



National College for
Teaching & Leadership

Mr David Leonard Doubtfire: Professional conduct panel outcome

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

February 2015

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

Teacher:	Mr David Leonard Doubtfire
Teacher ref no:	8471763
Teacher date of birth:	06 March 1962
NCTL case ref no:	10484
Date of determination:	17 February 2015
Former employer:	Not applicable

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 17 February 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr David Leonard Doubtfire in a meeting.

The Panel members were Mrs Alison Walsh (Teacher Panellist – in the chair), Dr Geoffrey Penzer (Lay Panellist) and Mr Martin Greenslade (Lay Panellist).

The legal adviser to the Panel was Mr Graham Miles of Blake Morgan LLP Solicitors.

The meeting took place private, save that the decisions of the Panel on facts and unacceptable professional conduct/ conduct that may bring the profession into disrepute, were announced in public and were recorded.

B. Allegations

The Panel considered the allegation set out in the Notice of Meeting dated 22 January 2015.

It was alleged that Mr Doubtfire was guilty of unacceptable professional conduct and / or conduct that may bring the profession into disrepute, in that:

On 23 June 2014 at Hereford Crown Court he was convicted of the offence of voyeurism – observe a person doing a private act contrary to section 67(1)(a) of the

Sexual Offences Act 2003. He was sentenced to a conditional discharge order for 12 months and ordered to pay a victim surcharge of £15.00.

Mr Doubtfire admitted the alleged facts and admitted that his actions amount to conduct that may bring the profession into disrepute.

C. Preliminary applications

There were no preliminary applications.

D. Summary of evidence

Documents

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

- Section 1 – Chronology, with page number 2
- Section 2 – Notice of Referral, response and Notice of Meeting, with page numbers from 4 to 7b
- Section 3 – Statement of Agreed Facts and Presenting Officer representations, with page numbers from 9 to 16
- Section 4 – National College for Teaching and Leadership documents, with page numbers from 18 to 66
- Section 5 – Teacher documents,, with page numbers from 68 to 87

The Panel members confirmed that they had read all of the documents in advance of the hearing.

E. Decision and reasons

The panel announced its decision and reasons as follows:

‘We have now carefully considered the case before us and have reached a decision.

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

Mr Doubtfire was the Headteacher at Walkwood Middle School (‘the School’) from September 2009. On 30 July 2013, he was arrested in relation to an incident that occurred 17 July 2013 at Evesham Leisure Centre. He was subsequently charged

with an offence of voyeurism contrary to section 67 (1) (a) of the Sexual Offences Act 2003. The circumstances of the offence were that, on 17 July 2013, Mr Doubtfire attended the leisure centre to use the swimming pool and Jacuzzi. Whilst he was changing, he fell over in the cubicle. After he fell over and was lying on the ground his head was slightly under the neighbouring changing cubicle. The person in the neighbouring cubicle was female and was in a state of undress. Mr Doubtfire made no attempt to get up from the ground and deliberately looked under the cubicle partition at the female until she noticed him. Mr Doubtfire appeared at Hereford Crown Court on 23 June 2014. He pleaded guilty and was conditionally discharged for a period of 12 months and ordered to pay a victim surcharge of £15. Mr Doubtfire resigned from his employment at the School on 15 February 2014, which was the same day that he was charged with the offence.

Findings of fact

Our findings of fact are as follows:

It was alleged that Mr Doubtfire was guilty of unacceptable professional conduct and / or conduct that may bring the profession into disrepute, in that:

On 23 June 2014 at Hereford Crown Court he was convicted of the offence of voyeurism – observe a person doing a private act contrary to section 67(1)(a) of the Sexual Offences Act 2003. He was sentenced to a conditional discharge order for 12 months and ordered to pay a victim surcharge of £15.00.

The panel finds the facts proved, based on Mr Doubtfire's admission, the Statement of Agreed Facts and the certificate from the Crown Court evidencing his admission.

