



Teaching  
Regulation  
Agency

# **Mr Kerim Brown: Professional conduct panel hearing outcome**

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

**June 2025**

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

**Teacher:** Mr Kerim Brown

**Teacher ref number:** 1134377

**Teacher date of birth:** 21 January 1981

**TRA reference:** 20605

**Date of determination:** 20 June 2025

**Former employer:** Garth Hill College, Bracknell

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 16 June 2025 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, and by way of virtual hearing on 17, 18 and 20 June 2025 to consider the case of Mr Kerim Brown.

The panel members were Mr John Martin (former teacher panellist – in the chair), Ms Mona Sood (lay panellist) and Mr Ian Hylan (teacher panellist).

The legal adviser to the panel was Mr James Corrish of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Adam Slack of Capsticks LLP solicitors.

Mr Brown was not present and was not represented.

The hearing took place both virtually and face to face 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 4 February 2025.

It was alleged that Mr Brown was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. Between [REDACTED] and June 2021, while employed at Garth Hill College (“Garth Hill”):
  - a) He engaged in inappropriate messaging with Pupil A via social media as listed in Schedule 1.
  - b) His conduct as may be found proved at allegation 1(a) was sexually motivated.
  - c) He failed to report to Garth Hill’s Designated Safeguarding Lead that he had been approached by, befriended and/or otherwise interacted with, Pupil A on social media;
2. Between February 2014 and June 2014, while employed at Waingels College (“Waingels”), he acted inappropriately towards and/or made inappropriate comments or gestures to pupil(s) on one or more occasions as listed in Schedule 2

### Schedule 1

- i) In response to a picture message of Pupil A, Mr Brown wrote a message to the effect of “2023” followed by three emoji’s indicating, a lick, a wink and laughter;
- ii) Mr Brown wrote a message to the effect of *“Well, legally you’re a student until September 2023 so if you can wait until then I can introduce you to my baby girl I’m sure she’ll like you too”*;
- iii) Mr Brown wrote a message to the effect of *“You repost stuff about subs and doms but you don’t know what a baby girl is...”*
- iv) In response to Pupil A’s comment of *“So ur gf then, sound hot tbh”* Mr Brown stated, *“Hopefully you will find out. But you gotta wait until September 2023. Don’t break too many hearts in the mean time”*;
- v) Mr Brown wrote a message to the effect of *“Ouch but yes she is beautiful and I’m devoted to her. That’s how a Dom should be. He does everything*

- for her because she is everything to him. Don't be fooled by fake doms";*
- vi) Mr Brown wrote a message to the effect of *"I don't want to do anything that could get me in trouble. I'm not allowed to communicate with students whilst they're on roll. But as soon as you're not... You're in trouble"* followed by a smiling emoji;
  - vii) Mr Brown wrote a message to the effect of *"There's a whole world to explore and plenty of time to explore it. I hope you have lots of stories to share when the time comes. Good night [Pupil A] and thanks for the chat. You've made me smile x"*
  - viii) Mr Brown sent a topless picture of himself to Pupil A;
  - ix) The picture at (v) above was followed by the following message from Mr Brown *"So you don't forget"*;

## **Schedule 2**

- a. Offered Pupil H (Complainant 1) a red rose on or around 14 February;
- b. On or around 14 March 2014, in relation to Pupil H and Pupil I (Complainant 2), Mr Brown:
  - i) asked if they were going to have a bath or shower together;
  - ii) said words to the effect of *"what naked and together"*;
  - iii) made a hand gesture;
  - iv) In response to Pupil H hugging Pupil I from behind, said words to the effect of *"[Pupil I] bend down a bit"*;
- c. On or around 8 May said to Pupil J (Complainant 3) words to the effect of *"I heard you lost your virginity"*.

Mr Brown admitted allegations 1(a)-(c), including those elements contained in Schedule 1, as set out in the response to the notice of hearing signed by Mr Brown on 30 September 2024 and in his written statement of the same date.

In respect of the allegations admitted, Mr Brown accepts that they amount to unacceptable professional conduct and 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: Chronology, anonymised pupil list, and list of key people – pages 4 to 7

Section 2: Notice of proceedings and response – pages 8 to 62

Section 3: Teaching Regulation Agency witness statements – pages 63 to 82

Section 4: Teaching Regulation Agency exhibit documents – pages 83 to 446

Section 5: Teaching Regulation Agency documents- pages 447 to 470

Section 6: Teacher documents – pages 471 to 472

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”).

