



Teaching
Regulation
Agency

Mr Adam Binns: Professional conduct panel outcome

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

November 2025

Contents

Introduction	3
Allegations	4
Summary of evidence	5
Documents	5
Witnesses	5
Decision and reasons	6
Findings of fact	6
Panel's recommendation to the Secretary of State	21
Decision and reasons on behalf of the Secretary of State	25

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

Teacher: Mr Adam Binns

Teacher ref number: 855188

Teacher date of birth: 18 July 1990

TRA reference: 20360

Date of determination: 25 November 2025

Former employer: Bourne Grammar School, Bourne

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 17 to 21 and 25 November 2025 by way of a virtual hearing, to consider the case of Mr Adam Binns.

The panel members were Miss Victoria Miller (teacher panellist – in the chair), Mrs Beverley Montgomery (lay panellist) and Mr Adam Michie-Carr (teacher panellist).

The legal adviser to the panel was Ms Lara Small of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Scott Smith of Capsticks LLP solicitors.

Mr Binns was present and was represented by Mr Gurmair Singh of JSC Chambers.

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

Allegations

The panel considered the allegations set out in the notice of proceedings dated 4 August 2025.

It was alleged that Mr Binns was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that while employed as a teacher at Bourne Grammar School:

1. On one or more occasions, on or around 15-16 December 2017, he:
 - a) Put his hand(s) under Pupil A's clothing,
 - b) Put his hand(s) down Pupil A's underwear, and/or
 - c) Touched and/or stroked Pupil A's vulva and/or vagina.
2. On or around 15-16 December 2017, he:
 - a) Shared a taxi with Pupil A and/or Pupil B and/or Pupil C;
 - b) Asked Pupil B if he could enter her home residence;
 - c) Said to Pupil A and/or Pupil B words to the effect of: *"don't tell anyone what happened, because I love my job, I don't wanna lose my job, you girls know I love my job"* and/or *"it'll be your fault if I lose my job"*,
 - d) Said to Pupil A words to the effect of: *"do you want to get naughty with me?"*,
3. On or around 22 December 2017, he said to Pupil A or words to that effect:
 - a) *"I put my hands down your pants"* and/or *"I fingered you in the back of the taxi"*,
 - b) *"is it weird that I find you attractive"*,
 - c) In response to asking Pupil A if someone was their partner, *"it's a shame because I think you would have really liked it"*.
4. His conduct, as may be proven in all and/or any of allegations 1 to 3 was sexually motivated;
5. Between 15 December 2017 and January 2018, he failed to notify the School about his contact with Pupil A and Pupil B as may be proven in all or any part of allegation 2;
6. His conduct in allegation 5 was dishonest in that he knew he was required to notify the School.

In respect of the allegations set out above, Mr Binns made some admissions of fact in that he admitted allegation 2(a) and that allegation 5 occurred, but he did not admit that this amounted to unacceptable conduct and/or conduct that may bring the profession into disrepute. Mr Binns denied all other allegations above.

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 3 to 6

Section 2: Notice of proceedings and response – pages 7 to 44

Section 3: TRA witness statements – pages 45 to 61

Section 4: TRA documents – pages 62 to 333

Section 5: Teacher documents – pages 334 to 341

In addition, the panel agreed to accept the following:

- An additional bundle containing Pupil C's local statement dated 10 January 2018, Pupil C's police interview transcript dated 17 January 2018 and the correspondence between Pupil C and the TRA – pages 1 to 55
- Character references from Individual D dated 26 September 2022, from Individual E dated 26 September 2022 and from Individual F (undated) – 3 pages.
- An email from Mr Binns to his trade union representative dated 22 October 2025 confirming the date he approved his witness statement.

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 Procedures.

Witnesses

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

Witness 1 – [REDACTED]

Witness 2 – Pupil A

Witness 3 – Pupil B

The panel also heard oral evidence from the teacher, Mr Binns.

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 Binns commenced employment at Bourne Grammar School ('the School') in September 2010.

On 15 – 16 December 2017, Mr Binns allegedly shared a taxi with 3 female pupils, during which he allegedly put his hand down Pupil A's underwear and touched her vagina.

On the same night, Mr Binns allegedly asked to come into Pupil B's house after the taxi stopped and asked the pupils to not repeat what he had done.

On 22 December 2017, Mr Binns allegedly said to Pupil A that he found her attractive, that he *"put his hands down her pants"* and/or *"fingered (her) in the back of the taxi"* and *"it's a shame because I think you would have really liked it"*.

Mr Binns allegedly did not inform the School of any of the events, as alleged.

The matter was referred to the TRA on 22 October 2021.

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 one or more occasions, on or around 15-16 December 2017, you:

- a) Put your hand(s) under Pupil A's clothing.**
- b) Put your hand(s) down Pupil A's underwear, and/or**
- c) Touched and/or stroked Pupil A's vulva and/or vagina.**

The panel considered the witness statement of Pupil A dated 27 March 2024, who stated that on Friday 15 December 2017 [REDACTED]. She stated that she and her friends saw Mr Binns at a bar, and they said hi to each other at the bar. Pupil A stated that Mr Binns

said to her “*you’re going to make me lose my job*”, and she asked him why and he looked her up and down.

In her statement, Pupil A stated that Mr Binns insisted they got a taxi rather than walked back to Pupil B’s house, and that he got into the taxi after she had. She stated that whilst they were waiting for the final person, Pupil C, to get into the taxi, Mr Binns sat next to her in the back of the taxi and put his hand up her dress and into her underwear. She stated that she wore a dress that came to just above her knees and her boots were knee high.

