



National College for
Teaching & Leadership

Ms Fatimah Ahmed: Professional conduct panel outcome

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

May 2015

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

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|-------------------------------|--------------------|
| Teacher: | Ms Fatimah Ahmed |
| Teacher ref no: | 0839053 |
| Teacher date of birth: | 2 May 1983 |
| NCTL case ref no: | 11528 |
| Date of determination: | Monday 11 May 2015 |
| Formerly employed: | Cheshire |

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on Monday 11 May 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Ms Fatimah Ahmed.

The panel members were Ms Alison Walsh (teacher panellist – in the chair), Dr Robert Cawley (teacher panellist) and Mr Martin Pilkington (lay panellist).

The legal adviser to the panel was Mr Paddy Roche of Blake Morgan LLP Solicitors, Oxford.

The presenting officer for the National College was Ms Alexandra Tampakopoulos of Counsel.

Ms Ahmed was present and was represented by Ms Sarah Gill of the NUT.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 17 December 2014. It was alleged that Ms Ahmed was guilty of:

1. Conviction of a relevant offence, in that:-

On 17 March 2014 at Manchester Crown Court, Minshull Street, she was convicted of concealing, disguising, converting, transferring or removing criminal property between 18 November 2010 and 23 February 2013, contrary to Section 327 and Section 334 of the Proceeds of Crime Act 2002. She was sentenced to eighteen weeks imprisonment, suspended for a period of twenty-four months;

2. Unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:-

- a. On 5 August 2003 at Manchester City Magistrates' Court she was convicted of theft by an employee on 8 March 2003, contrary to Section 1 of the Theft Act 1968. She was sentenced to a conditional discharge for a period of twenty-four months and she was ordered to pay costs of £55.
- b. On 5 August 2003 at Manchester City Magistrates' Court she was convicted of theft by an employee on 22 March 2003, contrary to Section 1 of the Theft Act 1968. She was sentenced to a conditional discharge for a period of twenty-four months to run concurrently to the sentence as set out in paragraph 2.a above.
- c. On 5 August 2003 at Manchester City Magistrates' Court she was convicted of theft by an employee on 7 June 2003, contrary to Section 1 of the Theft Act 1968. She was sentenced to a conditional discharge for a period of twenty-four months to run concurrently to the sentence as set out in paragraphs 2.a and 2.b above.

Ms Ahmed admitted the facts of the case.

She admitted that she was convicted of a relevant offence.

She denied that she was guilty of unacceptable professional conduct/conduct that may bring the profession into disrepute.

C. Preliminary applications

None.

D. Summary of evidence

Documents

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

| | | |
|-----------|------------------------------------|---------------|
| Section 1 | Chronology | Page 2 |
| Section 2 | Notice of Proceedings and Response | Pages 4 – 13 |
| Section 3 | NCTL Documents | Pages 15 – 45 |
| Section 4 | n/a | |
| Section 5 | Teacher Documents | Pages 47 – 68 |

The panel members confirmed that they had read all of the documents in advance of the hearing. The panel admitted into the evidence in the case papers further documents submitted by the teacher comprising a Thank You card and maths teaching documents – these further papers were numbered 69 – 140.

Witnesses

No witnesses were called by the presenting officer.

The teacher Ms Fatimah Ahmed gave evidence to 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.

The case concerns an allegation of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that before she became a teacher Ms Ahmed was convicted of three offences of theft by an employee, on her own plea of guilty, at Manchester City Magistrates' Court on 5 August 2003. The case papers indicate that she was 20 years of age at the time and she says that she was working at Boots the chemist but associating with the wrong people. She admits taking money from the till which she did on three occasions and as a consequence appeared before

Manchester City Magistrates' Court where she was made the subject of a conditional discharge for twenty-four months.

Ms Ahmed is further before the panel on an allegation of conviction of a relevant offence. It is accepted that she appeared before Manchester Crown Court on 17 March 2014 when she pleaded guilty to an offence of money laundering. The submission from the teacher indicates that she pleaded guilty under pressure and the case concerned monies held in a bank account in her name which the Prosecution alleged came from the proceeds of drug dealing in which her then boyfriend was engaged.

