



Teaching
Regulation
Agency

Bernard Aquilina: Professional conduct panel meeting outcome

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

September 2025

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

Teacher: Bernard Aquilina

Teacher ref number: 1975528

Teacher date of birth: 2 August 1990

TRA reference: 23829

Date of determination: 11 September 2025

Former employer: Cove Secondary School, Farnborough

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 11 September 2025 by way of a virtual meeting, to consider the case of Mr Bernard Aquilina (Mr Aquilina).

The panel members were Mr John Martin (former teacher panellist – in the chair), Mrs Jane Brothwood (lay panellist) and Mrs Sharon Bhogal (teacher panellist).

The legal adviser to the panel was Ms Rachel Phillips of Blake Morgan 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 Aquilina that the allegations be considered without a hearing. Mr Aquilina provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer or Mr Aquilina.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 19 June 2025.

It was alleged that Mr Aquilina was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Teacher of Computer Science at Cove Secondary School between 1 September 2020 until 14 May 2024:

1. He engaged in inappropriate contact with Pupil A in that he hit Pupil A on or around 5 February 2024;
2. His conduct as referred to at 1 above constituted a criminal offence, for which he accepted a caution in or around February 2024.

Mr Aquilina admitted the facts of the allegations and that his conduct amounted 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: Notice of Referral and Response – pages 6 to 34

Section 2: Statement of Agreed Facts and Presenting Officer Representations – pages 35 to 39

Section 3: Teaching Regulation Agency documents – pages 42 to 406

Section 5: Teacher documents – pages 409 to 414

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 2022 (the “Procedures”).

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Aquilina on 1 May 2025.

Decision and reasons

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 Aquilina 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.

The panel proceeded to consider the case carefully, having read all of the documents, and reached a decision. It accepted the legal advice provided.

Mr Aquilina was employed as a teacher of Computer Science at Cove secondary School ("the School") between 1 September 2020 and 14 May 2024.

On 5 February 2024, Mr Aquilina was alleged to have approached Pupil A's desk and hit Pupil A on the face during a Computer Science lesson.

On 28 February 2024, Mr Aquilina accepted a conditional caution from [REDACTED] for assaulting Pupil A by beating them contrary to section 39 of the Criminal Justice Act 1988.

The School commenced an investigation into Mr Aquilina's conduct and following a disciplinary hearing on 14 May 2024, Mr Aquilina was dismissed from his employment.

The School referred the matter to the TRA on 22 May 2024.

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:

You are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Teacher of Computer Science at Cove Secondary School between 1 September 2020 until 14 May 2024:

- 1. You engaged in inappropriate contact with Pupil A in that you hit Pupil A on or around 5 February 2024;**

The panel was presented with a statement of agreed facts, signed by Mr Aquilina, in which this allegation was admitted.

The panel had sight of and limited regard to the findings and outcomes of the School's investigation. However, it referred to the School's investigation documents in its deliberations.

The panel considered the written statement of Pupil A which stated, *"Pupil B got picked to answer as he wasn't paying attention. I laughed because he was struggling. Mr Aquilina came over to me, clapping, saying "well done". He then slapped me on the cheek"*.

The panel also considered the statement of another pupil, Pupil C, who was present during the incident on 5 February 2024. This pupil recounts, *"I saw Mr Aquilina approach Pupil A and state to him "if you're being disrespectful, then I can too". Pupil A replied "What have I done wrong I only laughed"... Mr Aquilina then slapped Pupil A with his open left hand on the left cheek. This was a hard slap and I could hear it loudly from where I was sat"*.

A total of eight pupils provided written statements following the incident, which the panel took into account and considered were largely consistent and balanced as to the events that occurred.

Whilst there was reference in the papers to CCTV footage of the incident, the panel itself did not have sight of such footage. The panel was, however, presented with the CCTV footage notes that were produced by a member of staff at the School who had viewed the footage. The panel was satisfied that the notes of the CCTV footage supported the pupils' accounts of the incident.

On examination of the evidence presented to it, the panel was satisfied that Mr Aquilina's admissions were unequivocal and were consistent with the surrounding evidence in the bundle.

Accordingly, the panel found this allegation proven.

2. Your conduct as referred to at 1 above constituted a criminal offence, for which you accepted a caution in or around February 2024.

The panel noted that Mr Aquilina admitted allegation 2, as set out in the statement of agreed facts signed by him.

The panel also considered the certificate of conditional caution dated 28 February 2024, which stated that on 5 February 2024, Mr Aquilina assaulted Pupil A by beating them contrary to section 39 of the Criminal Justice Act 1988. The panel noted that Mr Aquilina had signed and accepted this caution, and that such conduct referred to at allegation 1, constituted a criminal offence.

