



Teaching  
Regulation  
Agency

# **Mr Mark Adam Bates: Professional conduct panel outcome**

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

**August 2025**

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

**Teacher:** Mr Mark Adam Bates

**Teacher ref number:** 2280695

**Teacher date of birth:** 11 January 1982

**TRA reference:** 23211

**Date of determination:** 18 August 2025

**Former employer:** MLC Group, West Bridgford

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 18 August 2025 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Mark Bates.

The panel members were Mr John Martin (former teacher panellist – in the chair), Mrs Karen Graham (teacher panellist) and Ms Nicola Hartley (lay panellist).

The legal adviser to the panel was Mr Ben Schofield of Blake Morgan LLP.

The presenting officer for the TRA was Mr Silas Lee, instructed by Brabners LLP.

Mr Bates was not present and was not represented.

The hearing took place in public and was recorded.

## **Allegations**

The panel considered the allegations set out in the notice of hearing dated 13 May 2025 (and as amended at this hearing).

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

1. On 15 December 2023, you were convicted of the following offences:
  - a. Between 26 May 2019 and 20 April 2023 making Category A indecent images of children, contrary to section 1(1)(a) of the Protection of Children Act 1978.
  - b. Between 26 May 2019 and 20 April 2023 making Category B indecent images of children, contrary to section 1(1)(a) of the Protection of Children Act 1978.
  - c. Between 26 May 2019 and 20 April 2023 making Category C indecent images of children, contrary to section 1(1)(a) of the Protection of Children Act 1978.

## **Summary of evidence**

### **Documents**

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

Section 1: Notice of hearing and proof of service – pages 1 to 23

Section 2: Teaching Regulation Agency documents – pages 24 to 51

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

### **Witnesses**

No witnesses were called on behalf of the parties. The TRA sought to prove their case on the documentary evidence available in the hearing bundle.

## **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 Bates was a Drum Teacher and franchise owner with a music educational provider called the MLC Group ("MLC"). He started working with MLC in June 2016.

On 20 April 2023, Mr Bates was arrested by the police at his home address. As a result of this, MLC suspended Mr Bates. Following further meetings with the Local Authority Designated Officer and Mr Bates being charged by the police, MLC made a referral to the TRA on 15 February 2024.

## **Findings of fact**

The findings of fact are as follows:

**You are guilty of having been convicted of a relevant offence, in that:**

- 1. On 15 December 2023, you were convicted of the following offences:**
  - a. Between 26 May 2019 and 20 April 2023 making Category A indecent images of children, contrary to section 1(1)(a) of the Protection of Children Act 1978.**
  - b. Between 26 May 2019 and 20 April 2023 making Category B indecent images of children, contrary to section 1(1)(a) of the Protection of Children Act 1978.**
  - c. Between 26 May 2019 and 20 April 2023 making Category C indecent images of children, contrary to section 1(1)(a) of the Protection of Children Act 1978.**

Before the panel was the following relevant documentary evidence:

- A referral to the TRA from MLC setting out that Mr Bates had been arrested and charged by the police in relation to offences relating to indecent images of children.
- A certified court extract of the sentencing hearing at Nottingham crown court which took place on 19 June 2024.
- A certified transcript of the crown court sentencing hearing.

The above information set out that a search warrant was executed at Mr Bates' home address. The police seized a laptop and USB stick.

On the laptop, one Category A indecent image was found. On the USB stick the following was found:

- 2,606 Category A indecent images (27 of those were videos);
- 2,585 Category B indecent images (5 of those were videos);

- 1,600 Category C indecent images (10 of those were videos).

The prosecution indicated that some of the girls in the images were as young as 5 years old.

The sentencing council defines these 3 categories as:

Category A: Images involving penetrative sexual activity or images involving sexual activity with an animal or sadism.

Category B: Images involving non-penetrative sexual activity.

Category C: Other indecent images not falling within categories A or B.

Mr Bates pleaded guilty in the magistrates' court on 15 December 2023 and his case was committed for sentence to the crown court.

Mr Bates was sentenced on 19 June 2024 at Nottingham crown court. At the hearing, Mr Bates' mitigation included that he pleaded guilty at the earliest opportunity, had lost a number of jobs as a result and had engaged with the [redacted]. Mr Bates' counsel explained that Mr Bates had been looking at pornography on the internet. He had moved over to the 'dark web' and it had spiralled down from there.

The court sentenced Mr Bates to a total of 21 months imprisonment, suspended for a period of 24 months, 200 hours of unpaid work and up to 40 days of a 'rehabilitation activity requirement'. As a result of the sentence, Mr Bates was made subject to notification requirements under the Sexual Offences Act 2003 for 10 years (commonly referred to as being added to the sex offenders' register). The court also made a Sexual Harm Prevention Order against Mr Bates for a period of 10 years which placed restrictions on Mr Bates' use of the internet and electronic devices.

As the court certificate did not relate to the conviction hearing, the panel considered it could not be considered as conclusive proof under the provision at paragraph 15 of the Teacher misconduct: The prohibition of teachers document, which is further referred to as "the Advice".