In her statement, Pupil A stated that Mr Binns put his hand down her pants and started to rub. She stated that she could not remember if he put a finger inside of her but it felt as though he had. Pupil A stated that she remembered moving his hand away once and looking out of the window and Mr Binns put his hand in her pants again and continued to rub, so she moved his hand away again for a second time.

In her witness statement, Pupil A stated that Mr Binns touched her at least twice in her pants.

The panel considered the local statement that Pupil A had provided to the school on 10 January 2018 in which Pupil A stated in relation to the taxi journey “*before the car even started to move I remember him putting his hands up my dress and into my pants. I moved his hand several times but he kept putting it back. He started to put his fingers inside me. I moved his arm again.*”

The panel considered Pupil A’s account in her police interview on 25 January 2018 in which she stated “*um he told [Redacted] to sit in the front, um, I got in the back so I was behind the driver, he was in the middle...he basically put his hands on my leg and then started to, like, move it down to my vagina and then, like, kind of, feeling around, like in my pants.*”

The panel considered Pupil A’s oral testimony in which she was emphatic that this had happened.

The panel considered Pupil B’s witness statement and oral testimony, noting that Pupil B confirmed that she didn’t see anything happen in the taxi between Pupil A and Mr Binns. The panel noted Pupil B’s evidence that the taxi journey was silent and that the journey didn’t last long. The panel considered in her oral evidence, Pupil B stated that she saw Mr Binns was in the middle back seat of the taxi at the time when Pupil C got into the car. In Pupil B’s most contemporaneous statement on 16 January 2018, she stated that “*Mr Binns then proceeded to get in the back of the taxi and go into the middle*”. The panel considered Mr Binns’ account that he only moved into the middle seat later on after the taxi had moved off and collected Pupil C from a short distance away. The panel was not convinced by this based on the contemporaneous corroboratory evidence given by Pupil A and Pupil B.

The panel considered Mr Binns’ witness statement in which he adamantly denied sexually assaulting Pupil A, describing the allegations as “*utter lies*”. The panel considered Mr Binns’

oral evidence in which he denied putting his hand up Pupil A's dress, into her underwear or stroking her vagina.

The panel considered the timings and the length of the taxi being stationary as well as the length of the taxi ride from [REDACTED] to Pupil B's house. On Pupil A's account, the touching happened whilst the car was stationary from the time when they entered the taxi and in the period whilst they waited for Pupil C to enter the car. There was disagreement on how long the taxi was stationary for, and the panel could not make a determination on that based on the evidence before it. Regardless of this, the panel considered that it is plausible that any touching by Mr Binns of Pupil A could have happened in a matter of seconds. The panel considered that Pupil A was wearing a knee-length dress and no tights.

The panel noted that Pupil A accepted consistently in her evidence that she did not tell anyone or shout or scream or get out of the taxi at the time when she says this occurred. This was corroborated by Pupil B and Mr Binns. The panel considered page 463 paragraph 1(i) of the Crown Court Compendium which confirmed that "*experience shows people react differently to the trauma of a serious sexual assault (and) that there is no one, classic response*".

The panel considered whether there was any possibility of a motive for Pupil A to lie about this. Nothing was presented to the panel as a possible reason as to why Pupil A would do so. When directly questioned in cross examination, Mr Binns didn't suggest any possible motivation for Pupil A to lie. The panel considered that if Pupil A, Pupil B and Pupil C were colluding with each other, then Pupil B could have easily stated that she witnessed Mr Binns touching Pupil A, yet she did not. Similarly, the panel considered it unlikely that these three pupils colluded with each other in this respect, given that none of them reported it to the School and showed a reluctance to report it. The panel again considered page 463 paragraph 1(iii) of the Crown Court Compendium that "*a late complaint does not necessarily mean it is a false complaint*". The panel was not convinced by Mr Binns' assertion that their reluctance to report indicated they were not telling the truth.

The panel considered the admission of Mr Binns that he panicked and that he factually said to Pupil A, Pupil B and Pupil C on reaching Pupil B's home the words along the lines of "*Oh God*" or "*Oh Jesus, I'm going to lose my job*". The panel found it improbable that Mr Binns would have had such a reaction if all he had discovered at that stage was that he had shared a taxi with pupils. The panel considered that it was more likely than not that the reason Mr Binns had such an extreme reaction was because he had sexually touched Pupil A in the taxi.

The panel found therefore that on the balance of probabilities, allegations 1(a), 1(b) and 1(c) are more likely than not to have occurred and are therefore proven.

2. On or around 15-16 December 2017, you:

a) Shared a taxi with Pupil A and/or Pupil B and/or Pupil C;

The panel noted that Mr Binns admitted the facts of this allegation, in that he admitted he did share a taxi with Pupil A, Pupil B and Pupil C on 15-16 December 2017. Mr Binns consistently admitted this in his interview with the School and in his witness statement, as well as his oral evidence. Mr Binns contends that he was not aware that they were students when he got into the taxi with them.

The panel considered Pupil A's witness statement in which she confirmed that Mr Binns got into the taxi with them. Pupil B corroborates this in her witness statement and in her police interview in which she references them all being in the taxi together.

The panel considered Pupil C's local statement to the School in which she stated "*Mr Binns made Pupil B get in the front of the taxi and then sat himself between Pupil A and I*". Pupil C's police interview transcript also corroborated that Mr Binns got into the taxi with all three of them.

The panel found allegation 2(a) proven.