The panel had regard to the document 'Teacher Misconduct: The Prohibition of Teachers' wherein it states that the acceptance of a caution establishes a clear admission of guilt in respect of the offence for which the caution has been given.

The panel was, therefore, satisfied that the evidence before it was consistent with Mr Aquilina's admissions and with the conduct found proven at allegation 1.

Accordingly, the panel found allegation 2 proved.

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

Having found 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.

Whilst this was admitted by Mr Aquilina, and that admission was taken into account, the panel made its own, independent determination.

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 Aquilina in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Aquilina 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
- 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 also considered whether Mr Aquilina'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 violence was relevant.

Over and above the breaches of the Teachers' Standards identified above, the panel took into account that Mr Aquilina was in a position of trust and responsibility as a teacher. He had a duty of care towards pupils and an obligation to observe proper boundaries appropriate to a teacher's professional position at all times.

Mr Aquilina had clearly breached his obligations in that regard, which he accepted. By his actions, Mr Aquilina made inappropriate physical contact with a child, which the panel considered to be unacceptable and an entirely disproportionate response in the circumstances of the incident. Mr Aquilina's behaviour risked having an adverse effect upon the pupil, who was clearly made to feel singled out, within what should have been a safe environment, through the behaviour of his teacher with a duty of care towards him.

For these reasons, the panel was satisfied that the conduct of Mr Aquilina 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 Aquilina was guilty of unacceptable professional conduct.

In relation to whether Mr Aquilina'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.

The panel considered the public perception of a teacher slapping a child is likely to be one of shock and disapproval. The panel deemed that such an act would be seen as crossing a clear line of acceptable behaviour.

For the reasons set out above, the findings of misconduct are serious, and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public's perception.

For these reasons, the panel found that Mr Aquilina's actions constituted conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to

consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so.

The panel was aware 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:

- the safeguarding and wellbeing of pupils;
- the maintenance of public confidence in the profession; and
- declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Aquilina which involved slapping a child and accepting a caution for such conduct, there was a strong public interest consideration in 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 Aquilina 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 Aquilina was outside that which could reasonably be tolerated.

Whilst no doubt had been cast upon Mr Aquilina's abilities as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Aquilina in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher.

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 Aquilina.

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;
- 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);
- 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
- violation of the rights of pupils.

The panel found that the teacher-pupil relationship is fundamentally based on safety and trust. Any form of inappropriate physical contact, particularly slapping a pupil across the face, constitutes a serious breach of that trust and a failure to safeguard pupils.

Having found that some of the behaviours 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 following mitigating factors were present in this case:

- Mr Aquilina had apologised for his actions and showed some remorse, albeit limited, during the School's disciplinary proceedings.
- By accepting a caution, Mr Aquilina accepted his wrongdoing.
- Mr Aquilina was struggling with some significant personal and professional issues at the material time, details of which were referenced within the case papers.

Weighed against these matters, the panel considered there were some aggravating factors present, namely:

- Mr Aquilina's conduct amounted to a breach of the Teachers' Standards and was deliberate. Whilst it noted the circumstances of the incident, the panel was not satisfied it could be said that he was acting under duress, even if he may have acted on impulse in the moment. Mr Aquilina chose to approach Pupil A and act with violence.
- There was also no evidence that there was any provocation from Pupil A to justify Mr Aquilina acting in the way that he did. He was the responsible adult in the classroom and, as a qualified teacher, had a duty to maintain control and uphold professional standards.

- Mr Aquilina was in a position of trust and responsibility as well as a role model. The panel considered he would have known what was expected of him and conducted himself accordingly within the classroom.
- Whilst there was some evidence to suggest that Mr Aquilina [REDACTED] both within his personal and professional life at the time, the panel was not presented with sufficient medical evidence to suggest that any potential health condition caused Mr Aquilina to behave in the way he did.
- There was no evidence that Mr Aquilina made an exceptional contribution to teaching.
- The panel was not persuaded that Mr Aquilina, at this time, no longer presents an ongoing risk and that his actions would not be repeated.

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 Aquilina of prohibition.

Mr Aquilina's actions were fundamentally incompatible with his being a teacher, and as such, the panel considered that prohibition was both proportionate and appropriate. This was because the public interest considerations present, as identified above, were particularly strong and outweighed the interests of Mr Aquilina.

Additionally, when balancing the aggravating and mitigating circumstances present in this case, its overall seriousness called for a higher regulatory sanction to protect the wider public interest factors.

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, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

None of the listed characteristics were engaged by the panel's findings.

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. These include violence.

The panel considered that whilst Mr Aquilina had shown some remorse, albeit limited, for his actions, he did not show any insight into his behaviour or engage with the severity of his actions. Furthermore, there is no evidence to indicate that he considered the impact his actions had on the pupil involved and the other pupils present during the incident.

