



Teaching  
Regulation  
Agency

# **Neil Butler: Professional conduct panel meeting outcome**

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

**April 2025**

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

<b>Teacher:</b>	Neil Butler
<b>Teacher ref number:</b>	8845424
<b>Teacher date of birth:</b>	13 September 1965
<b>TRA reference:</b>	21811
<b>Date of determination:</b>	30 April 2025
<b>Former employer:</b>	Rose Hill School, Alderley, Wooton Under Edge and Orwell Park School, Nacton, Suffolk

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 30 April 2025 by way of a virtual meeting, to consider the case of Neil Butler.

The panel members were Mr Alan Wells former teacher panellist – in the chair, Mrs Bernie Whittle, former teacher panellist and Ms Geraldine Baird, lay panellist.

The legal adviser to the panel was Mrs Kim Findlow of Eversheds Sutherland (International) LLP.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Butler that the allegation be considered without a hearing. The Presenting Officer made representations that a meeting will result in the case being disposed of expeditiously and economically as well as proportionately. Also, that the public interest will be served through the decision being announced in public.

Mr Butler provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer Ms Matilda Heselton of Browne Jacobson LLP or Mr Butler.

The meeting took place in private.

## **Allegations**

The panel considered the allegation set out in the notice of meeting dated 7 April 2025.

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

You have been convicted, at any time, of a relevant offence, in that you were convicted at court in or around 2024 one or more counts of;

1. Gross indecency with a girl under 14 years of age;
2. Indecent assault on a girl under 14 years of age.

Mr Butler admitted in a statement of agreed facts that he has been convicted of a relevant offence.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 6 to 7

Section 2: Notice of Referral, Response and Notice of Meeting– pages 9 to 17a

Section 3: Statement of Agreed Facts and Presenting Officer Representations– pages 18 to 21

Section 4: Teaching Regulation Agency documents – pages 23 to 36

Section 5: Teacher documents – pages 146 to 153

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

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2020, (the “Procedures”).

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Butler on 24 March 2025.

## Decision and reasons

The panel announced its decision and reasons as follows:

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

In advance of the meeting the TRA agreed to a request from Mr Butler for the allegation to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Butler was employed as a teacher of science at Rose Hill School, Alderley, Wooton Under Edge from 1 September 1993 until 31 August 1996. In October 2021 a report was made to the Police by a [REDACTED] alleging that Mr Butler had sexually abused the former pupil when she was pupil at Rose Hill School. Mr Butler was at this time employed by Orwell Park School, Nacton, Suffolk and was subject to disciplinary proceedings in light of the criminal allegations against him. Mr Butler left Orwell Park School on 15 July 2022. The matter was referred to the TRA by the DBS in April 2023.

## Findings of fact

The findings of fact are as follows:

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

**You have been convicted, at any time, of a relevant offence, in that you were convicted at court in or around 2024 one or more counts of;**

- 1. Gross indecency with a girl under 14 years of age;**
- 2. Indecent assault on a girl under 14 years of age.**

The panel saw the certificate of conviction confirming Mr Butler's conviction of the alleged offences. The panel accepted the certificate of conviction as conclusive proof of both the convictions and the facts necessarily implied by the convictions.

The certificate of conviction showed that Mr Butler was convicted of

- gross indecency with a girl under 14 years old and;
- three counts of indecent assault on a girl under 14 years old.

The judge ordered that Mr Butler receive a custodial sentence of 24 months imprisonment suspended for 24 months as well as a community sentence to undertake

unpaid work for 300 hours. Mr Butler also had to sign the sex offenders register for 10 years and was ordered to pay £10,000 in compensation.

The panel noted that Mr Butler confirmed in his statements of agreed facts that *“he was convicted at Gloucester Crown Court in or around 2024 for one count of gross indecent with a girl under 14 years of age and three counts of indecent assault on a girl under 14 years of age”*.

The panel noted the certificate of conviction showed the conviction to be dated 26 February 2024.

The panel therefore find the allegation proven.

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

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

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as “the Advice”.

The offence was committed by Mr Butler prior to the coming into force of Teachers Standards, therefore the panel had regard to its knowledge and experience of teaching standards at that time and considered that whilst safeguarding was less prominent at the time of the offences, it would have been an expectation that a teacher would not engage in sexual activity with a pupil not least given that she was under 16 and this was illegal then, as it is now. Further, the evidence suggests that Mr Butler was subject to disciplinary proceedings at the Rose Hill School at the time which indicates that there was breach of the policies and standards in place at the time.

The panel noted that the individual’s actions were relevant to teaching, working with children and working in an education setting. The panel noted that these actions relate to activity on a school trip and on the school premises with a pupil who Mr Butler taught in the course of teaching work.

The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and security of pupils.

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

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

The panel also considered the offences listed on pages 12 and 13 of the Advice. This was a case concerning an offence involving sexual activity, which the Advice states is likely to be considered a relevant offence.