### Witnesses

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

Witness A – [REDACTED]

Witness B- [REDACTED]

Witness C – [Person W];

Witness D - [Pupil I]; and

Witness E – [Pupil H];

### Decision and reasons

The panel announced its decision and reasons as follows:

Mr Brown was employed at Waingels from 2012.

Witness D and Witness E reported an incident involving Mr Brown in 2014. This was investigated internally by Waingels.

Mr Brown was employed at Garth Hill from September 2018 as a Science Teacher.

In May 2021, it is alleged that Mr Brown exchanged inappropriate messages on Instagram with Pupil A and failed to report any such contact to the Designated Safeguarding Lead (“DSL”).

Garth Hill was made aware of this allegation via an anonymous concern forwarded to them by the police in June 2021.

An investigation was conducted by Garth Hill.

The case was referred to the TRA on 23 February 2022.

## **Findings of fact**

The findings of fact are as follows:

In respect of all the allegations, the panel scrutinised the oral and written witness evidence and exhibits of all five witnesses who attended the hearing.

The panel scrutinised the entire bundle including the TRA’s documents concerning the investigations and the meetings of each school and of the various authorities, including the LADO and the police, surrounding these allegations.

The panel noted that the evidence within a lot of these documents was hearsay but considered that the evidence was relevant and formed part of the official investigations. The panel therefore admitted the hearsay evidence after careful consideration in each case but noted that the evidence should be considered carefully and cautiously, including in relation to appropriate amount of weight to place on it.

The panel carefully considered the documents and correspondence of Mr Brown in the bundle including his letter to the TRA dated 30 September 2024 in its consideration of all allegations. Mr Brown denied Allegation 2 and a large amount of the factual assertions surrounding it and the panel proceeded in its consideration of the evidence on that understanding. The panel noted that these documents were hearsay, but as they represented the only evidence provided by Mr Brown the panel decided that it was in the interests of justice that the evidence be admitted and considered. The panel placed limited weight on that evidence as it had not had the opportunity to test the evidence. The panel was also conscious that Mr Brown would not be cross examined in relation to this evidence or in relation to the other evidence in the bundle.

The panel was also conscious that Mr Brown had chosen to absent himself from proceedings and from the opportunity to put his evidence forward in response to the allegations and had not asserted a legitimate reason for doing so.

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

**1. Between [REDACTED] and June 2021, while employed at Garth Hill College (“Garth Hill”):**

- a. You engaged in inappropriate messaging with Pupil A via social media as listed in Schedule 1.**

**Schedule 1**

- i) In response to a picture message of Pupil A , you wrote a message to the effect of “2023” followed by three emoji’s indicating, a lick, a wink and laughter;**
- ii) You wrote a message to the effect of “Well, legally you’re a student until September 2023 so if you can wait until then I can introduce you to my baby girl I’m sure she’ll like you too”;**
- iii) You wrote a message to the effect of “You repost stuff about subs and doms but you don’t know what a baby girl is.....”**
- iv) In response to Pupil A’s comment of “So ur gf then, sound hot tbh” , you stated, “Hopefully you will find out. But you gotta wait until September 2023. Don’t break too many hearts in the mean time”;**
- v) You wrote a message to the fact of “Ouch but yes she is beautiful and I’m devoted to her. That’s how a Dom should be. He does everything for her because she is everything to him. Don’t be fooled by fake doms”;**
- vi) You wrote a message to the effect of “I don’t want to do anything that could get me in trouble. I’m not allowed to communicate with students whilst they’re on roll. But as soon as you’re not.....You’re in trouble” followed by a smiling emoji;**
- vii) You wrote a message to the effect of “There’s a whole world to explore and plenty of time to explore it. I hope you have lots of stories to share when the time comes. Good night [Pupil A] and thanks for the chat. You’ve made me smile x”**
- viii) You sent a topless picture of yourself to Pupil A;**
- ix) The picture at (viii) above was followed by the following message from you “So you don’t forget”;**



In respect of these allegations and all allegations under Allegation 1 the panel noted Mr Brown's admission of Allegation 1 in its entirety, including within his questionnaire of 30 September 2024 responding to the TRA's previous notice of hearing and within his separate written statement of the same date.

The panel was nevertheless conscious of the absence of any statement of agreed facts in this matter and the absence of Mr Brown from the hearing. The panel was also conscious of the need for the TRA to prove its case in a contested hearing on the balance of probabilities. Given this, the panel proceeded on the basis of considering all the evidence in relation to this allegation and reached its own findings.

