



Teaching
Regulation
Agency

Mr Jake Green: Professional conduct panel hearing outcome

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

May 2025

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

Teacher: Mr Jake Green

Teacher ref number: 1539721

Teacher date of birth: 8 March 1992

TRA reference: 22082

Date of determination: 15 May 2025

Former employer: Nicholas Breakspear Catholic School, Hertfordshire

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 14 and 15 May 2025 by way of a virtual hearing, to consider the case of Mr Jake Green (“Mr Green”)

The panel members were Ms Jo Palmer-Tweed (teacher panellist – in the chair), Mrs Jane Gotschel (teacher panellist) and Ms Katie Dent (lay panellist).

The legal adviser to the panel was Mrs Carly Hagedorn of Eversheds Sutherland (International) LLP Solicitors.

The presenting officer for the TRA was Ms Cher Lyne Peh of Browne Jacobson LLP Solicitors.

Mr Green was present and was represented by Mr Matthew Fulton-McAlister of The National Association of Schoolmasters Union of Women Teachers (“NASUWT”).

The hearing took place in public, save that portions of the hearing were heard in private, and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 24 February 2025.

It was alleged that Mr Green was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a PE Teacher at Nicholas Breakspear Catholic School (“the School”):

1. You engaged in sexual activity with Pupil A whilst she was a pupil at the school.
2. Your conduct as may be found proven at Allegation 1 above was conduct of a sexual nature and/or was sexually motivated.

Mr Green admitted to having sexual activity with Pupil A but denied that she was a pupil at the School. He denied the facts of allegation 2. Mr Green did not provide a response in the notice of referral form as to whether he admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Summary of evidence

Documents

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

Section 1: Notice of proceedings, response and anonymised pupil list – pages 5 to 26

Section 2: Teaching Regulation Agency witness statements – pages 28 to 34

Section 3: Teaching Regulation Agency documents – pages 36 to 216

Section 4: Teacher documents – pages 218 to 223

In addition, the panel agreed to accept the following:

- Teacher’s Statement to the TRA – Pages 224 -230

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional document that the panel decided to admit.

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

Witnesses

The panel heard oral evidence from the following witnesses called by the presenting officer:

Witness A – [REDACTED]

Witness B – [REDACTED]

Mr Green also gave oral evidence at the hearing.

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 Green commenced employment at the School on 1 September 2016 as a PE teacher.

Pupil A was a pupil of the School's sixth form in [REDACTED].

Mr Green ceased employment at the School on 31 August 2019 and commenced employment at St Columba's College ("the College") on 1 September 2019.

On 20 May 2022, the College received an anonymous email claiming that Mr Green should not be employed by the College as he had got a student at his previous School [REDACTED] when [REDACTED], when he was a teacher there.

The allegation was historical in that the sexual encounter took place in 2017 whilst Mr Green was employed by the School and before he was appointed by the College.

On 23 May 2022, the College met with Mr Green who stated that he had a sexual encounter with Pupil A but was adamant that she was over 18 years old and [REDACTED] a former student of the School when he had the sexual encounter.

The matter was referred to the LADO by the College and Mr Green was suspended from duty with immediate effect pending a further investigation by the LADO and Police.

Pupil A did not wish to press charges against Mr Green. [REDACTED].

Mr Green ceased employment at the College on 11 May 2023.

Findings of fact

The findings of fact are as follows:

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

1. You engaged in sexual activity with Pupil A whilst she was a pupil at the school.

Mr Green admitted that he had sexual activity with Pupil A but did not accept that this was at a time when she was a pupil at the School because he was unsure whether Pupil A was a pupil at the School at the time of the encounter.

The panel acknowledged that the sexual encounter would have taken place in 2017, but the incident only came to light in May 2022, approximately 5 years later when the College received an anonymous email claiming that Mr Green should not be employed by the College as he had got a student at his previous School [REDACTED] when [REDACTED], when he was a teacher there.

Mr Green accepted that the sexual encounter took place after he “*unintentionally met her at an over 18s nightclub*”. [REDACTED].

