



James McMurray: Professional conduct panel outcome

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

September 2026

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

Teacher: Mr James McMurray

Teacher ref number: 0648974

Teacher date of birth: 24 June 1981

TRA reference: 21278

Date of determination: 18 September 2026

Former employer: King Edward VI Community College, Devon

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 17 – 18 September 2026 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT to consider the case of Mr James McMurray.

The panel members were Mrs Melissa West (teacher panellist – in the chair), Mrs Diane Underwood (lay panellist) and Mr Robert Dowey (teacher panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan solicitors.

The presenting officer for the TRA was Mr Andrew Cullen of Browne Jacobson solicitors. Mr Cullen was assisted by his colleague, Mr Callum Heywood, who appeared remotely and shared his screen to the benefit of the parties.

Mr James McMurray was present and was represented by his lay representative, Mrs Kerry Harvey.

The hearing took place in public.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 25 March 2026 and as amended at the Case Management Hearing on 2 September 2026.

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

On or around 24 April 2024 he was convicted at Newton Abbot Magistrates' Court for the offences of:

1. Publishing obscene article contrary to Obscene Publication Act 1959, s.2(1);
2. One or more counts of Making indecent photograph or pseudo-photograph of children contrary to Protection of Children Act 1978, s.1(a).

Mr McMurray did not admit the facts or the allegation, nor did he make any admissions as to the question of whether the convictions were for relevant offences. His representative advised that whilst he did not materially dispute the convictions, the allegations were not accepted as Mr McMurray did not accept that the TRA had jurisdiction to hear the case.

Pre-Hearing Submissions as to Mr McMurray's health

The panel heard representations from Mr McMurray's representative at the commencement of the hearing in relation to Mr McMurray's health conditions. These submissions were made to assist the panel in its appreciation of Mr McMurray's conditions and how they may affect his presentation during the hearing. In these submissions, reference was made to various documents that were provided in relation to Mr McMurray's diagnoses of OCD, Autism and Bipolar.

The panel accordingly was sure to take these matters into consideration but was careful to have regard to the fact that Mr McMurray's representative was not a medical expert. It accordingly was limited in regard to the degree that it could rely upon the representations. The panel therefore sought to ensure that Mr McMurray was treated fairly and acted to allow breaks and any other accommodations as necessary.

Summary of evidence

Documents

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

Section 1: Notice of Hearing, Referral and Response – pages 5 to 23

Section 2: TRA Witness Statements – pages 25 to 26

Section 3: TRA Documents – pages 28 to 124

Section 4: Teacher Documents – pages 126 to 227

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

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

Witnesses

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

Witness A – [REDACTED]

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 McMurray was engaged by the school as a Cover Teacher at King Edward VI Community College (“the School”) in or around May 2019, via a supply agency. He was subsequently directly engaged by the School as a Supply Teacher on 8 November 2021. Mr McMurray was arrested on 17 November 2022. His engagement by the School ended on or around 18 November 2022. The School subsequently referred the matter to the TRA.

Mr McMurray was convicted on 24 April 2024 at Newton Abbot Magistrates’ Court of a single charge of publishing obscene article, contrary to s2(1) of Obscene Publications Act 1959 and received convictions for three separate charges of making indecent photograph or pseudo-photograph contrary to s1(a) of the Protection of Children Act 1978.

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 have been convicted, at any time, of a relevant offence, in that on or around 24 April 2024 you were convicted at Newton Abbot Magistrates' Court for the offences of:

1. Publishing obscene article contrary to Obscene Publication Act 1959, s.2(1);

The panel had sight of the Certificate of Conviction in relation to this matter, dated 7 August 2024. Within the Certificate of Conviction, it noted that Mr McMurray was convicted of publishing an obscene article contrary to Obscene Publication Act 1959, s2(1). The panel accepted the Certificate of Conviction as conclusive proof of the commission of this offence.

The panel accordingly found Allegation 1 proved.

2. One or more counts of Making indecent photograph or pseudo-photograph of children contrary to Protection of Children Act 1978, s.1(a).

The panel had sight of the Certificate of Conviction in relation to this matter, dated 7 August 2024. Within the Certificate of Conviction, it noted that Mr McMurray received three separate convictions for making indecent photograph or pseudo-photograph of children contrary to Protection of Children Act 1978 1(a). The convictions related to four separate images, namely:

- One Category A image;
- One Category B image; and
- Two Category C images.

The panel accepted the Certificate of Conviction as conclusive proof of the commission of these offences.

The panel accordingly found Allegation 2 proved.

Findings as to conviction of a relevant offence

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

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as “the Advice”.

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

The panel considered that, by reference to Part 2 Mr McMurray 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of pupils and/or members of the public.