The panel carefully considered the oral evidence and witness statement of Witness B, who stated that Mr Brown's inappropriate conduct first came to light through an email from the police, which raised concern that Mr Brown had been hinting towards having sexual contact with Pupil A, [REDACTED]. She then proceeded to investigate the matter.

The panel carefully considered the screenshots of written online correspondence appended to Witness B's statement which showed communications between Pupil A and Mr Brown (seemingly in or around [REDACTED] 2021).

The panel satisfied itself that the account from which the messages came was that of Mr Brown. The panel was informed that the profile picture on the account was of Mr Brown, he had admitted that these messages came from him and the name of the account was the name of a band, "[REDACTED]", of which he was a member. The panel noted that Garth Hill had identified that Mr Brown had an Instagram account identical to the one from which the copied messages were sent.

The panel noted that, within this chain of correspondence, there was direct evidence of Mr Brown having made the comments referred to as items Schedule 1 i), ii), iii), iv), v), vi), vii), and ix).

The panel noted in relation to Schedule 1 i) and viii) that the pictures themselves were not included within these screenshots but that it was clear from the screenshots that in relation to Schedule 1 i) Pupil A had sent a picture and that Mr Brown had written in response to it.

The panel also noted and carefully considered the contemporaneous record of 28 June 2021 being the Garth Hill investigation interview of Pupil A. The panel noted that this evidence was hearsay and placed appropriate weight on it but considered that it was in the interests of justice that it be admitted and considered including in that it contained the main evidence before it from Pupil A whom the panel had accepted was not giving evidence [REDACTED].

The panel noted that, in this interview, Pupil A had indicated that she and Mr Brown had been communicating by Instagram and that he had been looking at her stories for 1-2

months before messages were exchanged. She stated that Mr Brown had initiated the messages between them. She also confirmed that she had sent a selfie of herself and that she sent a picture message of her face which also may have shown part of her cleavage as her top may have been revealing. She stated that Mr Brown had sent her a mirror image of himself and that in the image he was not wearing a top and could be seen from the waist up. Pupil A confirmed in her interview that she considered the contact engaged in with Mr Brown was inappropriate.

The panel also noted and carefully considered the contemporaneous record of 29 June 2021; the Garth Hill investigation interview of Mr Brown. The panel noted that this evidence was hearsay and placed appropriate weight on it but decided that it was in the interests of justice that it be considered. The panel noted that Mr Brown stated that he was not the one to initiate contact. He confirmed that the messages with Pupil A were flirtatious. He confirmed that he had sent her a message of a mirror selfie of himself from the waist up with no shirt on and that he had been sent a picture by Pupil A of her in her underwear wearing a red bra and knickers. Mr Brown acknowledged in his interview that he had acted inappropriately.

The panel found that the messages, which they were satisfied had been sent between Mr Brown and Pupil A, were clearly of a sexual nature and that both the messaging, of itself, and the content of the messages was inappropriate.

Having considered the evidence, including as above, the panel found Allegation 1 a) proven on the balance of probabilities.

**1. b. Your conduct as may be found proved at allegation 1(a) was sexually motivated.**

The panel carefully considered again the allegations in 1 a) as found proven.

The panel also again carefully considered the Garth Hill investigation notes of Pupil A and of Mr Brown, remembering that they were hearsay evidence and that an appropriate amount of weight should be applied to the hearsay evidence accordingly.

In her interview, Pupil A confirmed that Mr Brown had initiated the messages and she felt that the messages were of an explicit nature 'like he was clearly interested' in her and that some were explicit. In relation to his message "wait till September 2023 so I can introduce you to my girl' Pupil A indicated that she initially thought that Mr Brown had a child but then realised he was referring to his girlfriend and then took the message to mean a meet up for a 'threesome'.

In his interview Mr Brown confirmed that he had no professional reason to message Pupil A and confirmed that the messages were flirtatious. Mr Brown also confirmed that his message that Pupil A 'would be in trouble in 2023', was of a sexual nature, specifically that it implied that the relationship would become sexual in 2023.

The panel's attention was drawn to section 78 of the Sexual Offences Act 2003 and to the cases of *Sait v The General Medical Council* [2018], *Basson v General Medical Council* [2018] and *The General Medical Council v Haris* [2020] EWHC 2518.

The panel considered whether the conduct was sexually motivated. It noted guidance from Basson that: "A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship".

The panel also used its own judgement and experience in carefully considering the content of these messages and the extent of what was appropriate. The panel noted the sexual nature of the language used and the decision of Mr Brown to send a topless picture of himself to Pupil A. The panel noted Mr Brown confirmed that he had received and taken a screenshot of the image of Pupil A in her bra and knickers but had since deleted it on the request of his partner. The panel, on careful consideration, could establish no plausible alternative to Mr Brown engaging in the conduct found proven other than sexual motivation.