Mr Green stated that at the time of the sexual encounter with Pupil A, he “*did not know she was a student or even a former student at the time.*” Mr Green explained in his undated statement to the College that “*An old friend and I were on a drunken night out. My memory of the night is very vague due to the alcohol consumed but also since it was 6 years ago, and up until recently I have never had to try and recall it. All I remember is being in my old friend’s car outside [REDACTED] nightclub. It was the early hours of the morning and I can’t remember where exactly we had been before, or if we even entered [REDACTED] or had tried to get in. I remember feeling very intoxicated in the passenger seat of his car whilst he was chatting to two girls through the window, and I think he offered them a lift home...All I remember from then is us suddenly being in a small field or park with my friend and the two girls and somehow four of us engaged in a sexual encounter... At the time of all of this I did not register who either of the two girls were, only that I had a slight recognition of one of the girls. However, because I had been out in bars and clubs in St Albans most weekends over many years and went to various gyms and because I had [REDACTED] with many friends etc, recognising someone on a night out was not uncommon. In my drunken state it did not occur to me who she may have been.*”

Mr Green went on to state that “*when I woke up the following morning, I was reflecting on the night before and it dawned on me why I may have recognised one of the girls. I assumed she may have been an ex sixth form student at Nicholas Breakspear School, which is where I taught at the time. I say this because I have no recollection of seeing her*

at school in my teaching role, I had never spoken to her or taught her but in the cold light of day, it dawned on me, that was how I recognised her... As I believed she was an ex-student of Nicholas Breakspear I did not notify the school as I had no reason to believe she was a current student, by nature of having left the sixth form, and having met her outside a night club. I also had reasonable belief she was over 18 otherwise wouldn't have gained admission."

Mr Green explained that *"time moved on and I then had no reason to remember it as any different to many other [REDACTED] nights out that occurred over this period. This is also why I do not know what date this encounter took place, as it is blended amongst the many other nights out that occurred in my early twenties."*

The panel acknowledged that Mr Green had never denied engaging in sexual activity with Pupil A and was consistent on this point from the outset of the College's investigation up until the current TRA hearing.

Mr Green stated in his undated statement to the College that *"I believe it was many months after the night in question, that I received a Facebook message from [Pupil A] to say [REDACTED]."* Mr Green stated that *"we exchanged a few messages, and I told her that I was in a relationship with someone and was frightened if this came out as I would lose everything. I am not proud of my reaction, but I was overwhelmed with feelings of shock, anxiety and fear over what had happened..."*

The panel asked whether Mr Green recalled the dates of the message exchanges with Pupil A. Mr Green did not recall the dates. [REDACTED].

The panel noted that the section of the Police Crime Report that had been admitted earlier in the hearing stated [REDACTED].

Mr Green stated that he did not know that Pupil A was a pupil at the School at the time of the sexual encounter.

The panel also noted in the admitted section of the Police Crime Report, the entry dated 25 July 2022 stated that Pupil A had informed the police officer that she had *"sex with Jake Green when she was [REDACTED] and at the 6th form."*

A further entry dated 28 August 2022 stated that the police officer *"asked her to confirm when she reckons she slept with Jake Green and she thought it was March 2017 and that it was just the one occasion."*

The panel did not consider that Pupil A had any reason to fabricate what she had said to the police officer but recognised that Pupil A was recalling an incident which took place approximately over 5 years prior. The panel also noted that the police had unexpectedly arrived at her home to discuss the matter, and that Pupil A had no apparent motivation to lie. The police officer recorded that Pupil A *"appeared a bit confused as to why we were*

there.” The panel considered that Pupil A would have had a reasonable belief that Mr Green [REDACTED]. The panel also noted that Pupil A did not have anything to gain from answering the police questions as she did not wish to pursue any charges.

Witness A provided oral evidence at the hearing. Witness A stated that Pupil A was a pupil at the School until [REDACTED].

Witness A said that he did not recall Mr Green teaching Pupil A. Witness A stated in his witness statement that *“There were a few other LADO meetings, including one on 1 February 2023 where there were talks about potential witnesses. During the meeting, Mr Green stated that he did not know who Pupil A was when it happened, nor that he knew that she was at the School. Mr Green believed that Pupil A was over 18 years old. Mr Green’s statement at the meeting gave rise to discrepancies in his initial account. He said that they met outside of a nightclub, and he believed her to be 18 years old. I felt a bit sick because it was a small school, and there were around 25 pupils in Year 12 and Year 13, so the sixth formers were well known amongst everyone because there weren’t many of them, and they stood out with normal clothes.”*

When the teacher’s representative asked Witness A what he meant by the discrepancies referred to in the above paragraph, Witness A said, *“because Mr Green was claiming that the student was 18, and the student was [REDACTED].”*

Witness A was questioned on an email within the bundle from the College’s Human Resource Manager to other members of the College. The HR Manager said *“I’ve spoken to Individual A and requested the information. He has confirmed that [Pupil A] was [REDACTED].”*

[REDACTED]. The panel did not consider that Witness A had any reason to fabricate his evidence in respect of Pupil A.