Ms Ahmed says that she believed that the money amounting to £7,000 was legitimately obtained by her then boyfriend from a car wash business but nonetheless she admitted the money laundering offence and was made the subject of a suspended prison sentence. She and her boyfriend split around the end of May 2013.

Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegations against Ms Ahmed proven for these reasons:

1. On 17 March 2014 at Manchester Crown Court, Minshull Street, she was convicted of concealing, disguising, converting, transferring or removing criminal property between 18 November 2010 and 23 February 2013, contrary to Section 327 and Section 334 of the Proceeds of Crime Act 2002. She was sentenced to eighteen weeks imprisonment, suspended for a period of twenty-four months;
2.
 - a. On 5 August 2003 at Manchester City Magistrates' Court she was convicted of theft by an employee on 8 March 2003, contrary to Section 1 of the Theft Act 1968. She was sentenced to a conditional discharge for a period of twenty-four months and she was ordered to pay costs of £55.
 - b. On 5 August 2003 at Manchester City Magistrates' Court she was convicted of theft by an employee on 22 March 2003, contrary to Section 1 of the Theft Act 1968. She was sentenced to a conditional discharge for a period of twenty-four months to run concurrently to the sentence as set out in paragraph 2.a above.
 - c. On 5 August 2003 at Manchester City Magistrates' Court she was convicted of theft by an employee on 7 June 2003, contrary to Section 1 of the Theft Act 1968. She was sentenced to a conditional discharge for a period of twenty-four months to run concurrently to the sentence as set out in paragraphs 2.a and 2.b above.

Our reasons are that in relation to all these particulars Ms Ahmed admits that she appeared in court on both occasions and that the convictions relate to her. She admits that she entered guilty pleas to all the charges set out in the particulars and was sentenced as indicated. We have also seen a copy of the Judge's sentencing remarks at Manchester Crown Court on 17 March 2014 (pp 37-39 in the case papers) and a copy of a certificate of conviction from the Crown Court (p 40). We have also seen a copy of the court register for 5 August 2003 (pp 41-42) covering the theft convictions which are the subject of particulars 2a, b and c.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence

Having found the facts of particular 1 proved, we further find that this serious conviction constitutes conviction of a relevant offence as defined in *The Prohibition of Teachers* guidance document. It involved a very significant sum of money derived from drug dealing committed by others. Ms Ahmed accepts that she entered a guilty plea and was represented by Counsel when she did so. The Judge considered the offence to be so serious that it merited a term of imprisonment which was suspended. We cannot go behind the fact of her conviction. In becoming involved in this criminal activity Ms Ahmed has failed to observe the high standards of ethics and behaviour expected of teachers and has damaged the collective reputation of the profession. She herself has accepted that this is an offence which is relevant to her fitness to be a teacher.

Turning to particulars 2 a, b and c we do not find that these particulars constitute either unacceptable professional conduct or conduct that may bring the profession into disrepute. In making that judgement we have taken into account the fact that the events occurred in 2003 when Ms Ahmed was in the first year of her university degree. She was aged 20. She told the hearing that she only decided to train as a teacher some 3 years or so later. She further told the panel that she disclosed her 2003 court appearance when required to do so and that, in particular, it was known to the two schools where she has worked. She was given a conditional discharge for her offences. These "convictions" are therefore now spent.

In relation to unacceptable professional conduct the events that led to Ms Ahmed's appearance before Manchester City Magistrates' Court did not occur within the education setting and there is no evidence before the panel that her conduct then affects the way that Ms Ahmed has carried out her teaching role nor that it may lead to pupils being exposed to or influenced by her behaviour in a harmful way.