Again, noting Mr Brown's admission of these allegations, the panel was satisfied that the conduct of Mr Brown as found proven clearly disclosed that his actions were taken in pursuit of sexual gratification and/or in pursuit of a sexual relationship.

The panel found Allegation 1 (b) proved on the balance of probabilities.

**1. c. You failed to report to Garth Hill's Designated Safeguarding Lead that he had been approached by, befriended and/or otherwise interacted with, Pupil A on social media;**

The panel noted Witness B's evidence in which she stated that Garth Hill provides guidance about interaction on social media, and that it would be expected that a teacher would report any interaction with a pupil outside of work to either her, as DSL, or to the school principal.

The panel had sight of and considered Garth Hill's comprehensive guidance including the Safeguarding and Child Protection Policy, the School Code of Conduct and the E-Safety Policy.

The panel noted that Witness B's evidence was that Mr Brown did not report any of his interactions with Pupil A.

The panel also again considered Mr Brown's interview within the investigatory process in which he stated that he understood communication with pupils is forbidden, with reference to s10 of the E-Safety Policy.

The panel again noted Mr Brown's admission of this allegation.

The panel found allegation 1c) proven on the balance of probabilities.

- 2. a. Between February 2014 and June 2014, while employed at Waingels College (“Waingels”), you acted inappropriately towards and/or made inappropriate comments or gestures to pupil(s) on one or more occasions as listed in Schedule 2.**

**Schedule 2**

- a. Offered Pupil H (Complainant 1) a red rose on or around 14 February;**

The panel noted that allegation 2, and the supplementary allegations detailed in Schedule 2, were not admitted by Mr Brown and proceeded on that basis.

The panel carefully considered the oral evidence and witness statements of Witnesses D and E. The panel found both witnesses to provide clear evidence which accorded with the contemporaneous evidence which they had given at the time. Their evidence was also consistent with each other’s evidence. The panel tested their evidence and was satisfied that there was no suggestion of any collusion. The panel therefore placed reliance upon their evidence.

Witnesses D and E informed the panel that Waingels had a charity event for Valentine's Day whereby [REDACTED] pupils sold single red roses to raise funds and pupils could purchase these roses to have them delivered to other pupils in school. Witness E informed the panel that these roses were only sent between pupils and typically only within their year group to friends or partners. They could be ordered online but were delivered to the pupils in their classrooms. The process was managed by staff to ensure it was appropriate.

Both Witness E and Witness D agreed that the roses were not intended to be delivered by pupils to teachers or by teachers to pupils and that they were not aware of this having happened (save, in Witness E’s case, the specific instant to which this allegation related) and that it would be inappropriate for that to occur.

Witness E described the events of [REDACTED] 2014. Witness E described that she was attending a science lesson which Mr Brown was teaching. Witness E described the classroom to the panel including that there was a separate learning room attached to the science lab in which the lesson was occurring.

Witness E described that in order as to leave the classroom you had to pass through that separate learning room and that she was leaving the room in the middle of the lesson in order to go to the toilet.

Witness E described that Mr Brown stopped her by the door blocking her exit and stood in what she described was her personal space, standing between 30 to 60 centimetres away from her. He offered her a rose telling her an inappropriate joke along the lines that he had noticed that she hadn't got a rose. He was laughing as he said this. Witness E

described how his positioning, out of the view of the rest of the class, seemed to her in retrospect to be deliberate but she did not consider this at the time. Witness E described that she had a “slimy bad feeling”, said “no thanks” to Mr Brown, and left.

Witness E described how she stayed in the toilet afterwards for some time thinking that she did not feel safe and that it was not right for Mr Brown to offer her a rose. She clarified in oral evidence that she did not feel psychologically safe or physically safe as Mr Brown was substantially larger than her and she believed that her psychological reaction was that of flight and disassociation.

Witness E indicated she did not know where Mr Brown got the rose from or whether he offered it to anyone else. She had not heard of any other teacher offering pupils roses.

Witness E volunteered that she felt, in retrospect, that the gesture was “grooming” and that she believed Mr Brown was trying to gain her affection.

The panel considered the written evidence of Mr Brown in which he described the pupils’ allegations as a personal attack on him and that Witness E’s perspective was “extremely biased”. The panel noted that Mr Brown did not provide a reason as to why she should take this position. The panel carefully examined Witness E’s evidence for any suggestion that she was manufacturing the facts as alleged, but could identify no basis to support that view.