However, notwithstanding the above, the panel considered that Mr Aquilina could, potentially, make a positive contribution to education should he wish to return to the profession. This would be subject to Mr Aquilina demonstrating to a future panel that he is someone who can be trusted to demonstrate and adhere to the standards of the profession and maintain public confidence. In addition, he would need to reassure any future panel that there would be no risk of repetition.

Accordingly, the panel concluded that a review period of four years was appropriate and proportionate. It considered that this review period reflects the seriousness of the events that occurred. This would provide Mr Aquilina with ample opportunity to address the issues that may have underpinned his behaviour at the time, attend the victim awareness course he is required to attend as part of his conditional caution (which will be spent on 28 February 2029), and to develop insight into his actions. In the panel's judgement, a period of four years is both sufficient and necessary to meet the public interest.

The panel considered the fact that the violent act of slapping a pupil across the face was such that a period of less than four years would not satisfy the public interest considerations Mr Aquilina's conduct gave rise to.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

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

In particular, the panel has found that Mr Aquilina 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
- 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 Aquilina involved breaches of the responsibilities and duties set out in the statutory guidance 'Keeping children safe in education'.

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

The findings of misconduct are serious as they include a teacher exhibiting violent conduct towards a pupil resulting in him accepting a Police Caution.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may 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 Aquilina, 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 makes this observation: "In light of the panel's findings against Mr Aquilina which involved slapping a child and accepting a caution for such conduct, there was a strong public interest consideration in 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 it sets out as follows:

"The panel considered that whilst Mr Aquilina had shown some remorse, albeit limited, for his actions, he did not show any insight into his behaviour or engage with the severity of his actions. Furthermore, there is no evidence to indicate that he considered the impact his actions had on the pupil involved and the other pupils present during the incident."

In my judgement, the lack of evidence that Mr Aquilina has developed full insight into his behaviour 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 makes this observation:

"The panel considered the public perception of a teacher slapping a child is likely to be one of shock and disapproval. The panel deemed that such an act would be seen as crossing a clear line of acceptable behaviour.

For the reasons set out above, the findings of misconduct are serious, and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public's perception.

I am particularly mindful of the finding of a teacher slapping a pupil in this case and the negative impact that such a finding is likely to have on the reputation of the profession.

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

I have considered whether the publication of a finding of 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 Aquilina himself. While the panel records that "There was no evidence that Mr Aquilina made an exceptional contribution to teaching." it also notes that it "...considered that Mr Aquilina could, potentially, make a positive contribution to education should he wish to return to the profession."

A prohibition order would prevent Mr Aquilina 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 both the serious nature of the misconduct found, which led to Mr Aquilina accepting a Police Caution, and the lack of evidence of full insight and consequent risk of repetition.

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

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

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

I have considered the panel's concluding comments:

"However, notwithstanding the above, the panel considered that Mr Aquilina could, potentially, make a positive contribution to education should he wish to return to the profession. This would be subject to Mr Aquilina demonstrating to a future panel that he is someone who can be trusted to demonstrate and adhere to the standards of the profession and maintain public confidence. In addition, he would need to reassure any future panel that there would be no risk of repetition.

Accordingly, the panel concluded that a review period of four years was appropriate and proportionate. It considered that this review period reflects the seriousness of the events that occurred. This would provide Mr Aquilina with ample opportunity to address the issues that may have underpinned his behaviour at the time, attend the victim awareness course he is required to attend as part of his conditional caution (which will be spent on 28 February 2029), and to develop insight into his actions. In the panel's judgement, a period of four years is both sufficient and necessary to meet the public interest.

The panel considered the fact that the violent act of slapping a pupil across the face was such that a period of less than four years would not satisfy the public interest considerations Mr Aquilina's conduct gave rise to."

I have considered whether a four-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence

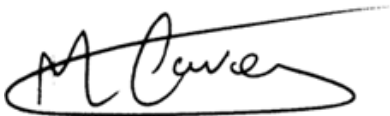
in the profession. In this case, and having noted the panel's comments regarding possible mitigating circumstances, factors mean that I agree that such a review period is sufficient and appropriate to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the misconduct found, the lack of evidence of full insight, and the risk of repetition.

I consider therefore that a four-year review period is required to satisfy the maintenance of public confidence in the profession and to give Mr Aquilina the time to develop full insight into his actions and in doing so provide assurance that the risk of repetition is reduced to a tolerable level.

This means that Mr Bernard Aquilina is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 20 September 2029, four years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Aquilina remains prohibited from teaching indefinitely.

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

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

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

Decision maker: Marc Cavey

Date: 15 September 2025

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