However, applying the usual burden and standard of proof in these proceedings, the panel considered that the logical consistency of the documentary evidence was able to satisfy it that the TRA was able to discharge its burden and considered it was more likely than not that Mr Bates had been convicted of these offences.

Therefore, the panel found the allegation proved.

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

Having found the allegation proved, the panel went on to consider whether the facts of the proved allegation amounted to a conviction of a relevant offence. In doing so, the panel had further regard to the Advice.

The panel first considered whether the conduct of Mr Bates, in relation to the facts found proved, involved breaches of the Teachers' Standards 'the Standards'.

The panel considered that, by reference to Part 2, Mr Bates was in breach of a number of standards owing to the central theme that protection of children runs throughout the Standards and the wide definition of 'pupils' that applies to the Standards and other statutory guidance. Those the panel considered breached were:

- 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
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that Mr Bates' actions were relevant to teaching, working with children and working in an education setting, owing to the nature of images which involved the sexual abuse of children.

The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of pupils as Mr Bates' engagement in downloading this material fuels the demand for such images.

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

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

The panel also considered the offences listed on pages 12 and 13 of the Advice. This was a case concerning an offence of "any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo

photograph or image of a child, or permitting any such activity, including one-off incidents”, which the Advice states is likely to be considered a relevant offence.

In considering these factors, the panel considered that Mr Bates’ conviction was for relevant offences.

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

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

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils and the protection of other members of the public,
- the maintenance of public confidence in the profession,
- declaring and upholding proper standards of conduct.

In the light of the panel’s findings against Mr Bates, which involved downloading indecent images and videos of children, including those in the most serious category, 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 Bates were not treated with the utmost seriousness when regulating the conduct of the profession. The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present, as the conduct found against Mr Bates was outside that which could reasonably be tolerated.

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 Bates.

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



- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image, or indecent pseudo photograph or image, of a child, or permitting such activity, including one-off incidents.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors.

Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate. The panel considered the list of factors at paragraph 43 of the Advice. The panel considered that none of those listed factors applied. Mr Bates' actions were deliberate. He was not acting under duress and there was no evidence of Mr Bates' contribution to the profession before the panel.

The panel noted that Mr Bates did not have any previous regulatory findings.

The panel also noted that Mr Bates pleaded guilty to the offences at the first opportunity and appeared to have engaged in obtaining support about the use of child pornography. This suggested there might be some insight developing on the part of Mr Bates regarding his behaviour. However, in the absence of Mr Bates' engagement with these proceedings, the panel could not explore this any further. The panel noted the long period of offending and the high quantity of images he had obtained which suggested an ongoing risk of repetition.

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 Bates 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 Bates. The inherent seriousness of these types of offences and lack of mitigating factors was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. One of these include “any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents”. The panel noted this advice and saw no reasons in this case to depart from this guidance.

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

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

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

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

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

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

In particular, the panel has found that Mr Bates 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
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect...

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel has found that Mr Bates' actions were relevant to teaching, working with children and working in an education setting because the images involved the sexual abuse of children.

The findings of misconduct are particularly serious as they include a finding of a conviction for making indecent images of children, which resulted in a custodial sentence albeit suspended.

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 a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Bates, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

“In the light of the panel’s findings against Mr Bates, which involved downloading indecent images and videos of children, including those in the most serious category, 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 has set out as follows:

“The panel also noted that Mr Bates pleaded guilty to the offences at the first opportunity and appeared to have engaged in obtaining support about the use of child pornography. This suggested there might be some insight developing on the part of Mr Bates regarding his behaviour. However, in the absence of Mr Bates’ engagement with these proceedings, the panel could not explore this any further. The panel noted the long period of offending and the high quantity of images he had obtained which suggested an ongoing risk of repetition.”

In my judgement, the lack of evidence 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 has observed:

“Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Bates were not treated with the utmost seriousness when regulating the conduct of the profession. The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present, as the conduct found against Mr Bates was outside that which could reasonably be tolerated.”

I am particularly mindful of the finding of a conviction for making indecent images of children 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 a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Bates himself. The panel has noted that Mr Bates did not have any previous regulatory findings against him, but that it received no evidence about his contribution to the teaching profession.

A prohibition order would prevent Mr Bates 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 inherent seriousness of the offences which led to a suspended custodial sentence, and the lack of mitigating factors. The panel has said:

“The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of pupils as Mr Bates’ engagement in downloading this material fuels the demand for such images.”

I have also placed considerable weight on the panel's comments concerning the absence of evidence of full insight and the risk of repetition.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Bates 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 evidence of 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 that no provision should be made for a review period.

I have considered the panel's comments:

"The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. One of these include "any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents". The panel noted this advice and saw no reasons in this case to depart from this guidance."

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the offences of which Mr Bates was convicted and received a suspended custodial sentence, the lack of evidence of full insight, and 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 Mark Adam Bates 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 Bates 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 Bates 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 'David Oatley', with a large, stylized loop at the end.

**Decision maker: David Oatley**

**Date: 20 August 2025**

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