



Teaching  
Regulation  
Agency

# **Mr Paul Cleary: Professional conduct panel meeting 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**

<b>Teacher:</b>	Mr Paul Cleary
<b>Teacher ref number:</b>	8636974
<b>Teacher date of birth:</b>	30 July 1965
<b>TRA reference:</b>	22076
<b>Date of determination:</b>	15 August 2025
<b>Former employer:</b>	The McAuley Catholic High School, Doncaster (the “School”)

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 15 August 2025 by way of a virtual meeting, to consider the case of Mr Paul Cleary.

The panel members were Mr Peter Whitelock (lay panellist – in the chair), Mrs Anila Rai (lay panellist) and Mrs Christine Cunniffe (teacher panellist).

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

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Cleary that the allegations be considered without a hearing. Mr Cleary provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer Mr Jon Walters of Brabners LLP, Mr Cleary or any representative for Mr Cleary.

The meeting took place in private.

## **Allegations**

The panel considered the allegations set out in the notice of meeting dated 8 April 2025.

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

1. On 6 June 2024 at Sheffield Crown Court, he was convicted of;
  - a) Engaging in sexual communication with a child contrary to Section 15A(1) of the Sexual Offences Act 2003; and
  - b) Three counts of sexual activity with a child while in a position of trust contrary to Section 16(1)(e)(i) of the Sexual Offences Act 2003.

Mr Cleary admitted allegations 1(a) and 1(b), including that the offences for which he was convicted were relevant offences, as set out in the statement of agreed facts, signed by Mr Cleary on 7 March 2025.

## **Summary of evidence**

### **Documents**

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

Section 1: Notice of referral, teacher's response and notice of meeting – pages 2 to 17a

Section 2: Statement of agreed facts – pages 18 to 22

Section 3: TRA documents – pages 23 to 50

Separately of the bundle the panel had also been provided with, and admitted into evidence, the TRA referral form for Mr Cleary.

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

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

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Cleary on 7 March 2025.

## Decision and reasons

The panel announced its decision and reasons as follows:

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

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

Mr Cleary commenced employment at the School on 13 April 2015.

[REDACTED]

Mr Cleary was convicted at Sheffield Crown Court of engaging in sexual communication with a child and 3 counts of engaging in non-penetrative sexual activity with a child.

Mr Cleary was sentenced at Sheffield Crown Court on 11 July 2024 to a total sentence of 15 months' imprisonment, suspended for 2 years with conditions of a 6-month curfew, 100 hours unpaid work and 40 days rehabilitation activity requirement. He was also made the subject of a restraining order, preventing any contact with Student A for a period of 10 years and was added to the sex offenders register being made subject to a 10-year sex offenders notice requirement.

## Findings of fact

The findings of fact are as follows:

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

- 1. On 6 June 2024 at Sheffield Crown Court, you were convicted of;**
  - a) Engaging in sexual communication with a child contrary to Section 15A(1) of the Sexual Offences Act 2003; and**
  - b) Three counts of sexual activity with a child while in a position of trust contrary to Section 16(1)(e)(i) of the Sexual Offences Act 2003.**

The panel noted that Mr Cleary admitted these allegations in the statement of agreed facts signed by him on 7 March 2025.

The panel noted page 8 of the Teacher misconduct: the prohibition of teachers ('the Advice') which states that where there has been a conviction at any time, of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the

conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a copy of the certificate of conviction from Sheffield Crown Court, which set out that Mr Cleary had been convicted of 1 count of engaging in sexual communication with a child and 3 counts of engaging in non-penetrative sexual activity with a child. The panel took this as conclusive proof of both the conviction and the facts necessarily implied by the conviction.

In respect of the allegations, Mr Cleary was sentenced on 11 July 2024 to a total sentence of 15 months imprisonment, suspended for 2 years with the conditions of a 6 month curfew, 100 hours unpaid work and a 40 days' rehabilitation activity requirement. Mr Cleary was also made the subject of a restraining order, preventing any contact with Student A, for a period of 10 years and his name was added to the sex offenders register, being made subject to 10 year sex offenders notice requirement.

The panel found allegations 1(a) and 1(b) proven.

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

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to conviction of a relevant offence.

In doing so, the panel had regard to the Advice.

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

The panel considered that, by reference to Part 2, Mr Cleary 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
  - showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs

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

The panel noted that Mr Cleary's actions were relevant to teaching, working with children and working in an education setting insofar as it had found that Mr Cleary had been convicted of sexual activity offences and a sexual communication offence involving a child.