2. On or around 15-16 December 2017, you:

b) Asked Pupil B if you could enter her home residence;

The panel considered the witness statement of Pupil A, who stated that when the taxi arrived at Pupil B's house, Pupil A and her friends went straight into Pupil B's house. She stated that as soon as they got into the house she told Pupil B what had happened.

Pupil A stated that there was a knock at the door and it was Mr Binns. She stated that he asked to "*come in to get warm*" and Pupil B said that he could not come in. Pupil A's local statement to the School dated 10 January 2018 also stated he "*knocked on the door and asked if he could come in to 'warm up'*".

The panel considered Pupil B's witness statement. Pupil B stated that the taxi was silent, and when they got out at her house they thanked Mr Binns for paying and whilst he was doing so they got into the house and locked the door. Pupil B stated that shortly after there was a knock at the door, and she opened it and Mr Binns was stood outside asking to come in. She stated that he asked to "*come in and warm up*" but she said no, and so he asked them to come out so she stood outside with Mr Binns, Pupil A and Pupil C.

The panel considered Pupil B's oral testimony in which she said the words Mr Binns used i.e. "*can I come in to warm up*" stuck in her mind, as she remembered thinking that it was a slightly strange turn of phrase. Pupil B's local statement she made to the School on 16 January 2018 is also consistent on this quote.

The panel noted that Pupil C's local statement to the School dated 10 January 2018 and her police interview transcript dated 17 January 2018 corroborated that Mr Binns knocked on the door and asked if he could come in.

The panel considered Mr Binns' witness statement, local statement to the School's disciplinary panel on 21 September 2021 and oral evidence in which he was consistent that he did not knock on the door of Pupil B's house. In his witness statement and oral evidence, Mr Binns stated that when the taxi arrived at Pupil B's house and the three women got out of the taxi, one of them said "*Cheers Sir*" or "*Thanks Sir*" and it was at that moment that Mr Binns panicked and became aware that they were pupils at the School. The panel noted that Pupil B admitted in her oral evidence that it is possible she called him '*Sir*' when she thanked him on exiting the taxi. Mr Binns stated that he immediately paid the driver £5 as an assurance that he wasn't going to walk off without payment, and got out of the car to ask the three females why they had addressed him as "*Sir*", to which they didn't really say anything. In his witness statement Mr Binns stated "*this conversation took place at the doorway of (Pupil B's) property*" and that "*at no point did (he) ever knock on the door and/or get them to come back out once they'd gone inside*".

The panel considered that on the balance of probability, it was unlikely that Mr Binns would have paid the taxi driver £5 in the expectation that he would wait. Rather, the panel considered it was more likely that Mr Binns would be paying the driver because he had an intention to end his journey there. Mr Binns stated in his account that he had intended to stay in the taxi for it to take him on to his home address before he heard the word "*Sir*", but the panel was not convinced by this. When Mr Binns was asked in his oral evidence whether Pupil B's address was on his way home, he stated that there were two possible routes and that "*the taxi driver chose which route to take*". The panel considered that if the taxi driver had chosen the route with Mr Binns' address in mind, he would have known the final destination. However, the panel noted that Mr Binns confirmed in his oral evidence that he hadn't given the taxi driver his address. The panel considered that it was unlikely that Mr Binns would have any need to exit the taxi at all once it reached Pupil B's house, unless he intended that to be his final destination. Therefore, the panel considered it was more likely than not that Mr Binns did knock on the door and ask Pupil B whether he could enter her home residence.

The panel found allegation 2(b) proven.

2. On or around 15-16 December 2017, you:

- c) Said to Pupil A and/or Pupil B words to the effect of: "don't tell anyone what happened, because I love my job, I don't wanna lose my job, you girls know I love my job" and/or "it'll be your fault if I lose my job",**

The panel considered the two separate parts of this allegation 2(c) in turn.

2(c)(i) Said to Pupil A and/or Pupil B words to the effect of: “*don’t tell anyone what happened, because I love my job, I don’t wanna lose my job, you girls know I love my job*”

The panel noted that Mr Binns admitted this part of allegation 2(c). In his oral evidence, Mr Binns admitted that he said words to the effect of “*I love my job, I don’t wanna lose my job*” when the taxi reached Pupil B’s house and that he said words to the effect of “*don’t tell anyone what happened*”. Mr Binns’ account is that he was referring to the fact of the taxi ride.

The panel considered Mr Binn’s statement to the School disciplinary panel on 21 September 2021 in which he stated “*he should never have asked the students to keep quiet, this was a bad decision and a poor choice*”.

The panel considered the witness statement of Pupil A, who stated that on Friday 15 December 2017 whilst she was stood outside of Pupil B’s house with Mr Binns, he asked her to promise that she would not tell anyone what had happened as he would lose his job. Pupil A was consistent on this in her police statement in which she said Mr Binns had asked them not to tell anyone as he would lose his job if they did. The panel considered Pupil A’s local statement to the School where she stated “*at this point he asked us to promise that we won’t mention any of this to anyone as he said again ‘I will lose my job’*”.

The panel considered the witness statement of Pupil B, who stated that whilst stood outside her house with Mr Binns, Pupil A and Pupil C, he asked them to not report the situation to anyone as he would lose his job. She stated that he did not specify what they were not to report.

The panel found that it was more likely than not that Mr Binns said to Pupil A and/or Pupil B words to the effect of “*don’t tell anyone what happened, because I love my job, I don’t wanna lose my job, you girls know I love my job*”. On the balance of probabilities, the panel found this part of allegation 2(c)(i) proven.

2(c)(ii) Said to Pupil A and/or Pupil B words to the effect of: “*it’ll be your fault if I lose my job*”.