The panel noted that the convictions for making an indecent photograph or pseudo-photograph of children were inseparable from the question of safety and security of pupils, given the fact that they are inherently connected to the sexual exploitation of children. The panel additionally considered that the conviction for the publication of an obscene article also had the potential to have an impact upon the safety and/or security of pupils and/or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr McMurray’s behaviour in committing the offences could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.

The panel formed the view that the public would be directly concerned by Mr McMurray’s

behaviour given the fact that his convictions were related to indecent images of children and the publication of an obscene article. It noted that these convictions were directly contrary to the principles of safeguarding and had engaged the trust that the public places within the teaching profession.

The panel noted that Mr McMurray's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offences committed. It considered it notable that both offences were the subject of custodial sentences. Mr McMurray received a custodial sentence of 8 months' imprisonment for the three offences of making indecent images which were to run concurrently. He also received a custodial sentence of 4 months' imprisonment for the offence of publishing an obscene article. Mr McMurray therefore received a custodial sentence amounting to 12 months' imprisonment in totality. The Court ordered that sentences were to run consecutively and they were suspended for a period of 24 months. Mr McMurray was also made subject to the following ancillary requirements:

- A Sexual Harm Prevention Order for a period of 10 years;
- Notification requirement to register with the Police for 10 years;
- 200 hours of unpaid work to be completed over a period of 12 months;
- A Rehabilitation Activity Requirement of up to 30 days.

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

This was a case concerning an offence involving any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting any such activity which the Advice states is likely to be considered a relevant offence.

The panel formed the view that both of the offences were serious in nature and it considered that both matters were grave, given the presence of indecency and obscenity. It had particular regard for the fact one of the images for which Mr McMurray was convicted was a Category A photograph or pseudo-photograph. It considered that convictions of this nature were contrary to the principle that children must feel safe and the general expectations that the public have of teachers.

The panel noted that Mr McMurray's representative had made submissions to the effect that the images were historic in nature and had not been accessed in several years, being found on electronic devices that had been "hoarded" by Mr McMurray. The panel however did not consider that this could detract from the seriousness or gravity of the offending behaviour and noted that it could not wholly rely upon this submission as it had not been presented with any supporting evidence. It additionally noted that an

explanation was only provided in relation to the presence of one of the Category C images and none of the others.

[REDACTED]

The panel had regard to the submissions made in relation to the fact that Mr McMurray may have faced workplace difficulties at the relevant time. It however considered that it was limited in its ability to make any proper observations in relation to this, having received no evidence to this effect. [REDACTED].

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

Panel's recommendation to the Secretary of State

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

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

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

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

In the light of the panel's findings against Mr McMurray which involved convictions for offences relating to the making of indecent images of children and the publishing of an obscene article, there was a strong public interest consideration in relation to all of the above. Mr McMurray had received convictions for offences which were associated with sexual exploitation of children and the panel considered that this behaviour directly concerned all aspects of the public interest.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings relating to indecent images of children.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr McMurray 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 McMurray 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 McMurray in the profession. It noted that it had heard evidence from Witness 1 that Mr McMurray was a competent and capable professional and considered that this may be indicative of him being able to make a positive contribution to the teaching profession. The panel however considered that the adverse public interest considerations above outweigh any interest in retaining Mr McMurray in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher.

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. It determined that Mr McMurray's behaviour was below the ethical expectations of a teacher, given the influential role that teachers hold within the community and the nature of the convictions that he received.

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 McMurray.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures;
- misconduct seriously affecting the...safeguarding and well-being of pupils;

- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image, or indecent pseudo photograph or image, of a child, or permitting such activity;
- failure to act on evidence that indicated a child's welfare may have been at risk;
- 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);

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

The panel considered that it did not have sight of any evidence that Mr McMurray's actions were not deliberate or that he was acting under extreme duress at the relevant time. It had regard for the fact that Mr McMurray was of good character insofar as he had not been subject to any previous regulatory or disciplinary findings.

The panel additionally noted that it had received submissions from Mr McMurray's representative that Mr McMurray had made a significant positive contribution to his local community and to the social mobility of pupils. The representative submitted that Mr McMurray had been highly involved in charity work, volunteering and school governance. The panel however noted that it had not been provided with any evidence to this effect and therefore did not consider that it could place significant weight upon these submissions when considering the issue of mitigation.

The panel did not consider that it had been presented with any evidence on insight being shown by Mr McMurray. It considered that within his written reflections, there was no acknowledgement of the impact or seriousness of his offending behaviour, or the consequences for the children involved. It considered that rather than demonstrating any insight, his reflections may be more properly characterised as being deflective in nature as they sought to apportion blame for some of the conduct to the School. The panel noted that within the [REDACTED] provided, reference was made to Mr McMurray's "insight" as raised by his representative through submissions. [REDACTED].