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

The panel noted that Mr Doubtfire admitted in the Statement of Agreed Facts and in his letter dated 10 August 2014 that his conduct brought the profession into disrepute. In the Statement of Agreed Facts, he also admitted that his conduct was 'unprofessional', but the panel did not treat this as an unequivocal admission of unacceptable professional conduct. In any event, the panel recognised that it should make its own determination as to whether the conduct giving rise to the conviction amounts to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel is satisfied that Mr Doubtfire's actions amount to conduct that may bring the profession into disrepute. He breached the Personal and Professional Conduct elements of the Teachers' Standards in that he failed to uphold public trust in the

profession and maintain high standards of ethics and behaviour within and outside school. The behaviour was serious in that it was an offence of a sexual nature and clearly caused distress.

Panel's recommendation to the Secretary of State

The panel has considered the matters put forward in mitigation, including the character references provided. The panel noted that, in his sentencing remarks, the Recorder referred to Mr Doubtfire's 'impeccable background' and the panel has treated him as a person with no previous convictions. The panel noted that Mr Doubtfire said in his written submission that he received a final written warning for using the School telephone for private and inappropriate purposes. The panel also noted Mr Doubtfire's assertion that his single act of voyeurism was 'a moment of madness' and he emphasised his regret and deep shame.

The panel considers that Mr Doubtfire's conduct is incompatible with being a teacher for the following reasons:

- This was a serious departure from the personal and professional conduct elements of the Teachers' Standards
- It was sexual misconduct which involved the commission of a serious criminal offence.

The panel noted that Mr Doubtfire has a previous good history in terms of offending. The panel also noted the impact of his medical condition on his everyday life and his psychological state as he attempted to carry on with his job and his daily life.

However, the panel has concluded that a Prohibition Order is nevertheless necessary in order to maintain public confidence in the profession and to declare and uphold proper standards of conduct. This is the panel's recommendation.

The panel considered whether to recommend that Mr Doubtfire should be allowed to make a future application to have the Prohibition Order set aside. The Panel does not believe that this would be appropriate in this case. The behaviour was serious sexual misconduct in a public place, which caused significant distress to the victim and Mr Doubtfire has not demonstrated to the panel that he has clear insight into the causes of his behaviour. The panel's recommendation is that Mr Doubtfire should not be permitted to make a future application to have the Prohibition Order set aside.

Decision and reasons on behalf of the Secretary of State

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

This case involves a conviction for the offence of voyeurism. Mr Doubtfire was given a sentence of a conditional discharge order for 12 months and ordered to pay a victim surcharge of £15.00.

The panel has found that the facts of the case were proven.

This case involved behaviour that was serious, in that it was an offence of a sexual nature.

The panel also found that Mr Doubtfire's conduct is incompatible with being a teacher for the following reasons:

- This was a serious departure from the personal and professional conduct elements of the Teachers' Standards
- It was sexual misconduct which involved the commission of a serious criminal offence.

I have carefully considered the public interest in this case and weighed that against the interests of Mr Doubtfire. I have considered the need to be proportionate, but also to take into account the public reputation of the profession.

I support the recommendation of the panel that a prohibition order is a proportionate outcome.

I have also considered the matter of a review period. I have considered carefully the guidance published by the Secretary of State. That guidance indicates that a panel should consider recommending that a prohibition order is imposed with no provision for a review period where the case involves serious sexual misconduct. In addition distress was caused.

This case does meet that criteria, although I have also considered the case on its own merits and considered the need to be proportionate.

The panel were also clear that Mr Doubtfire had not shown sufficient insight.

I therefore support the recommendation that there be no review period.

This means that Mr David Doubtfire 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 allegation found proved against him, I have decided that Mr David Doubtfire 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 David Doubtfire has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

NAME OF DECISION MAKER: Alan Meyrick

A handwritten signature in blue ink, appearing to read 'Alan Meyrick', with a checkmark at the end.

Date: 17 February 2015

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