The presenting officer put it to Mr Green that he had indicated in the investigation meeting with the College on 17 March 2023 a timescale of July to October 2017 for when the encounter may have taken place. In the hearing, Mr Green accepted that in July 2017 Pupil A would still have been on roll at the School. The panel took the view that in order [REDACTED], it was more likely than not that Mr Green had sex with Pupil A when she was a pupil at the School.

The panel accepted that Mr Green may not have realised that she was a pupil at the time of the sexual encounter, but did note that he did have some recognition of Pupil A, when considering his evidence to the College when he said that he *“had a slight recognition of one of the girls”* and that when he woke up the following morning, he was reflecting on the night before and it dawned on him why he may have recognised one of the girls. He claimed to have assumed she may have been an ex-sixth form student at Nicholas Breakspear School.

The panel noted that Mr Green had a lot more to lose than Pupil A if the sexual encounter became public knowledge in circumstances where he was a teacher, in a position of trust, and was in a relationship with his then girlfriend. Mr Green also did not deny that Pupil A could have been a pupil at the time of the sexual encounter as he simply could not recall when the incident took place. The panel also acknowledged that the encounter may not have been as memorable for Mr Green compared to Pupil A, in circumstances where he said he was going out on a regular basis [REDACTED].

Whilst the panel recognised that Pupil A was not in attendance to give her oral account, the panel placed considerable weight on her account to the police, for the reasons outlined above.

Therefore, on the balance of probabilities, the panel found allegation 1 proved.

2. Your conduct as may be found proven at Allegation 1 above was conduct of a sexual nature and/or was sexually motivated.

Mr Green did not accept this allegation.

The panel noted that in the case of *Basson v GMC* (2018), it was observed that *“the state of a person’s mind is not something that can be proved by direct observation. It can only be proved by inference or deduction from the surrounding evidence”*.

The panel considered that having sexual intercourse is, by its very nature, sexual. The panel noted that there was no other reason for Mr Green to have sexual intercourse with Pupil A other than if it were of a sexual nature. The panel was of the view a reasonable person would consider the conduct to be of a sexual nature.

It was also stated in the case of *Basson v GMC* that a sexual motive means the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship.

Mr Green admitted to having sex with Pupil A. Mr Green said in his witness statement that he *“unintentionally met her at an over-18s nightclub.”* The panel accepted that there was no evidence to suggest that Mr Green had intentionally set out on the evening in question to engage in sexual activity with Pupil A and there was no evidence to suggest that Mr Green was in pursuit of a future sexual relationship.

However, the panel determined that Mr Green’s conduct was sexually motivated as the conduct was in pursuit of sexual gratification by the very nature of the sexual activity.

The panel therefore found that Mr Green’s conduct at allegation 1 was of a sexual nature and was sexually motivated. The panel found allegation 2 proved.

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

Having found both 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 first considered whether the conduct of Mr Green, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Green 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 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 Green, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel considered that Mr Green was in breach of the following provision:

- Safeguarding and promoting the welfare of children is everyone’s responsibility.

The panel was satisfied that the conduct of Mr Green, in relation to the facts found did involve breaches of Working Together to Safeguard Children.

The panel considered that Mr Green was in breach of the following provision:

- Everyone who works with children – including teachers, ... – has a responsibility for keeping them safe.

The panel also considered whether Mr Green’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

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.

The panel found that the offence of sexual activity was relevant.

The panel noted that allegation 1 took place outside the education setting. The panel noted that Mr Green's conduct in engaging in sexual intercourse with a pupil at the School where he was employed as a teacher affected the way that he fulfilled his teaching role and may have led to Pupil A being exposed to, or influenced by, the behaviour in a harmful way.

The panel acknowledged that Mr Green had been consistent throughout his evidence in his assertion that he was not aware that Pupil A was a pupil when he engaged in sexual intercourse. The panel acknowledged that Mr Green was going through a difficult period at the time of his misconduct. However, the panel took the view that this was no excuse for his reckless behaviour.

Furthermore, the panel recognised that Mr Green was in a position of trust and was required to adhere to the professional and personal conduct elements of the Teachers' Standards both inside and outside of school.

For these reasons, the panel was satisfied that the conduct of Mr Green amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

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

In relation to whether Mr Green's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It 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.

