct.

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

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils’ lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

The panel considered that in being drunk in front of students and by his behaviours and comments made in relation to allegation 1, Mr Edison had not acted as a role model to students. Students could have been influenced by Mr Edison's actions. In relation to the remainder of the allegations found proven, the panel considered that the public expects teachers to maintain professional boundaries with students, and that Mr Edison had crossed these professional boundaries.

The panel also considered whether Mr Edison's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offences of sexual communication with a child and controlling or coercive behaviour were relevant, for the reasons outlined above.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to conduct that may bring the profession into disrepute.

The panel considered that Mr Edison's conduct could potentially damage the public's perception of a teacher.

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

Having found the some of the allegations proved, the panel further found that Mr Edison's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

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

In considering whether to recommend to the Secretary of State that a prohibition order is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Edison and whether a prohibition order is necessary and proportionate. 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, the maintenance of public confidence in the

profession and declaring and upholding proper standards of conduct. The panel also found the interest of retaining the teacher in the profession to be relevant.

In the light of the panel's findings against Mr Edison, which involved being drunk in the presence of students, making inappropriate comments to Pupil A, sharing inappropriate song lyrics written by him with Pupil A, intentionally touching Pupil A and Pupil B's legs and his conduct being sexually motivated, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of making inappropriate comments, telling Pupil A that the inappropriate song lyrics were about her and intentional physical contact with Pupil A and Pupil B's legs and/or knees.

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

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

The panel decided that there was a strong public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession. The panel heard from Witness A that Mr Edison's results outcomes were excellent and the "monitoring of him from an academic perspective was very positive". Mr Edison had showed himself to be a "positive influence on the boarding community" and was involved in extra-curricular activities.

Whilst there is evidence that Mr Edison had ability as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Edison in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust.

The panel carefully considered the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);
- collusion or concealment including: failure to challenge inappropriate actions, defending inappropriate actions or concealing inappropriate actions.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest and the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider the mitigation offered by the teacher and whether there were mitigating circumstances.

In the light of the panel's findings, there was evidence that Mr Edison's actions were deliberate.

There was no evidence to suggest that Mr Edison was acting under extreme duress, for example a physical threat or significant intimidation.

Mr Edison did have a previously good history, prior to the incident in January 2018, and had the potential to make a significant contribution to the education sector. The panel noted that Mr Edison was at a relatively early stage in his career at the time of the allegations.

The panel saw evidence that showed Mr Edison was subject to disciplinary proceedings and was issued with a final written warning which was on his record for two years, following the 'Burns Night' incident at the School in [REDACTED]. In his witness statement, Witness A stated that "Mr Edison complied with the conditions ... and we had exemplary behaviour from him for two years following the incident".

The panel had sight of seven character references in support of Mr Edison. One of these references had been written by Witness C, who had knowledge of the School's

investigation and the allegations. This stated that Mr Edison was a “generous and hard working man”, who “showed great dedication to his teaching”.

Other character references included references from work colleagues who were sporting associates. It was apparent that these statements were not made for the purposes of the TRA hearing, but that the referees were aware of the nature of the allegations.

A statement, from a sporting associate, stated that Mr Edison had drawn his attention to restrictions placed on him, and he has kept to those restrictions and his behaviour had been “impeccable”.

Another statement from a work colleague in a sporting capacity stated that Mr Edison had “developed a number of ... players over the years into highly competent and confident young men who have ambition to succeed under his leadership and that he “cannot think of an example where he has shown unsuitability or been [unprofessional]”.

Another statement from a work colleague in a sporting capacity stated that Mr Edison “is a true professional” and “leads by example”.

The panel had sight of a character reference [REDACTED], which stated that Mr Edison was a “brilliant teacher, the amount of people he has helped and guided are testament to that” and that he “has learnt a great deal from this and I am 100 percent positive that a situation even slightly resembling this will never happen again”. The panel noted that this witness statement came from an individual who had known Mr Edison from their teenage years, and stated that “he has always looked out for others ever since we first met”. The panel exercised caution, given that it did not have the opportunity to question the individual who provided this character reference.

The panel considered the level of insight and remorse demonstrated by Mr Edison into his actions. Mr Edison had accepted that his actions and words were “over familiar, irresponsible and at times inappropriate” although stated that there was no sexual motivation behind them. Mr Edison also took the opportunity in his statement to the panel to apologise to those involved. The panel considered Mr Edison to be genuine in the remorse shown and had recognised his actions had impacted students, although he did not go into detail on how his behaviour had impacted students.

He stated in his written statement that he had been able to “complete a lot of personal development to ensure that nothing like this ever happens again” [REDACTED] and on reflection was able to “recognise behaviour and thought patterns which are unhealthy for myself personally and act on these before they become an issue”. Mr Edison also stated “it is clear to me now that the relationship I had developed with the students and the families was not appropriate. I was over-involved, and the correct teacher/student boundary had been crossed. I understand that this separation is key to maintaining a professional relationship being the person to ‘fix’ any problems is not the important factor, a teacher must give the students the tools, space and time to help themselves”.