The panel carefully considered the interview notes of Waingels’ investigation at the time including their interview with Witness E and found that Witness E’s witness evidence was consistent with those notes. The panel noted that Mr Brown had agreed that he had a rose that day but said he had offered it to a number of people and that Witness E had not been singled out.

The panel found it was proven, on the balance of probabilities, that Mr Brown had offered pupil H a red rose on [REDACTED] 2014 and that this was inappropriate.

The panel therefore found allegation 2 a) Schedule 2 part a) proven on the balance of probabilities.

**b. On or around 14 March 2014, in relation to Pupil H and Pupil I (Complainant 2), you:**

- i) asked if they were going to have a bath or shower together;**
- ii) said words to the effect of “what naked and together”;**
- iii) made a hand gesture;**
- iv) In response to Pupil H hugging Pupil I from behind, said words to the effect of “[Pupil I] bend down a bit”;**

The panel carefully considered the oral and written evidence of Witness D in relation to an incident of [REDACTED] 2014 during a science lesson which Mr Brown was teaching.

Witness D described the classroom in which she had been sitting at a science desk with Witness E and that the desk had a raised level which Mr Brown had come across and leaned upon.

Witness D recalled that it was towards the end of the lesson and that she had asked Witness E if she wanted to come for a sleepover to which she said yes. Witness E indicated that she wanted to have a bath at Witness D's house to "get clean".

Witness D indicated that Mr Brown said to her words to the effect of "oh a sleepover" and "you two going to be the scissor sisters?"

Witness D also said that he made a hand gesture. When asked, she demonstrated the hand gesture to the panel in the form of interlinking two hands in a way she understood was intended to resemble a lesbian sex act. She recalled that Mr Brown then started to laugh.

The panel also considered Witness D's contemporaneous written incident report form (dated 18 March 2014) in which Witness D explained 'Me and Witness E were talking about taking baths and Mr Brown came over to us and commented "Oh together? Naked" then made an inappropriate gesture with his hands which made us feel very uncomfortable'.

'A little while later [Witness E] came up behind me and hugged me and Mr Brown commented again [Witness D] bend over a little bit more".

The panel carefully considered the oral and written evidence of Witness E. She described how on [REDACTED] 2014 in her science class she had been sitting at a lab table with three other pupils. She set out how she was going to have a sleepover at Witness D's house. She described how one was giving the other a piggyback as well as getting their books ready for the end of the week to go home.

Witness E said Mr Brown came up and asked if they were going to have a bath together and also made a comment about them bending down. She stated that he gave them a strange look and it was almost flirtatious. She stated that his verbal and body language matched and he thought he was being funny. She also stated that he made a hand gesture when he made the comment about them having a bath together. When asked, Witness E also demonstrated this hand gesture and confirmed her understanding that it was intended to illustrate a lesbian sex act. The panel also noted a matching diagram of the gesture within the bundle.

The panel also considered Witness E's contemporaneous written incident report form where she indicated that Mr Brown had said "what naked" whilst laughing and he then

asked “together” and that he had then “did a hand gesture implying some sex activities which were highly inappropriate”. Witness E also recalled in that interview that at the end of the lesson she was hugging Witness D and Mr Brown said “bend down” and laughed and it made her feel “really weird”.

The panel noted that Pupil K in a school investigatory interview had recalled of this lesson that Mr Brown had said “are you two girls gay” or something close to that.

The panel also considered that Mr Brown had denied the facts of these allegations and considered his statement of 18 March 2014 where he stated that the girls were in the corner of the room cuddling one another and he asked them to sit down and continue working. He indicated he said to them, when they were reluctant to release each other, “girls if you want to sit in your room and listen to Scissor Sisters in your own time then it is up to you but I expect you to sit at your desks and work during lessons”.

The panel also carefully considered Mr Brown’s written statement of 30 September 2024 where he said that Pupils H and I were behaving inappropriately in the lesson, kissing and hugging and that when he asked them to stop, they refused and became more vocal in their behaviour discussing showers and sleepovers. Mr Brown stated that not knowing how to deal with this situation or what to do he “tried to embarrass the girls by making fun of them”.

The panel found it was proven, on the balance of probabilities, that Mr Brown acted and spoke as described in Allegation 2 a) Schedule 2 b) i) ii) iii) and iv) and that these acts, comments and gestures were inappropriate.

The panel therefore found Allegation 2 a) Schedule 2 b) i) ii) iii) and iv) proven.