The panel acknowledged that it had been presented with a document entitled [REDACTED]. It noted that this document was focused on [REDACTED] when dealing with the criminal justice system. The panel noted that it was not adjudicating over a criminal matter but regardless was sure to take this into consideration when engaging with the matter of insight. Whilst considering this document in relation to Mr McMurray's presentation, the panel formed the view that it was ultimately inhibited from making any positive finding as to Mr McMurray's insight, having not had any evidence to this effect.

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 McMurray 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 McMurray. The nature of his convictions was a significant factor in making this determination. [REDACTED]. 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 is:

- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents;

As set out above, Mr McMurray received convictions for offences of making an indecent photograph or pseudo-photograph of children.

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 determined that it was inhibited in its ability to properly comment in regard to Mr McMurray's insight, reflection, remorse or any rehabilitative steps that he may have taken. It noted that there was no evidence presented in support of any suggestion that Mr McMurray had appreciated the seriousness of the conduct as found proved, or the consequences of it. The panel additionally considered that it could not comment upon the risk of repetition in this case, due to the same concerns. The panel acknowledged that Mr McMurray's representative had submitted that Mr McMurray "regrets" the convictions and accepts the gravity of them, but considered that these observations were limited in their ability to aid the panel with the question of Mr McMurray's insight, when considered

alongside the other written and oral representations that were provided.

The panel did have in mind that prohibition orders should not be given in order to be punitive and it took account of the mitigating factors present.

In circumstances where there was no demonstration of any insight, remorse or reflection, the panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

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

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

In particular, the panel has found that Mr McMurray 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards...
- 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 McMurray amounted to a relevant conviction.

The findings of misconduct are particularly serious as they include a finding that his conviction concerned “...*offences relating to the making of indecent images of children and the publishing of an obscene article...*” It is particularly concerning that this included one Category A image.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr McMurray, 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. The panel has observed, “*Mr McMurray had received convictions for offences which were associated with sexual exploitation of children...*” As such the panel was of the view that there was a “...*strong public interest consideration in respect of the safeguarding and wellbeing of pupils...*” A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows,

“The panel did not consider that it had been presented with any evidence on insight being shown by Mr McMurray. It considered that within his written reflections, there was no acknowledgement of the impact or seriousness of his offending behaviour, or the consequences for the children involved. It considered that rather than demonstrating any insight, his reflections may be more properly characterised as being deflective in nature as they sought to apportion blame for some of the conduct to the School.”

In my judgement, the lack of evidence of any meaningful insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “...*that public confidence in the profession could be seriously weakened if conduct such as that found against Mr*

McMurray were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of a conviction relating to indecent images of children in this case, and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr McMurray himself. The panel comment *"...that it had received submissions from Mr McMurray's representative that Mr McMurray had made a significant positive contribution to his local community and to the social mobility of pupils. The representative submitted that Mr McMurray had been highly involved in charity work, volunteering and school governance. The panel however noted that it had not been provided with any evidence to this effect and therefore did not consider that it could place significant weight upon these submissions when considering the issue of mitigation."*

The panel also heard evidence from Witness 1 who gave evidence that Mr McMurray was *"...a competent and capable professional and considered that this may be indicative of him being able to make a positive contribution to the teaching profession."*

A prohibition order would prevent Mr McMurray from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the lack of insight or remorse. The panel has said, *"The panel determined that it was inhibited in its ability to properly comment in regard to Mr McMurray's insight, reflection, remorse or any rehabilitative steps that he may have taken. It noted that there was no evidence presented in support of any suggestion that Mr McMurray had appreciated the seriousness of the conduct as found proved, or the consequences of it."*

I have also placed considerable weight on the finding of the panel that Mr McMurray was convicted *"...for offences which were associated with sexual exploitation of children..."*

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

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

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

I have considered the panel's comments. Firstly, the panel has identified that the Advice indicates certain types of conduct where, if proven, will have greater weight in favour of not offering a review period. In this case the panel has identified that this is engaged in this case as the matter involves a conviction related to indecent images of children.

Further, the panel has said that it could not comment on the risk of repetition in this case due to the lack of evidence provided by Mr McMurray. The panel acknowledged Mr McMurray's submission that he regrets the convictions but formed the view these submissions were limited. The panel concluded that *"In circumstances where there was no demonstration of any insight, remorse or reflection, the panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period."*

I have considered whether allowing for a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the conduct, including that it involved indecent images of children, as well as the lack of evidence of any substantive insight or remorse.

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 James McMurray 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 McMurray 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 McMurray 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 'S. Blomfield', written in a cursive style.

Decision maker: Stuart Blomfield

Date: 18 September 2026

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