The panel noted that the behaviour involved in committing the offences would have an impact on the safety and security of pupils.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Cleary's behaviour in committing the offences would affect public confidence in the teaching profession including in a circumstance where Mr Cleary was allowed to continue teaching.

The panel noted that Mr Cleary's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offences committed. The panel found these offences to be very serious.

The panel also considered the offences listed on pages 12 and 13 of the Advice.

This was a case concerning an offence involving sexual activity and sexual communication with a child, which the Advice states is likely to be considered a relevant offence.

The panel noted Mr Cleary's admission in the statement of fact that the offences constituted relevant offences.

The panel found no material evidence of any mitigating circumstances in Mr Cleary's case.

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

The panel found, in connection with all offences listed in the allegation they had found proven, that Mr Cleary had been convicted of 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/the protection of other members of the public, the maintenance of public confidence in the profession and the declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Cleary, which involved sexual activity offences and a sexual communication offence involving a child, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public engaged.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Cleary 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 Cleary 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 Cleary in the profession.

The panel had no evidence of Mr Cleary's abilities as an educator and, though it noted that it had before it no evidence of previous wrongdoing in his long career, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Cleary in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust



should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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

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 it found 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;
- 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 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);
- violation of the rights of pupils;

Even though 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.

There was no evidence that Mr Cleary's actions were not deliberate, indeed the panel was clear that the matters for which he was convicted were clearly deliberate. The panel noted in this regard that Mr Cleary had actively sought Student A's personal e-mail address to communicate with her.

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

[REDACTED]

The panel did not find any material evidence of insight or remorse on the part of Mr Cleary.

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 or 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 Cleary 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 Cleary. His conviction for sexual offences involving a child was the 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. The panel found that this case involved serious sexual misconduct and sexual misconduct involving a child.

The Advice also indicates that there are certain other 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 those listed characteristics were engaged by the panel's findings.

The panel did not find any material evidence of insight or remorse on the part of Mr Cleary. [REDACTED].

The panel did not have any evidence before them to reach a similar opinion and remained very concerned with the potential risk of repetition of the behaviours demonstrated.

In addition, the panel noted that it had found that the Advice indicated that the public interest weighed in favour of not offering a review period. The panel also noted that these were serious sexual offences involving a child and that Mr Cleary's actions as found proven were wholly incompatible with his working as a teacher.

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

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

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

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

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

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

In particular, the panel has found that Mr Cleary 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
  - showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs

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

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

The findings of misconduct are particularly serious as they include a finding that Mr Cleary had been convicted of sexual activity offences and a sexual communication offence involving a child for which Mr Cleary received a suspended custodial sentence.

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 Cleary, 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 light of the panel’s findings against Mr Cleary, which involved sexual activity offences and a sexual communication offence involving a child, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public engaged.”

A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comment that it “did not find any material evidence of insight or remorse on the part of Mr Cleary.” In my judgement, the lack of evidence of insight and remorse 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 that “Mr Cleary’s behaviour in committing the offences would affect public confidence in the teaching profession including in a circumstance where Mr Cleary was allowed to continue teaching.” I am

particularly mindful of the finding of sexual communication and activity with a child 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 Cleary himself. The panel has commented:

“The panel had no evidence of Mr Cleary’s abilities as an educator and, though it noted that it had before it no evidence of previous wrongdoing in his long career, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Cleary in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust.”

A prohibition order would prevent Mr Cleary 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 findings concerning the seriousness of a conviction for sexual offences involving a child and that such conduct is wholly incompatible with being a teacher. The panel has commented:

“There was no evidence that Mr Cleary’s actions were not deliberate, indeed the panel was clear that the matters for which he was convicted were clearly deliberate. The panel noted in this regard that Mr Cleary had actively sought Student A’s personal e-mail address to communicate with her.”

I have also placed considerable weight on the panel’s finding that there was an absence of evidence of insight or remorse on the part of Mr Cleary.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Cleary has 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 insight and remorse, 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 did not find any material evidence of insight or remorse on the part of Mr Cleary. [REDACTED].

The panel did not have any evidence before them to reach a similar opinion and remained very concerned with the potential risk of repetition of the behaviours demonstrated.

In addition, the panel noted that it had found that the Advice indicated that the public interest weighed in favour of not offering a review period. The panel also noted that these were serious sexual offences involving a child and that Mr Cleary's actions as found proven were wholly incompatible with his working as a teacher."

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 Cleary was convicted and received a suspended custodial sentence, the lack of evidence of insight or remorse, 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 Paul Cleary 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 Cleary 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 Paul Cleary 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 'D Oatley', with a large, sweeping loop at the end.

**Decision maker: David Oatley**

**Date: 19 August 2025**

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