The panel noted that Mr Binns denied this part of allegation 2(c), and stated in his oral evidence that he did not say this to Pupil A and/or Pupil B.

In Pupil B’s statement to the School on 16 January 2018 she stated that Mr Binns told them “*you girls are going to cost me my job, you can’t tell anyone. I love my job, it’s all your fault*”.

The panel considered that only Pupil B alleged that Mr Binns said words to the effect of “*it’ll be your fault if I lose my job*” and this was not corroborated by Pupil A and/or Pupil C, and was denied by Mr Binns. The panel considered there was insufficient evidence that Mr Binns said words to the effect of “*it’ll be your fault if I lose my job*”.

The panel found allegation 2(c)(ii) not proven. Therefore overall, the panel found that allegation 2(c) was partially proven.

2. On or around 15-16 December 2017, you:

d) Said to Pupil A words to the effect of: “do you want to get naughty with me?”

The panel considered the witness statement of Pupil A, who stated that on Friday 15 December 2017, she saw Mr Binns standing near her at the bar at [REDACTED], and as she began to walk away from the bar Mr Binns said to her “*do you want to go and get naughty with me*”. The panel considered the police statement of Pupil A dated 25 January 2018 in which she described Mr Binns saying the words ‘*do you want to leave with me and get naughty*’. In Pupil A’s local statement to the School on 10 January 2018 she stated that Mr Binns said to her “*do you want to come and get naughty with me?*”

The panel considered the oral testimony of Pupil A, and that when she was asked about the loudness of the music in [REDACTED] at that point in time and whether she could have misheard, Pupil A stated “*not a chance*”. The panel noted that Pupil B corroborated in her oral testimony that the noise in [REDACTED] was not so loud that you couldn’t have a conversation.

The panel considered Mr Binns’ witness statement in which he stated “*I most certainly did not...ask her if she wanted to “get naughty with me”*”. Mr Binns further denied this in his oral evidence. The panel noted that Pupil B said in her oral evidence that when Pupil A returned to the dancefloor from the bar area, she seemed relaxed and there was no particular change in her demeanour.

The panel noted that it is only Pupil A’s word against Mr Binns and that there was no other witness to this conversation. Whilst Pupil B could corroborate that she saw Pupil A and Mr Binns were standing by the bar together, she did not witness whether a conversation was held or what was said.

The panel noted that Pupil A stated in her witness statement that after this conversation with Mr Binns by the bar, she went and told Pupil B and Pupil C about it and they told her to avoid and ignore him. In Pupil B’s witness statement, she stated that when Pupil A had returned to the dancefloor, she did not think that Pupil A told her anything about the conversation at that point. In Pupil B’s oral evidence, she confirmed that she could not recall specifically when Pupil A told her about this conversation, but that she believed it was at some point prior to getting into the taxi later that evening. The panel considered that it was more likely than not on balance that Pupil A did tell Pupil B at some point during the evening, before they left [REDACTED], that Mr Binns had said this to Pupil A at the bar.

The legal adviser drew the panel’s attention to the case of *Lachaux v Lachaux* [2017] EWHC 385 which held that contemporary documents are always of the utmost importance and that it is essential to test the veracity of a witness’ oral evidence by references to the

documents in the case, given that memory becomes fainter with every day that passes. The panel carefully considered and noted that this is a very specific turn of phrase to be alleged. The panel considered that Pupil A has been very consistent on this point in her witness statement, police statement and local statement to the School, and was very emphatic in her oral evidence that this was said, stating she was “1000% sure” and that she “*remembers word-for-word that it did happen*”. The panel was convinced by the fact of Pupil A being so definite and emphatic in her oral evidence and that this tested the contemporaneous documentary evidence before the panel in which Pupil A was consistent throughout in her written accounts. The panel considered in *Lachaux v Lachaux* [2017] EWHC 385 it was noted that “...with every day that passes the memory becomes fainter and the imagination becomes more active” and that it had no contemporaneous evidence from Mr Binns in terms of this allegation.

On the balance of probabilities, the panel found allegation 2(d) proven.

3. On or around 22 December 2017, you said to Pupil A or words to that effect:

a) “I put my hands down your pants” and/or “I fingered you in the back of the taxi”,

The panel considered the witness statement of Pupil A, who stated that on 22 December 2017 she went out with a friend (Pupil C) and [REDACTED] and all four of them went to a pub called [REDACTED] and Mr Binns was working behind the bar. She stated that they ordered their drinks from someone else and went to the beer garden.

In her witness statement, Pupil A stated that Mr Binns asked to speak to her alone and that he brought up the taxi incident from the previous weekend. She stated that she just said she “*had forgotten (about it)...so that he did not bring it up*”, but Mr Binns then said to her “*I put my hands down your pants*” or “*I fingered you in the back of the taxi*”.

Pupil A stated in her police interview that Mr Binns had said to her the words “*I fingered you in the back of a taxi*”. In her oral testimony, when challenged, Pupil A reiterated that the words Mr Binns said to her were either “*hands*” or “*fingers*”, and she could not recall which, given the length of time that had passed since the event in December 2017.

The panel considered Mr Binns’ statement to the School in which he denied he would use the word ‘*fingered*’ as a 28-year old man at the time. In his School statement, Mr Binns recounts that only a ‘*hi/alright/bye conversation occurred*’ because he was working at the bar collecting empty glasses, and his witness statement further clarified that he did not have anything more than a polite passing word with Pupil A and Pupil C.

