

HANSARD TRANSCRIPT – CHILD PROTECTION LEGISLATION REVIEW

Mr DRAPER (Tamworth) [6.40 p.m.]: I spoke in the House some time ago on the paltry salary increase offered to our teachers in the New South Wales public education system. On that occasion I was unable to expand on another issue due to time constraints, but today I return to the subject of child protection legislation, fulfilling a promise I made to the teachers of my electorate. I have received some 100 emails from the Teachers Federation on behalf of teachers from around my electorate, expressing their concern at flaws in this legislation. Effectively, it means teachers cannot carry out what were once everyday functions or actions. The House would be aware that the Government recently announced a review of the child protection code for teachers. To assist in this review, I want to inform the House about the everyday impacts of the current code. I relate the story of one teacher, which clearly shows the frustration caused by this legislation. The letter reads:

I am a teacher of over 25 years experience and teach Computing Studies, History and also English. I will speak about the situation I find myself in as a teacher of Computing Studies.

The Computer Rooms are popular retreats at recess and lunchtime—even before school for many students. Some come to work on class assignment tasks, others to complete Computer Studies projects and others just find the Computer Room a congenial place. Some students who find the playground a daunting environment use the Computer Room as a safe haven at times of trouble where they can sit and relax or do some educationally sound work.

But this act has had this serious consequence. I can no longer have the room open for only one or even a few students. I have made it obligatory that there be at least three or four students, usually of mixed gender before I will permit its use. I am guarding my career and my reputation!

Previously I would not have concerned myself if the room had one or two students only—with the door open, all was proper. But now I think twice about the potential students that I have to supervise and often help.

It has meant that on a number of occasions, students seeking a quiet place from the rigours of the playground have had to be turned away. On a number of occasions, students wishing to do school work or requiring my assistance with a computer matter have not been able to have my attention.

The very pupils the Act seeks to protect are now pushed into environments they don't find congenial or are denied the opportunity to do legitimate educational tasks!

The irony is galling!

This applies also to the helping of students with classroom problems once a period has ended. The definitions of child abuse are so vague that it is often unclear what is abuse and what is appropriate discipline!

A quiet, private and confidential interview with a student—the old 'quiet word'—is now under clear and obvious threat. So much for the fostering of care and trusting relationships that lead to better educational results! So is the effective use of eye contact in directing students back to task and a plethora of other appropriate techniques including the raising of the voice where it is warranted and necessary.

I, like many others, have been the victim of a minor and trivial matter I found more vexatious than real. But having been through at a local level the round of reporting, investigation and interview I am determined to ensure that my valuable professional time and that of my colleagues is not wasted in future. I can only say this has affected the development of positive and trusting relationships with students that are the basis for good pedagogy.

It is stories like these that the Government needs to hear and listen to. I have written to the Attorney General and the Minister for Education and Training to ask that the laws and guidelines surrounding child protection in our schools be urgently reviewed. I am pleased to hear that the Government is now looking at these concerns. Of course, we must balance the need for child protection with the ability of teachers to carry out their profession. This is an issue that deserves the prompt and serious consideration of the New South Wales Government. I have had many personal approaches from teachers of many different subjects. It is untenable that while teachers are trying to do their very best for our children, who are the future of this country, we are putting in place processes that clearly inhibit their ability to relate to the students and deliver the outcomes that we all strongly desire. Once again I urge the Government to look at this issue seriously. The teachers in my electorate will be waiting to hear whether their concerns will be acted upon or ignored once again.

Ms MEGARRITY (Menai—Parliamentary Secretary) [6.45 p.m.]: The honourable member for Tamworth has raised a critical issue facing schools and teachers not only in his electorate but throughout New South Wales. In my electorate of Menai similar issues have been brought to my attention, particularly by male teachers. At a time when we are trying to encourage males into the profession and keep them in the profession, especially in primary schools, the teachers feel that they are putting themselves at risk. As the honourable member said, the Government has already announced its intention to review some of the unintended consequences of the important concept of child protection. Indeed, legislation in that regard should be introduced during this session of Parliament. It is incumbent upon all members to look at that legislation closely, and to ensure that if there are loopholes or unintended consequences they are brought to the attention of the relevant Minister as soon as possible so that unforeseen problems do not arise and teachers, who are such a critical part of our children's future, are protected, but not at the risk of students.