In considering the issue of disrepute, the panel also considered whether Mr Green's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Green was guilty of unacceptable professional conduct, the Panel found that the offence of sexual activity was relevant.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

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

The panel considered the negative impact of Mr Green's conduct on Pupil A, her parents, the School and the School community. The panel noted that the conduct came to light whilst Mr Green was later employed at the College via anonymous emails. The discovery of such alleged conduct could have potentially damaged the School's and College's reputation.

For these reasons, the panel found that Mr Green's actions constituted 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 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 maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Green, which involved a finding that Mr Green had engaged in sexual activity with Pupil A whilst she was a pupil at the school, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.

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

In addition to the considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Green in the profession. Whilst the panel saw limited evidence that Mr Green had ability as an educator, the panel considered that the adverse considerations above outweighed any interest in retaining Mr Green in the profession, since his behaviour fundamentally breached the standards of conduct expected of a teacher.

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.

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 Green.

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

- a 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;
- an abuse of position or trust (particularly involving pupils);
- 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;
- a 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);

Even though some of the behaviours 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 to suggest that Mr Green's actions in engaging in sexual activity with Pupil A were deliberate. The panel noted that Mr Green, whilst intoxicated, made a

deliberate decision to engage in sexual intercourse with Pupil A. However, the panel acknowledged that there was no solid evidence to demonstrate that he was plainly aware that he knew Pupil A was a pupil at the School. The panel accepted that Mr Green did not intentionally set out to have sexual intercourse with Pupil A on the day in question.

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

Mr Green did have a previously good history, but there was no evidence to demonstrate that Mr Green had exceptionally high standards in both his personal and professional conduct nor that he had contributed significantly to the education sector.

The panel did not have sight of any character statements or references.

Witness A stated in his witness statement that *“During Mr Green’s time at the School, there were no concerns about him. He was a good PE Teacher and worked hard; although he was young, he was learning. He was dedicated and very committed to the School in terms of extra-curriculars and school trips. I found Mr Green to be a very nice and warm person. The children liked him, and the parents liked him, and I found that he had a nice manner about him.”*

[REDACTED].

Despite recognising these difficulties, the panel took the view that this did not justify his reckless behaviour.

Mr Green stated in his written statement to the TRA:

“I cannot express how much of an impact this situation has had on me, [REDACTED]. The emails that were sent to the school last year have had a devastating impact on me and have taken me back to a truly dark place that I had worked so hard to get out of.

I am not the person I was in my early twenties. I have learnt so much from my previous mistakes and the hurt that I have caused. It was a shameful and embarrassing mistake that I hid from my friends, family and partner. As a result, I have focused on being the best person I can be in my career and in my relationship with my partner, friends and family. I have removed negative influences from my life in order to be the very best version of myself. As I stated before in my previous statement and I will say it again, I am truly sorry for the impact this has had on yourselves and the school. I hope you can forgive me and can see that I would never have deliberately put myself, [Pupil A] and the schools in this horrible position. I completely regret my past behaviour and I am immensely sorry. I would like to reassure you that I am in no way a safeguarding risk, I have always loved my job and have strived to be the best teacher and colleague that I can be.”

Mr Green stated in oral evidence that he was very aware of his behaviour and the impact on Pupil A, her family and the School. He said that he recognised that Pupil A had to go through a lot with the police, LADO and *“must have been very traumatic for her”* and he *“can only sympathise with how horrible that must have been”*.

However, Mr Green was unable to articulate in any detail the potential impact on Pupil A.

When asked what he had learned from the experience, Mr Green said *“What haven’t I learned? This has been 8 years of my life”*. [REDACTED].

The panel acknowledged that Mr Green was remorseful for his conduct, but did not feel that his level of insight was sufficient when considering the seriousness of his misconduct and the impact of his actions on others, particularly Pupil A.

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 Green 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 Green. The finding that Mr Green had engaged in sexual activity with Pupil A whilst she was a pupil at the school 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 includes:

- 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;

The panel found that Mr Green had engaged in sexual activity with Pupil A whilst she was a pupil at the school and found that such conduct was sexually motivated. The panel recognised that the seriousness of the sexual misconduct was at the lower end of the spectrum as there was no evidence of grooming behaviour or that this formed a pattern of behaviour. Mr Green was also consistent throughout his evidence that he was not aware that Pupil A was a pupil at the School when he engaged in sexual activity with her and there was no evidence to suggest that Mr Green had previously engaged in sexual activity with any pupil. Therefore, despite the Advice indicating that such a case would weigh in favour of not offering a review period, the panel determined that the seriousness of the sexual misconduct was at the lower end of the spectrum. In addition, Mr Green had stated that if he were aware at the time that Pupil A was a pupil at the School, he would never have engaged in sexual activity with her.