**c. On or around 8 May said to Pupil J (Complainant 3) words to the effect of “I heard you lost your virginity”.**

The panel carefully considered the meeting notes of Waingels’ investigation meeting with Pupil J on 20 May 2014. In these notes she stated that on [REDACTED] 2014 she went into her science lesson and Mr Brown said sarcastically that “not what I heard you and [REDACTED] anal virginity”. She stated that all of the class started laughing which made her feel uncomfortable and humiliated. It appeared from the bundle that this matter had been raised by Pupil J’s parents in a meeting with school staff.

The panel also considered the interview with Pupil N of 4 June 2014 who said that on [REDACTED] 2014 Mr Brown made a comment in a lesson to Pupil J about her (Pupil J) having sex.

The panel also considered the interview with Pupil P of 5 June 2014 where she confirmed that a comment had been made on [REDACTED] 2014 by Mr Brown concerning Pupil J going to Pupil U’s house and having anal sex.

The panel also considered the interview with Pupil Q of 11 June 2014 in which he said that in class Pupil J said that she was a virgin and Pupil P just laughed and said that he knew she was not a virgin and Mr Brown said something to Pupil J along the lines that he knew about her and Pupil U and that she wasn't a virgin.

The panel noted that Mr Brown denied these allegations and considered the interview of 9 June 2014 conducted with him. In this interview Mr Brown acknowledged that Pupil P had shouted something mean about Pupil J which he was concerned might be a child protection issue and that he later spoke to Pupil J quietly about it. He acknowledged that he did not report his concerns to the school's safeguarding officer.

The panel was satisfied that Mr Brown had said words the effect of "I heard you lost your virginity" to Pupil J and that this was inappropriate.

The panel found allegation 2 (a), Schedule 2 (c) proven on the balance of probabilities.

**2. b. Your conduct as may be found proved at allegation 2(a) was sexually motivated.**

The panel carefully considered the allegations in 2 (a) as found proven.

The panel reminded themselves of the written and oral evidence of Witnesses D and E.

Witness E was clear in her evidence that she now recognises Mr Brown's actions towards her, in cornering her and offering her a rose and in making sexually explicit comments to her including clearly asking her and her friend to bend over when they were cuddling together from behind, to be grooming.

She was clear that, at the time, she considered his actions within the allegations to be inappropriate and his actions regarding the red rose to be in pursuit of an aim of fostering a potential romantic relationship with her.

Again, having in mind the legal advice that it had been given, the panel considered whether the conduct was sexually motivated. It noted guidance from Basson that: "A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship".

The panel used its judgement and experience in carefully considering Mr Brown's actions as found proven. The panel noted the sexual nature of the language used towards Witnesses D and E. The panel, on careful consideration, could establish no reasonable plausible alternative to Mr Brown engaging in the conduct as described in schedule 2 a & b other than sexual motivation.

The panel noted Mr Brown's denial of these allegations but found that, on the balance of probabilities, Mr Brown's actions in connection with the matters described disclosed that



his actions were taken in pursuit of sexual gratification and/or in pursuit of a sexual relationship.

The panel therefore found allegation 2 (b) proven on the balance of probabilities in respect of schedule 2 points a) and b) but the panel did not consider that there was sufficient evidence to establish sexual motivation in connection with schedule 2 point c).

## **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 first considered whether the conduct of Mr Brown, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Brown 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; and
  - showing tolerance of and respect for the rights of others.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [....].
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Brown, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel considered that Mr Brown was in breach of the following provisions: Part One sections 4, 8, 9 and 12, in relation to Allegation 1.

The panel also considered whether Mr Brown'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 communication with a child was relevant.

The panel noted that the allegations involving Pupil A took place via social media out of school hours, and that Mr Brown did not directly teach Pupil A.

However, the panel also noted Mr Brown's role in running Science 'catch-up', which Pupil A attended and the fact that Pupil A and Mr Brown were known to each other. The panel noted that the communication took place whilst Pupil A was still a pupil at Garth Hill.

The panel carefully considered what it had found, including that in two different schools, Mr Brown had taken sexually motivated actions concerning children. The panel noted that, in relation to Allegation 1, Mr Brown had admitted his actions and admitted that they constituted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel noted that the mere engagement in messaging with pupil A was demonstrably unacceptable and that they had found an extensive course of correspondence of a clear sexual nature and with the seemingly clear intent in mind which Mr Brown had admitted. The panel also noted that, in connection with Allegation 2, the actions taken and language used towards pupils was serious and had long lasting consequences as confirmed in oral evidence. The panel found that the facts as proven were unacceptable by any objective standard.