The panel considered that it was unlikely that a short ‘hi/bye’ type conversation took place, as both Pupil A and Pupil C corroborated that the conversation between Mr Binns and Pupil A that evening lasted between 5 and 10 minutes. The panel was not convinced by Mr Binns’ account that it was no more than a passing interaction. The panel noted that it is

admitted by Mr Binns that he was aware that Pupil A and Pupil C were pupils of the School at this point, and that he had shared a taxi with them the previous week. There was no evidence before the panel that Mr Binns attempted to remove himself from the situation and avoid speaking to Pupil A and Pupil C completely, for example by staying away from the beer garden.

The panel considered whether it was likely that Pupil A would have agreed to have a conversation with Mr Binns alone if he had put his hands down her underwear and stroked her vagina in the taxi, as the panel have found on the balance of probabilities. When questioned on this in her oral evidence, Pupil A explained that she had agreed to speak with Mr Binns alone because she was expecting an apology from him. Pupil A stated that she doesn't like conflict and that in her eyes outside of school she still saw him as a teacher so she was reluctant to refuse.

The panel considered whether it was plausible and why Mr Binns would have said these words to Pupil A after she told him that she had forgotten about it. The panel considered that the only explanation for doing so would have been because Mr Binns wanted to pursue a sexual relationship with Pupil A and felt emboldened to say this when Pupil A agreed to speak with him alone. The panel considered all of the evidence in the round, and found Pupil A's account of the specifics of this conversation more convincing.

The panel found allegation 3(a) proven.

3. On or around 22 December 2017, you said to Pupil A or words to that effect:

b) “is it weird that I find you attractive”,

In Pupil A's witness statement, Pupil A stated that as she walked away from Mr Binns during their conversation in [REDACTED] on 22 December 2017, he said to her *“is it weird that I find you attractive”* and Pupil A continued to walk away.

The panel noted that Pupil A stated consistently in her local statement to the School and in her witness statement that Mr Binns said the words to her *“it is weird that I find you attractive”*. The panel noted that this was not referred to in Pupil A's police statement.

The panel considered Pupil A's oral testimony in which she described the location that the conversation took place in as being in the beer garden by the doorway and asserted that the noise level was *“just chatter, people talking, it wasn't loud, but it wasn't silent.”* The panel considered it was unlikely that she would have misheard.

As mentioned above, the panel considered again whether Pupil A would have any motivation to fabricate this, but could find no suggestion or evidence of this.

Given the panel found that it is more likely than not that Mr Binns said the words in allegation 3(a) to Pupil A during this encounter, the panel considered it was more likely than not that these words would also have been said by Mr Binns.

The panel found allegation 3(b) proven.

3. On or around 22 December 2017, you said to Pupil A or words to that effect:

c) In response to asking Pupil A if someone was their partner, “it’s a shame because I think you would have really liked it”.

In Pupil A’s witness statement, Pupil A stated that as she walked away from Mr Binns, Mr Binns pointed at [REDACTED] and asked if [REDACTED]. Pupil A’s account is that she said yes, and Mr Binns responded with *“it’s a shame because I think you would have really enjoyed it”*. Pupil A is consistent with this quote in her statement to the police on 25 January 2018 and in her statement to the School on 10 January 2018.

When questioned on this quote in her oral testimony, Pupil A explained that she believed Mr Binns was referring to what happened in the taxi when he said those words. When questioned on how Pupil A could remember this specific quote and not the rest of the conversation either side of it, she explained that it was because it was the most shocking parts of the conversation which is why she could remember it. Pupil A noted that *“it was shocking because it’s not the way (she) interact(ed) with teachers”*.

In Mr Binns’ oral evidence, he denied saying this phrase and commented that it was language he wouldn’t have used.

The panel preferred Pupil A’s account on this point for the same reasons as set out for allegations 3(a) and 3(b) above in relation to this conversation. On the balance of probabilities, as above, the panel considered it more likely than not that this phrase was said by Mr Binns to Pupil A.

The panel found allegation 3(c) proven.

4. Your conduct, as may be proven in all and/or any of allegations 1 to 3 was sexually motivated;

The panel’s attention was drawn 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 that in *Basson* it was stated 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 was also mindful of the Court of Appeal's conclusion in *General Medical Council v Haris* [2021] EWCA Civ 763. The court found in that case that, "*In the absence of a plausible innocent explanation for what he did, the facts spoke for themselves.*"

The panel considered that Mr Binns' actions by putting his hands down Pupil A's underwear and touching her vagina were inherently sexual. The panel noted that Mr Binns had also made comments towards Pupil A including saying that he found her attractive and asking if she wanted to 'get naughty' with him. The panel considered there was no plausible innocent explanation for Mr Binns making these comments to Pupil A.

The panel considered that Mr Binns deciding to get into the taxi with Pupil A, Pupil B and Pupil C and asking to enter Pupil B's house was likely to be in pursuit of a sexual relationship and/or sexual gratification with Pupil A. The panel noted that, if on Mr Binns' account he was acting with chivalry by insisting that three young women took a taxi home, then the chivalrous thing to do would have been to either pay for the taxi for them and not enter the taxi at all, or to have chosen to sit in the front of the taxi. The panel considered that there was no other plausible innocent explanation other than there being a sexual motivation.

Taking into account the circumstances, the panel considered that Mr Binns had made comments to Pupil A on more than one occasion and had touched her inappropriately in a sexual manner after intentionally getting into a taxi with her and sitting next to her.

The panel considered whether there was a "*plausible innocent explanation*" for Mr Binn's behaviour. The panel did not accept that there was any plausible innocent explanation as to why he had acted in the way he had with Pupil A.