The panel expressed concern about Mr Green's insight into his behaviour and the potential impact this could have had on others, particularly Pupil A. Despite recognising the difficulties that Mr Green faced in his professional and personal life after the disclosure of the incident, the panel was not provided with evidence to demonstrate how Mr Green had reflected on his actions and also what he had done to improve his behaviour to satisfy a panel that this conduct would not happen again.

Mr Green stated that he had attended counselling sessions, but did not provide the panel with evidence to show the purpose of the sessions or what he had learned from attending the sessions.

The panel considered that a review period of 5 years was an appropriate period of time for Mr Green to demonstrate what he has done to address his behaviour. The panel considered that any shorter review period would not be a sufficient amount of time for Mr Green to truly reflect upon his behaviour, particularly the impact of his conduct on others, and demonstrate what he has done over this period of time to improve and learn from 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 provision for a 5 year 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 unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

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

The findings of misconduct are particularly serious as they include a finding of sexual activity with a Pupil.

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 and 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 Green, 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 light of the panel's findings against Mr Green, which involved a finding that Mr Green had engaged in sexual activity with Pupil A whilst she was a pupil at the school, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils." 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 acknowledged that Mr Green was remorseful for his conduct, but did not feel that his level of insight was sufficient when considering the seriousness of his misconduct and the impact of his actions on others, particularly Pupil A." In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Green was not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of sexual activity with a pupil 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 and 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 Green himself and the panel comment "Mr Green did have a previously good history, but there was no evidence to demonstrate that Mr Green had exceptionally high standards in both his personal and professional conduct nor that he had contributed significantly to the education sector." A

prohibition order would prevent Mr Green 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 lack of full insight. The panel has said, "The panel expressed concern about Mr Green's insight into his behaviour and the potential impact this could have had on others, particularly Pupil A. Despite recognising the difficulties that Mr Green faced in his professional and personal life after the disclosure of the incident, the panel was not provided with evidence to demonstrate how Mr Green had reflected on his actions and also what he had done to improve his behaviour to satisfy a panel that this conduct would not happen again."

I have also placed considerable weight on the finding of the panel that "There was evidence to suggest that Mr Green's actions in engaging in sexual activity with Pupil A were deliberate. The panel noted that Mr Green, whilst intoxicated, made a deliberate decision to engage in sexual intercourse with Pupil A. However, the panel acknowledged that there was no solid evidence to demonstrate that he was plainly aware that he knew Pupil A was a pupil at the School. The panel accepted that Mr Green did not intentionally set out to have sexual intercourse with Pupil A on the day in question."

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 5 year review period.

I have considered the panel's comments "Mr Green had engaged in sexual activity with Pupil A whilst she was a pupil at the school and found that such conduct was sexually motivated. The panel recognised that the seriousness of the sexual misconduct was at the lower end of the spectrum as there was no evidence of grooming behaviour or that this formed a pattern of behaviour. Mr Green was also consistent throughout his evidence that he was not aware that Pupil A was a pupil at the School when he engaged in sexual activity with her and there was no evidence to suggest that Mr Green had previously engaged in sexual activity with any pupil. Therefore, despite the Advice indicating that such a case would weigh in favour of not offering a review period, the panel determined that the seriousness of the sexual misconduct was at the lower end of

the spectrum. In addition, Mr Green had stated that if he were aware at the time that Pupil A was a pupil at the School, he would never have engaged in sexual activity with her.”

I have also considered the following comment from the panel “The panel considered that a review period of 5 years was an appropriate period of time for Mr Green to demonstrate what he has done to address his behaviour. The panel considered that any shorter review period would not be a sufficient amount of time for Mr Green to truly reflect upon his behaviour, particularly the impact of his conduct on others, and demonstrate what he has done over this period of time to improve and learn from 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 lack of full insight, in order to provide reassurance that this conduct would not happen again.

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 Jake Green 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 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 Green remains prohibited from teaching indefinitely.

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

Mr Jake Green 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 'SABuxcey', with a horizontal line extending from the start of the signature.

Decision maker: Sarah Buxcey

Date: 19 May 2025

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