Mr Edison was a non-qualified teacher and had not entered teaching through a conventional route. He had recognised in his written statement to the panel the impact that not completing a PGCE course had on his understanding about professional standards. Since the incident, Mr Edison had taken a further course in safeguarding to ensure he was up-to-date on safeguarding issues.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Edison 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 Edison. The finding of sexual motivation was a significant factor in forming that opinion, although the panel was clear that Mr Edison had not engaged in any sexual acts with students. 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 cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. One of these cases include serious sexual misconduct, for example where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons. The panel found that Mr Edison was responsible for making inappropriate comments to Pupil A, and that those actions were sexually motivated, linking back to the behaviour of serious sexual misconduct which indicates that the public interest will have greater relevance and weigh in favour of not offering a review period.

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel found that none of these offences were relevant. Although Mr Edison was found to have offered to drive students to buy

drugs, the panel considered Mr Edison to have been intoxicated at this time and there was no evidence Mr Edison had supplied drugs.

Although the Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period, and the panel found one of these to be relevant, the panel considered Mr Edison's conduct to be at the less serious end of the range of behaviours that could be categorised as serious sexual misconduct. Mr Edison had not made a sexual advance towards Pupil A and communication was through School channels. The panel had also found that Mr Edison had not been sexually motivated at the outset of his interaction with Pupil A, but this had developed as they spent more time together when Pupil A was in [REDACTED].

The panel considered that Mr Edison had reflected on his actions and had shown insight to the extent that he recognised that boundaries had been blurred. Mr Edison had already taken steps to identify the underlying cause of his behaviour, and put in place measures to prevent a recurrence, such as undertaking [REDACTED] and further safeguarding training. However, Mr Edison's written statement, while remorseful, did not fully explain his actions that the panel had found to be sexually motivated. The panel considered that a review period would allow time for Mr Edison to develop a greater insight into his actions to prevent a repetition of his behaviour.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period after 5 years.

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 some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven and discontinued two allegations. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Matthew Edison should be the subject of a prohibition order, with a review period of five years.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Edison, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and/or involved breaches of Working Together to Safeguard Children.

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

The findings of misconduct are particularly serious as they include a finding of inappropriate behaviour and being drunk in the presence of students and conduct found to be sexually motivated.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Edison, 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, "In the light of the panel's findings against Mr Edison, which involved being drunk in the presence of students, making inappropriate comments to Pupil A, sharing inappropriate song lyrics written by him with Pupil A, intentionally touching Pupil A and Pupil B's legs and his conduct being sexually motivated, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of making inappropriate comments,

telling Pupil A that the inappropriate song lyrics were about her and intentional physical contact with Pupil A and Pupil B's legs and/or knees." 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 the panel sets out as follows, "The panel considered the level of insight and remorse demonstrated by Mr Edison into his actions. Mr Edison had accepted that his actions and words were "over familiar, irresponsible and at times inappropriate" although stated that there was no sexual motivation behind them. Mr Edison also took the opportunity in his statement to the panel to apologise to those involved. The panel considered Mr Edison to be genuine in the remorse shown and had recognised his actions had impacted students, although he did not go into detail on how his behaviour had impacted students." I have therefore given this element 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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Edison were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of sexual motivated conduct with pupils in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an "ordinary intelligent and well-informed citizen."

I have considered whether the publication of a finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Edison himself and the panel comment "The panel decided that there was a strong public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession. The panel heard from Witness A that Mr Edison's results outcomes were excellent and the "monitoring of him from an academic perspective was very positive". Mr Edison had showed himself to be a "positive influence on the boarding community" and was involved in extra-curricular activities."

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

In this case, I have placed considerable weight on the panel's comments concerning the level of insight or remorse. The panel has said, "He stated in his written statement that he had been able to "complete a lot of personal development to ensure that nothing like this ever happens again" [REDACTED] and on reflection was able to "recognise behaviour and thought patterns which are unhealthy for myself personally and act on these before they become an issue". Mr Edison also stated "it is clear to me now that the relationship I had developed with the students and the families was not appropriate. I was over-involved, and the correct teacher/student boundary had been crossed. I understand that this separation is key to maintaining a professional relationship being the person to 'fix' any problems is not the important factor, a teacher must give the students the tools, space and time to help themselves."

I have also placed considerable weight on the finding of that "The panel decided that the public interest considerations outweighed the interests of Mr Edison. The finding of sexual motivation was a significant factor in forming that opinion, although the panel was clear that Mr Edison had not engaged in any sexual acts with students."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Edison 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 a 5 year review period.

I have considered the panel's comments "The panel considered that Mr Edison had reflected on his actions and had shown insight to the extent that he recognised that boundaries had been blurred. Mr Edison had already taken steps to identify the underlying cause of his behaviour, and put in place measures to prevent a recurrence, such as undertaking [REDACTED] and further safeguarding training. However, Mr Edison's written statement, while remorseful, did not fully explain his actions that the panel had found to be sexually motivated. The panel considered that a review period would allow time for Mr Edison to develop a greater insight into his actions to prevent a repetition of his behaviour."

In this case, factors mean that allowing a lesser 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, with the panel recommending that a review period would allow Mr Edison time to develop greater insight.

I consider therefore that a five year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Matthew Edison is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 25 February 2030, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Edison remains prohibited from teaching indefinitely.

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

Mr Matthew Edison 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: 18 February 2025

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