On the balance of probabilities, the panel considered that Mr Binn's motivation in his conduct towards Pupil A went as far as to be capable of being considered sexual.

The panel found allegation 4 proven.

5. Between 15 December 2017 and January 2018, you failed to notify the School about your contact with Pupil A and Pupil B as may be proven in all or any part of allegation 2;

The panel noted that Mr Binns admitted this allegation, in that he accepted he failed to notify the School about his contact with Pupil A and Pupil B. On Mr Binns' account, the only contact he had with them (under allegation 2) was that he shared a taxi with them, and that he said to them words to the effect of "*don't tell anyone what happened, because I love my job, I don't wanna lose my job, you girls know I love my job*".

The panel noted the contents of Mr Binns' formal disciplinary meeting with the School on 21 September 2021 in which Mr Binns was asked why he decided not to speak to anyone at the School about his contact with Pupil A and Pupil B. Mr Binns' response was that he

didn't notify the School because he felt that he had over panicked about the situation and that with hindsight now he wished he had told someone, and that it was a naïve decision.

In his witness statement, Witness 1 stated that *"Mr Binns did not share his interaction with the pupils with (him) or any other staff in the School"*.

The panel found allegation 5 proven.

6. Your conduct in allegation 5 was dishonest in that you knew you were required to notify the School.

In reaching its decision on this, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd trading as Crockford [2017] WL 04791302*. This case established that the test of dishonesty is that the panel must consider (i) what the teacher's actual state of knowledge or belief as to the facts was at the time, and (ii) whether the teacher's conduct was dishonest by the standards of ordinary decent people.

The panel firstly sought to ascertain the actual state of Mr Binns' knowledge or belief as to the facts at the time when he failed to notify the School between 15 December 2017 and January 2018 about his contact with Pupil A and Pupil B as proven in allegation 2.

The panel noted that under allegation 2, Mr Binns admitted that he was aware that Pupils A, B and C were pupils of the School at the time when allegations 2(b) and allegations 2(c) were said to have occurred. Mr Binns contends that he was not aware they were pupils when he shared a taxi with them (allegation 2(a)) or when the comment to Pupil A around *"do you want to get naughty with me?"* occurred earlier on that evening (allegation 2(d)). However, on Mr Binns' account he became aware that they were pupils when one of them called him *"Sir"* on exiting the taxi and he therefore admitted he knew they were pupils (or were likely to be pupils of the School) from this point onwards. On balance, considering all of the evidence put before it, the panel's view was that it was more likely than not that Mr Binns did not know that they were pupils before he got into the taxi.

The panel noted that in Mr Binns' witness statement, he stated that when he heard a pupil say the word *"Sir"* on exiting the taxi *"this made me panic immediately because I knew that getting into a taxi with students on a night out could get me into trouble with my employer...In my panic I did say that I didn't want to lose my job, and asked that they don't say anything because I loved my job. This was purely as I believed the school would take the view of me entering the taxi as unprofessional, despite the fact I had good intentions and didn't realise they were students."*

Under allegation 2(a) and 2(c), Mr Binns admitted that he shared a taxi with Pupil A, Pupil B and Pupil C and that when he exited the taxi he said to them words to the effect of *"don't tell anyone what happened, because I love my job, I don't wanna lose my job, you girls know I love my job"*.

The panel noted from the minutes of Mr Binns' disciplinary appeal meeting on 11 October 2021 that Mr Binns' trade union representative stated *"in respect of the issue of the failure to report the event, he was clear in his dismissal hearing that he should have disclosed the event at the first available time. He accepts he did not and I would suggest (that was) a serious error of judgment"*. In the same appeal hearing, Mr Binns stated *"I did wish that I had declared this"*.

The panel considered the witness statement of Witness 1, who stated that *"any member of staff that has communication or contact with students outside of school must notify the School"* and that *"teachers should be open and forthcoming with any behaviour that may be perceived as inappropriate"*. In his oral evidence, Witness 1 confirmed that [REDACTED], Mr Binns could have sent him an email at any point to flag his contact with Pupil A and Pupil B, and then could have completed an orange safeguarding form when he returned to the School premises. Mr Binns did neither and took no steps at all to notify the School.

Witness 1 stated that as a teacher Mr Binns would have been aware of his safeguarding duties and through the School's policies that he is to instil safer working practice and report any concerns. In his oral evidence, Witness 1 confirmed that teachers at the School undertook safeguarding training as part of induction and that Witness 1 personally delivered regular safeguarding sessions and briefings on Wednesdays to remind staff to report potential issues and concerns.

The panel noted that Mr Binns had received a Management Guidance Letter from the School on 30 June 2014 in respect of him accepting a second job working in a licenced premises in Bourne at the same time as teaching at the School. This Management Guidance Letter stated *"as an employee of a school that has a large, mixed population of older students, it is possible that some of these students may wish to patronise your place of work. You are vulnerable should that happen...you should be very careful about engaging in conversation, beyond normal civilities, with students of any age who attend this School. You must avoid the opportunities that work such as yours might offer for relationships with students from the School (of any age) to develop into intimate relationships; I made it clear to you that a sexual relationship would almost certainly be regarded as abusive, whilst you remain in the employment of this School."* The contents of this Management Guidance Letter left the panel in no doubt that Mr Binns was aware of these risks and the need to report such instances to the School if this were to occur. Mr Binns further confirmed in his oral evidence to the panel that he had changed his shifts so that his usual shifts were on a Monday and Tuesday, so as to minimise the risk of potentially encountering pupils when he was working in the bar.