The panel was satisfied that the conduct of Mr Brown 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 Brown was guilty of unacceptable professional conduct.

In relation to whether Mr Brown'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 Brown'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 Brown was guilty of unacceptable professional conduct, the panel found that the offence of sexual communication with a child was relevant.

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be "conduct that may bring the profession into disrepute".

The findings of misconduct made are serious and demonstrate a teacher pursuing a sexual relationship with pupils and using inappropriate actions and sexualized language towards them. The conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

The panel considered that Mr Brown's conduct could clearly potentially damage the public's perception of the individual as a teacher and the teaching profession.

For these reasons, the panel found that Mr Brown's actions, as found proven, 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. The panel understood that prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

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

In light of the panel's findings against Mr Brown, which included serious sexually motivated misconduct with pupils, 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 Brown 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 Brown 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 Brown in the profession.

The panel considered that no significant evidence had been raised of Mr Brown's abilities as an educator or his ability to make a valuable contribution to the profession. The panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Brown in the profession, including in that his behaviour fundamentally breached the standard of conduct expected of a teacher and in that 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.

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 Brown.

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, the panel considered that those which were relevant in this case included:

- 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 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;

- failure to act on evidence that indicated a child's welfare may have been at risk e.g. failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified;
- 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); and
- a deep-seated attitude that leads to harmful behaviour.

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

The panel considered that Mr Brown's actions were clearly deliberate.

There was no evidence to suggest that Mr Brown was acting under any duress.

The panel had no evidence that Mr Brown demonstrated exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector.

The panel had no basis to conclude either way whether the incidents were out of character but noted that some pattern of behaviour had been illustrated.

The panel had seen evidence that showed Mr Brown was previously subject to a number of disciplinary proceedings and received a formal written warning.

The panel was conscious of the statement in the Advice that panels should attach appropriate weight and seriousness to online behaviours including, but not limited to online misconduct; facilitating online abuse; or facilitating inappropriate relationships (including both online only relationships and where online relationships move into contact relationships). The panel considered this to be such a case based on the allegations found proved and attached appropriate weight and seriousness to its decision accordingly.

The panel was conscious that Mr Brown had chosen not to engage with the proceedings or avail himself of the opportunity to demonstrate to the panel any level of mitigation or subject himself to appropriate cross examination.

The panel again carefully considered the documents in the bundle, conscious of Mr Brown's absence from the proceedings and the need to ensure the fairness of the proceedings, for evidence of his demonstrating remorse and/or insight.

Mr Brown indicated at the time of the investigation some level of remorse in relation to Allegation 1. The panel again considered Mr Brown's initial response to the allegations contained within Allegation 1 noting the interview conducted by Garth Hill in 2021. This stated that 'Mr Brown was remorseful around the hurt and damage he had caused to the wider community.' The notes also state that Mr Brown indicated he knew he had behaved inappropriately and had not realised just how far the situation had developed.

The panel noted Mr Brown's position (in respect of Allegation 1) that he fully admitted his gross misconduct, his negligence, his abuse of his position of power and his failure to the community and those who looked up to him. The panel also reminded itself of Mr Brown's admission that his actions, per Allegation 1, constituted unacceptable professional conduct and conduct that may bring the profession into dispute.

The panel could see no evidence of remorse on Mr Brown's part in respect of the effect of his actions on others, including with regard to the allegations which formed Allegation 2. The panel was conscious of the evidence which it had heard which had demonstrated the clear and serious impact which Mr Brown's actions had had on three of the children involved, two of whom had been witnesses before them.

The panel noted the written statement of Mr Brown in which he appeared to blame the children who were the subject of his conduct in Allegation 2 accusing Pupil H, in particular, of bias and, seemingly, of malicious intent. The panel had found no evidence to support either of these allegations.

The panel added that Mr Brown accepted that he should no longer be a teacher but considered he had failed to demonstrate any insight into his actions and the impact which they had had upon the pupils whom the panel had found were the subjects of his sexually motivated behaviour.

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 Brown 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 Brown. The extent and severity of the allegations were significant factors in forming that opinion. The panel also had in mind Mr Brown's own acknowledgements as to his conduct under Allegation 1 and its serious concerns that it had seen no evidence that Mr

Brown was endeavouring to address his behaviour or had shown any insight into it. The panel was strongly concerned that there was a serious risk that such behaviour would be repeated. 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 cases 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. None of the listed characteristics was engaged by the panel's findings. The panel noted that these lists are not intended to be exhaustive and panels should consider each case on its individual merits taking into account all the circumstances involved.