The panel considered these offences to be the serious end of the spectrum. This was a young child that Mr Butler exploited and there was clear evidence of the repercussions on Pupil A in the judge's sentencing remarks:

[REDACTED]

Further the panel noted the judge's comments about the seriousness of the offences:

[REDACTED]

Although in the Judge's sentencing remarks referred to strong personal mitigation, the panel was provided with no evidence of this to take into account.

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

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

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

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils; the protection of other members of the public; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Butler which involved indecent acts with a child, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate and sexual relationship with a child.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Butler 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 Butler was outside that which could reasonably be tolerated.

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Butler in the profession.

The panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Butler 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 considered carefully 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.

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

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

- serious departure from personal and professional conduct;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;

- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- violation of the rights of pupils; and
- actions or behaviours that ... undermine fundamental British values of...the rule of law....

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

There was evidence that Mr Butler's actions were deliberate.

There was no evidence to suggest that Mr Butler was acting under extreme duress, e.g. a physical threat or significant intimidation.

There was no evidence that Mr Butler demonstrated exceptionally high standards in his personal and professional conduct or having contributed significantly to the education sector.

Mr Butler did not provide any testimonial statements attesting to his character.

The panel noted contemporaneous evidence provided from 1996 showed that Mr Butler had written to Rose Hill School to say *"I accept their findings and regret that a lack of judgment on my part caused such distress for all concerned. I heed the advice given by Individual A and later by yourself and aim to use it constructively"*

When considering insight the panel noted the judge's sentencing remarks state *"You have not been able to admit what you did to a young girl 30 years ago, to [REDACTED]; but the evidence of what you did was overwhelming, and the verdicts of the jury were undoubtedly correct"*

The panel took into account the sentencing remarks around Mr Butler's mitigation:

*"In my judgment you do not pose any risk to the public; there is no history of non-compliance; rehabilitation has been achieved; there is strong personal mitigation..."*

However, aside from this extract, the panel has been provided with no evidence around Mr Butler's rehabilitation or remorse.

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 Butler 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 Butler. The seriousness and nature of the offences and the lack of insight and remorse was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate 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 certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

One of these include:

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

Given the panel was provided with no evidence of remediation, remorse or insight the panel remained concerned about the risk of repetition.

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

## **Decision and reasons on behalf of the Secretary of State**

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

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

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

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

The panel notes that the misconduct found took place before the Teacher Standards came into force and makes the following observations:

“The offence was committed by Mr Butler prior to the coming into force of Teachers Standards, therefore the panel had regard to its knowledge and experience of teaching standards at that time and considered that whilst safeguarding was less prominent at the time of the offences, it would have been an expectation that a teacher would not engage in sexual activity with a pupil not least given that she was under 16 and this was illegal then, as it is now. Further, the evidence suggests that Mr Butler was subject to disciplinary proceedings at the Rose Hill School at the time which indicates that there was breach of the policies and standards in place at the time.”

The findings of misconduct are particularly serious as they include a teacher receiving a criminal conviction for gross indecency with and the indecent assault of a child which resulted in a prison sentence (albeit suspended).

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Butler, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel observes that: “In the light of the panel’s findings against Mr Butler which involved indecent acts with a child, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate and sexual relationship with a child.” A prohibition order would therefore prevent such a risk from being present in the future.

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

*“When considering insight the panel noted the judge’s sentencing remarks state “You have not been able to admit what you did to a young girl 30 years ago, to [REDACTED]; but the evidence of what you did was overwhelming, and the verdicts of the jury were undoubtedly correct”*

The panel took into account the sentencing remarks around Mr Butler’s mitigation:

*“In my judgment you do not pose any risk to the public; there is no history of non-compliance; rehabilitation has been achieved; there is strong personal mitigation...”*

However, aside from this extract, the panel has been provided with no evidence around Mr Butler’s rehabilitation or remorse.”

In my judgement, the lack of evidence of insight and remorse presented to the panel means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observes that: “Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Butler were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding in this case of a teacher receiving a criminal conviction for behaviour that involved the sexual assault of a pupil and the very negative impact that such a finding is likely to have on the reputation of the profession.

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

I have considered whether the publication of a finding of a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Butler himself.. The panel comments as follows:

*“There was no evidence that Mr Butler demonstrated exceptionally high standards in his personal and professional conduct or having contributed significantly to the education sector.*

*Mr Butler did not provide any testimonial statements attesting to his character.”*

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

In this case, I have placed considerable weight on the very serious nature of the misconduct found. I have also noted the lack of evidence presented to the panel regarding Mr Butler's insight and remorse.

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

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

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

In doing so, the panel has referred to the Advice as follows:

"The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

One of these include:

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

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the very serious nature of the conduct found which, in my judgment, constitutes behaviour incompatible with working as a teacher, as well as the risk of repetition identified by the panel.

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

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

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

Mr Butler has a right of appeal to the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'M Cavey', enclosed within a large, loopy oval stroke.

**Decision maker: Marc Cavey**

**Date: 6 May 2025**

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