We also judge that these offences occurred so long before Ms Ahmed embarked on her training as a teacher and after she had successfully completed the period of the conditional discharge that it would be unreasonable and unfair to categorise this court appearance as conduct that may bring the profession into disrepute. Indeed it seems to

the panel likely that these particulars have only been put to the teacher as a consequence of her more recent and much more serious conviction at Manchester Crown Court for money laundering.

Panel's recommendation to the Secretary of State

Prohibition orders are made, principally, in the public interest which includes:

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

Ms Ahmed is currently subject to a suspended prison sentence for money laundering the proceeds of sale of illicit drugs. We understand that her former boyfriend was involved in, and convicted of, dealing drugs. He was ultimately sent to prison. She told the panel that their relationship has now ended [redacted].

We consider that this conviction is very serious particularly the fact that the monies she handled came from sales of prohibited drugs including Class A drugs in considerable quantities. The evidence suggests that it continued over many months when payments were made from the drug proceeds towards a joint mortgage she held with her then boyfriend.

We are very troubled that Ms Ahmed continues to assert that she was not guilty of the offence despite entering a guilty plea before the Crown Court – it may be that it simply indicates she does not display any insight into the gravity of her behaviour.

Although we listened carefully to Ms Ahmed give evidence to the hearing we did not detect any real determination on her part to ensure that there is no likelihood of her being involved in any such similar conduct in the future – especially if led astray by others. We noted the circumstances of her arrest, the many months over which monies were going into her account, the fact she claims to have been duped by her boyfriend but, nonetheless, continued her relationship with him until he went to prison, the amount of drugs (said by the Police to be valued at between £4,290.30 and £6,667.70) and cash (£600.00) found at the house and the fact that she lied about her home address when questioned. All of those circumstances have substantially influenced our recommendation.

We judge that the direct link in this case with profits gilded from the sale of controlled drugs engages both the protection of pupils element of our public duty as well as our duty to maintain public confidence in the profession and uphold proper standards of conduct. We recognise that laundering drug money is properly regarded by the public as conduct that is abhorrent and totally incompatible with remaining as a member of the profession.

The circumstances of this case therefore require that a prohibition order should be imposed.

For the same reasons we cannot conceive that there will ever be a time when it can be realistic or right for Ms Ahmed to be allowed to return to the classroom to teach and interact with pupils. Nor do we believe that their parents would consider such an outcome to be appropriate.

In making this decision we have given careful consideration to the submissions advanced to the panel on behalf of the teacher and the written testimonials in the case papers. We recognise that there is some evidence that in her short teaching career Ms Ahmed has been well regarded. However in weighing the interests of the profession and the public against those of the teacher we are unanimous in recommending that the facts of this case require that a prohibition order should be imposed without any possibility of review.

Decision and reasons on behalf of the Secretary of State

I have carefully considered the findings and recommendations of the panel in this case.

The panel have found all the allegations proven and have judged that the offence in relation to money laundering amounts to a conviction of a relevant offence.

The conviction is very serious particularly the fact that the monies Ms Ahmed handled came from sales of prohibited drugs including Class A drugs in considerable quantities. The panel have noted that it continued over many months when payments were made from the drug proceeds towards a joint mortgage she held with her then boyfriend.

The panel have found a number of public interest considerations to be relevant in this case, namely:

- The maintenance of public confidence in the profession;
- The protection of pupils; and
- Upholding proper standards of conduct.

The offence was deemed serious enough for the judge to impose a custodial sentence albeit suspended for 2 years.

In the circumstances I agree with the panel's recommendations that a prohibition order is an appropriate and proportionate sanction and that the order should be without the opportunity for Ms Ahmed to apply for the order to be set aside.

This means that Ms Fatimah Ahmed 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 her, I have decided that Ms Fatimah Ahmed shall not be entitled to apply for restoration of her eligibility to teach.

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

Ms Fatimah Ahmed has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this order.

NAME OF DECISION MAKER: Paul Heathcote

A handwritten signature in black ink, appearing to read 'P Heathcote', with a large, sweeping flourish extending to the right.

Date: 14 May 2015

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