The Advice also 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. Of those types of case the panel noted that both allegations involved sexual misconduct involving a child and serious sexual misconduct, including in that Mr Brown's actions were sexually motivated and resulted in, or had the potential to result in, harm to the children and in that he had used his professional position to influence or exploit a person or persons.

The panel found that this behaviour was of a very serious nature and weighed in favour of not offering a review period.

The panel again noted that it had found that Mr Brown had deliberately engaged in an admitted course of conduct in terms of online engagement with a pupil whose aim appeared to be the instigation of a sexual relationship. The panel noted that the subject matter of their online discussions, including discussing dominant and submissive sexual partners and clearly indicating the possibility of a future sexual relationship between the pupil and Mr Brown and his partner, demonstrated a complete disregard for the Teachers' Standards and any commonly understood level of acceptable behaviour for a teacher.

The panel noted that this appeared to be an escalation from Mr Brown's behaviour as found in respect of Allegation 2 (that having happened some years previously) but that the behaviour as found proven under allegation 2, including in engaging in sexually motivated behaviour towards pupils, was also very serious. The panel was concerned that the facts as found proven evidenced escalation of Mr Brown's behaviour and was

highly concerned that such behaviour as was found proven was at high risk of being repeated and/or the level of seriousness of his behaviour further escalated.

The panel reflected on the fact that it had very little evidence of remorse or insight on Mr Brown's part. The panel found no indication that Mr Brown would address his conduct or that he had identified or understood his motivations and triggers in taking the actions which the Panel had found he did.

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

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

In particular, the panel has found that Mr Brown 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; and
  - showing tolerance of and respect for the rights of others.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [....].



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

The panel was satisfied that the conduct of Mr Brown, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

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

The findings of misconduct are particularly serious as they include a finding of serious sexually motivated misconduct with pupils.

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 Brown, 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 Brown, which included serious sexually motivated misconduct with pupils, 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, “Mr Brown indicated at the time of the investigation some level of remorse in relation to Allegation 1. The panel again considered Mr Brown’s initial response to the allegations contained within Allegation 1 noting the interview conducted by Garth Hill in 2021. This stated that ‘Mr Brown was remorseful around the hurt and damage he had caused to the wider community.’ The notes also state that Mr Brown indicated he knew he had behaved inappropriately and had not realised just how far the situation had developed.” The panel has also commented “The panel could see no evidence of remorse on Mr Brown’s part in respect of the effect of his actions on others, including with regard to the allegations which formed Allegation 2. The panel was conscious of the evidence which it had heard which had demonstrated the clear and serious impact which Mr Brown’s actions had had on three of the children involved, two of

whom had been witnesses before them.” In my judgement, the lack of full remorse or 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 Brown was not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of serious sexually motivated misconduct 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 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 Brown himself and the panel comment “The panel had no evidence that Mr Brown demonstrated exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector.”

A prohibition order would prevent Mr Brown 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 insight. The panel has said, “The panel added that Mr Brown accepted that he should no longer be a teacher but considered he had failed to demonstrate any insight into his actions and the impact which they had had upon the pupils whom the panel had found were the subjects of his sexually motivated behaviour.”

I have also placed considerable weight on the finding that “The panel decided that the public interest considerations outweighed the interests of Mr Brown. The extent and severity of the allegations were significant factors in forming that opinion. The panel also had in mind Mr Brown’s own acknowledgements as to his conduct under Allegation 1 and its serious concerns that it had seen no evidence that Mr Brown was endeavouring to

address his behaviour or had shown any insight into it. The panel was strongly concerned that there was a serious risk that such behaviour would be repeated.”

I have given weight to the following “The panel had no basis to conclude either way whether the incidents were out of character but noted that some pattern of behaviour had been illustrated.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Brown 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 remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

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

I have considered the panel’s comments “The panel reflected on the fact that it had very little evidence of remorse or insight on Mr Brown’s part. The panel found no indication that Mr Brown would address his conduct or that he had identified or understood his motivations and triggers in taking the actions which the Panel had found he did.”

The panel has also said “The panel decided that the findings indicated a situation in which a review period would not be appropriate.”

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the behaviour found proven, the lack of full remorse or insight, and therefore the risk of repetition.

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

**This means that Mr Kerim Brown 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 Brown 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 Brown 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 stylized, cursive-like script.

**Decision maker: Sarah Buxcey**

**Date: 25 June 2025**

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