The panel considered that Mr Binns asking the pupils not to tell anyone what had happened demonstrated Mr Binns' state of mind at the time. The panel concluded that it was likely Mr Binns knew at this point that he needed to report his conduct to the School and that he knew his conduct was wrong, especially since he had asked Pupil A, Pupil B and Pupil C

not to tell anyone as otherwise he may lose his job. When questioned in his oral testimony, Mr Binns said that when he had woken up the next morning after sharing the taxi with the pupils, he rationalised in his head and then thought he hadn't done anything wrong and that he didn't think "*something so inconsequential*" would need to be reported to the School. The panel was not convinced by this because it seemed completely at odds with his initial reaction and him panicking that he would lose his job if the School found out. The panel considered it was more likely that Mr Binns knew he was required to notify the School, and that he chose not to so, so that he would not lose his job.

The panel concluded that Mr Binns had deliberately avoided telling the School the information himself and considered that in doing so he had been dishonest according to the standards of ordinary decent people.

The panel found allegation 6 proven.

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 Binns, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Binns 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 Binn's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel found that the offence of sexual activity and controlling or coercive behaviour was relevant. The panel considered that in asking the pupils not to tell anyone what had happened because he would lose his job, Mr Binns was attempting to influence the behaviour of and/or coerce the pupils. On Mr Binns' own account, he knew that they were pupils at this point. The panel considered the imbalance of power between teachers and pupils to be relevant, and noted in particular Pupil A said in her oral evidence that she *"still saw him as a teacher outside of school, so (she) didn't want to talk back at him."*

The panel noted that although allegations 1, 2 and 3 took place outside the education setting, they were relevant to Mr Binns conduct as a teacher in that he had shared a taxi with 3 pupils, referred to Pupil A as attractive and had put his hand down her underwear and touched and/or stroked her vagina.

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

In relation to whether Mr Binns' 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 pupils' evidence of their shock in terms of the way in which their teacher behaved towards them to be a key factor in this.

In considering the issue of disrepute, the panel also considered whether Mr Binns' 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 Binns was guilty of unacceptable professional conduct, the Panel found that the offences of sexual activity and controlling or coercive behaviour was relevant.

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

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

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

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

- the safeguarding and wellbeing of pupils and the protection of other members of the public;
- 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 Binns, which included a finding that Mr Binns had continued to pursue a sexual relationship with a known pupil on 22 December 2017, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public, particularly in the context of Mr Binns' ongoing participation in coaching sports in the wider community.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious allegations that the panel found proven.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Binns 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 Binns 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 Binns in the profession. Despite Witness 1 describing Mr Binns as a capable teacher, the panel was not provided with any evidence to demonstrate that Mr Binns made a significant contribution to the education profession. The panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Binns 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.

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 Binns.

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);
- 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;
- dishonesty, including the deliberate concealment of their actions, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests.

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.

There was no evidence that Mr Binns' actions were not deliberate.

There was no evidence to suggest that Mr Binns was acting under extreme duress.

Mr Binns did not demonstrate exceptionally high standards in his personal and professional conduct nor did the panel have any evidence before it of him having contributed significantly to the education sector. Whilst the panel was presented with four character references, the panel noted that there was no mention of the allegations within any of them and therefore placed little reliance upon them. The panel was not presented with sufficient evidence in order to make an assessment of Mr Binns' character, and so could not determine whether the incident was out of character or not.

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 Binns 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 Binns. The findings found proven against Mr Binns involved:

- sexual misconduct including actions that were sexually motivated that used or exploited his position of trust as a teacher;
- the coercion of pupils in asking them not to say anything about his actions which he knew should have been reported;
- Mr Binns' dishonesty in failing to report to the School; and
- the sexual pursuit of a pupil.

These were all significant factors in forming the panel's opinion.

Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

One of these includes:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons.

The panel noted that Mr Binns was aware that Pupil A was intoxicated and therefore vulnerable at the time he got into the back of the taxi with her. The panel further considered its findings of fact that Mr Binns made comments to Pupil A on 22 December 2017 that were sexually motivated at a time when he admitted he knew she was a pupil. The panel noted that Mr Binns admitted he told the pupils words to the effect of *“don’t tell anyone what happened because I love my job, I don’t wanna lose my job, you girls know I love my job”* and the panel considered that this was an indication that he used his professional position to influence Pupils A, B and C.

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 the listed characteristics were engaged by the panel’s findings.

The panel was not convinced that Mr Binns demonstrated sufficient remorse for his past conduct. Whilst the panel noted that Mr Binns admitted he should have notified the School of his contact with Pupil A and Pupil B, the panel considered that Mr Binns minimised his conduct as naivety in his statement to the School and he stated in his oral evidence that the morning after the taxi ride occurred on 15-16 December 2017 he didn’t think *“something so inconsequential”* would need to have been reported to the School.

The panel considered the length of time that had passed since the allegations occurred in December 2017 and the case coming before the TRA. The panel’s view that it was appropriate and proportionate to recommend a review period in this case because the panel determined that it was likely Mr Binns had not been aware that Pupil A was a pupil of the School at the time the sexual touching occurred in the taxi. The panel considered it

was proportionate to give Mr Binns an opportunity to demonstrate the lessons learned from the incident.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period which the panel submits should be five years.

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 or partially proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In this case, the panel has also found elements of one allegation 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 Adam Binns should be the subject of a prohibition order, with a review period of five years.

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

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

The findings of misconduct are particularly serious as they include a teacher exhibiting sexually motivated behaviour towards a pupil as well as behaviour that was dishonest.

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 Binns, 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 these observations:

"The panel found that the offence of sexual activity and controlling or coercive behaviour was relevant. The panel considered that in asking the pupils not to tell anyone what had happened because he would lose his job, Mr Binns was attempting to influence the behaviour of and/or coerce the pupils. On Mr Binns' own account, he knew that they were pupils at this point. The panel considered the imbalance of power between teachers and pupils to be relevant, and noted in particular Pupil A said in her oral evidence that she *"still saw him as a teacher outside of school, so (she) didn't want to talk back at him."*

The panel noted that although allegations 1, 2 and 3 took place outside the education setting, they were relevant to Mr Binns conduct as a teacher in that he had shared a taxi with 3 pupils, referred to Pupil A as attractive and had put his hand down her underwear and touched and/or stroked her vagina."

Elsewhere, the panel notes the following:

"In light of the panel's findings against Mr Binns, which included a finding that Mr Binns had continued to pursue a sexual relationship with a known pupil on 22 December 2017, there was a strong public interest consideration in the safeguarding and wellbeing of

pupils and the protection of other members of the public, particularly in the context of Mr Binns' ongoing participation in coaching sports in the wider community.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious allegations that the panel found proven."

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 was not convinced that Mr Binns demonstrated sufficient remorse for his past conduct. Whilst the panel noted that Mr Binns admitted he should have notified the School of his contact with Pupil A and Pupil B, the panel considered that Mr Binns minimised his conduct as naivety in his statement to the School and he stated in his oral evidence that the morning after the taxi ride occurred on 15-16 December 2017 he didn't think "*something so inconsequential*" would need to have been reported to the School."

In my judgement, the lack of evidence of full 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 provides this observation:

"In relation to whether Mr Binns' 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 pupils' evidence of their shock in terms of the way in which their teacher behaved towards them to be a key factor in this.

In considering the issue of disrepute, the panel also considered whether Mr Binns' 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 Binns was guilty of unacceptable professional conduct, the Panel found that the offences of sexual activity and controlling or coercive behaviour was relevant.

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

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

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

I am particularly mindful of the finding of a teacher engaging in sexualised behaviour with a vulnerable pupil in this case, including touching her vagina, and the very 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 Binns himself. The panel notes the following:

"Mr Binns did not demonstrate exceptionally high standards in his personal and professional conduct nor did the panel have any evidence before it of him having contributed significantly to the education sector. Whilst the panel was presented with four character references, the panel noted that there was no mention of the allegations within any of them and therefore placed little reliance upon them. The panel was not presented with sufficient evidence in order to make an assessment of Mr Binns' character, and so could not determine whether the incident was out of character or not."

A prohibition order would prevent Mr Binns 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 very serious nature of the misconduct found, including behaviour towards a vulnerable pupil that was sexually motivated and conduct that was coercive and/or dishonest. I have also placed considerable weight on the lack of evidence that Mr Binns has developed full insight into and remorse for his actions.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Binns 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, 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 five-year review period.

In doing so, the panel makes reference to the Advice, including the following:

“The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

One of these includes:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons.”

I have considered the panel’s concluding comments:

“The panel considered the length of time that had passed since the allegations occurred in December 2017 and the case coming before the TRA. The panel’s view that it was appropriate and proportionate to recommend a review period in this case because the panel determined that it was likely Mr Binns had not been aware that Pupil A was a pupil of the School at the time the sexual touching occurred in the taxi. The panel considered it was proportionate to give Mr Binns an opportunity to demonstrate the lessons learned from the incident.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period which the panel submits should be five years.”

I have considered whether a five-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, factors mean that, in my judgment, allowing such a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These include: the very serious nature of the misconduct found which included sexually motivated behaviour, coercion and dishonesty; the lack of evidence of insight and remorse and consequent risk of repetition and future risk to pupils despite the considerable amount of time that has passed; and the likely negative impact on the standing of the profession of Mr Binns’ behaviour.

I have also considered these observations recorded by the panel:

“The panel noted that Mr Binns was aware that Pupil A was intoxicated and therefore vulnerable at the time he got into the back of the taxi with her. The panel further considered its findings of fact that Mr Binns made comments to Pupil A on 22 December 2017 that were sexually motivated at a time when he admitted he knew she was a pupil. The panel noted that Mr Binns admitted he told the pupils words to the effect of *“don’t tell anyone what happened because I love my job, I don’t wanna lose my job, you girls know I love my job”* and the panel considered that this was an indication that he used his professional position to influence Pupils A, B and C.”

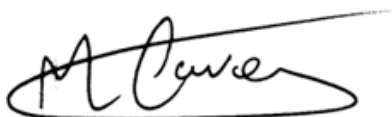
In my view, and noting the panel’s conclusion that Mr Binns was not aware that Pupil A was a pupil of the school at the time that the events in the taxi took place, the finding that he then went on to exhibit further sexually motivated behaviour towards her, rather than the apology she expected, when he was aware of her status indicates a fundamental, deep-seated and troubling misunderstanding of his responsibilities as a teacher and the professional boundaries that apply.

In my assessment, the panel has failed to give sufficient weight to these factors, and the mitigating factors it has identified do not warrant a departure from the Advice which, as the panel itself references, indicates that the public interest will weigh in favour of not permitting a review period in cases that involve serious sexual misconduct. 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 Adam Binns 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 Binns 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 Binns 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', with a long horizontal stroke extending to the right.

Decision maker: Marc Cavey

Date: 4 December 2025

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