



DETECTING THE WOLF IN SHEEP'S CLOTHING

Gaeline Phipps, Barrister

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ABOUT US

- *Gaeline Phipps, Barrister, specialises in the field of professional accountability arising from a background in criminal and family law. She has worked on cases for victims and perpetrators, and was involved in a lengthy inquiry into abuse in a medical residential treatment programme. She has advised on many hundreds of investigations involving boundary infringements among different professional groups, including teachers, and health practitioners for over 25 years and both defends and prosecutes cases.*
- *Katie Laidlaw is at the forefront of receiving and triaging complaints for the Education Council. She brings a wealth of experience from this work and the low reporting threshold in New Zealand.*

MR PARKER



- 74 charges
- 300 offences
- All victims were boys he taught
- Offences from 1999 to 2008

COLLEGE OF
TEACHERS V
HAYES [2013]
QCAT 657

- *In this Queensland case*
- *the Principal admitted that he failed to take reasonable steps to protect year 4 students from reasonably foreseeable risk of harm from sexual conduct by another teacher.*
- *Complaint by parent of a Year 4 student - sitting on knee*
- *It was found by the disciplinary body that supervision and monitoring of that teacher by the principal was inadequate, teacher was subsequently convicted of 44 sexual offences against students at the school.*
- *The principal was suspended for two years and prohibited from working as a principal, acting as a principal or as a child protection contact.*

HOOD CONTINUED

- *Act of having favourites was a potential safeguarding issue should have been reported and recorded*
- *he Panel was critical of Mr Hood for not keeping accurate records of safeguarding incidents that were brought to his attention and*
- *“that each incident was dealt with in isolation so that the cumulative pattern of Mr Leat’s behaviour was not recognised over time. Mr Hood did not identify potential or actual safeguarding issues as they arose and ... did not raise concerns with [specified officers] or go to any other external agencies for advise, and for these reasons he failed in his responsibilities.”*

SEXUAL ABUSE

- *The exploitation of a child for the sexual gratification of an adult“ (D v D [\[1992\] NZFLR 563](#))*

HISTORY CAN BE IMPORTANT

- *E.g. the father had previous convictions for indecent exposure, and he regularly bathed and showered his eight-year-old son. His history led the court go conclude these were "grooming" activities for further sexual abuse. (G v P [\[1992\] NZFLR 778](#))*

STUDIES TELL
US THAT THIS
CONDUCT IS
RELATIVELY
RARE

- *A US study finding that 7% or 3.5 million students reported having physical sexual conduct from an adult, sports teachers being the most common perpetrators. The conduct consisted of “unwanted touching of breasts, buttocks or genital region, forced kissing, hugging, oral genital conduct, vaginal and anal intercourse”.*
- *The percentage rose to 10% if the conduct of sexual exhibitionism, masturbation, inappropriate sexual comments and the sharing of pornography were included.*

CHARACTERISTICS OF CONDUCT

In Ontario 2007-2012 it was found that of the 110 teachers who had been disciplined for sexual misconduct during this period:

- *90.9% were male*
- *82% were the victim's classroom teacher*
- *9% were coaches.*
- *The average age of victims at the onset of abuse was 14 years.*
- *73% of the cases involved students being given special attention.*
- *Electronic communication played a part in 45% of the cases*
- *8% involved gift giving*
- *30% involved targeting student vulnerability*
- *24% of cases promised a romantic relationship*
- *10% provided access to drugs or alcohol*
- *3% integrating with the family's network*
- *66% of the victims were female*
- *62% of cases were fondling*
- *32% kissing*
- *26% hugging*
- *33% were vaginal intercourse*
- *14% involved fellatio*
- *3% involved anal intercourse.*

CONTINUED

The authors noted that they found cases probably only represented the tip of the iceberg, with many cases being left unreported. They stated:

“Teacher sexual misconduct is an on-going problem that requires a vigilance of educators, parents and school boards.”

And:

“This pattern raises the importance of setting and communicating clear professional boundaries between teachers and students. Violations of these boundaries should be viewed as warning signs requiring immediate and effective action, possibly through enhanced and continuous professional development for the profession as a whole, but most certainly through interventions with individual violators.”

CHARACTERISTICS OF ABUSERS

1. *Most commonly male, but not exclusively.*
2. *Perceived as wonderful teachers by students, faculty and parents.*
3. *Had often received a disproportionate number of awards for excellence in teaching.*
4. *Well-liked and trusted.*
5. *Prey on vulnerable students by providing attention, creating a feeling of specialness, leading to the relationship being construed as romantic rather than abusive.*
6. *The support given by the community to these teachers often deters reporting.*
7. *They often operate on a teenage level of maturity, may be known to make inappropriate sexual comments regarding students.*
8. *Sometimes inquire extensively into students' personal lives as part of the grooming pattern.*
9. *Often participate in extracurricular activities such as sports coaching and music.*

Special Characteristics of Female Abusers

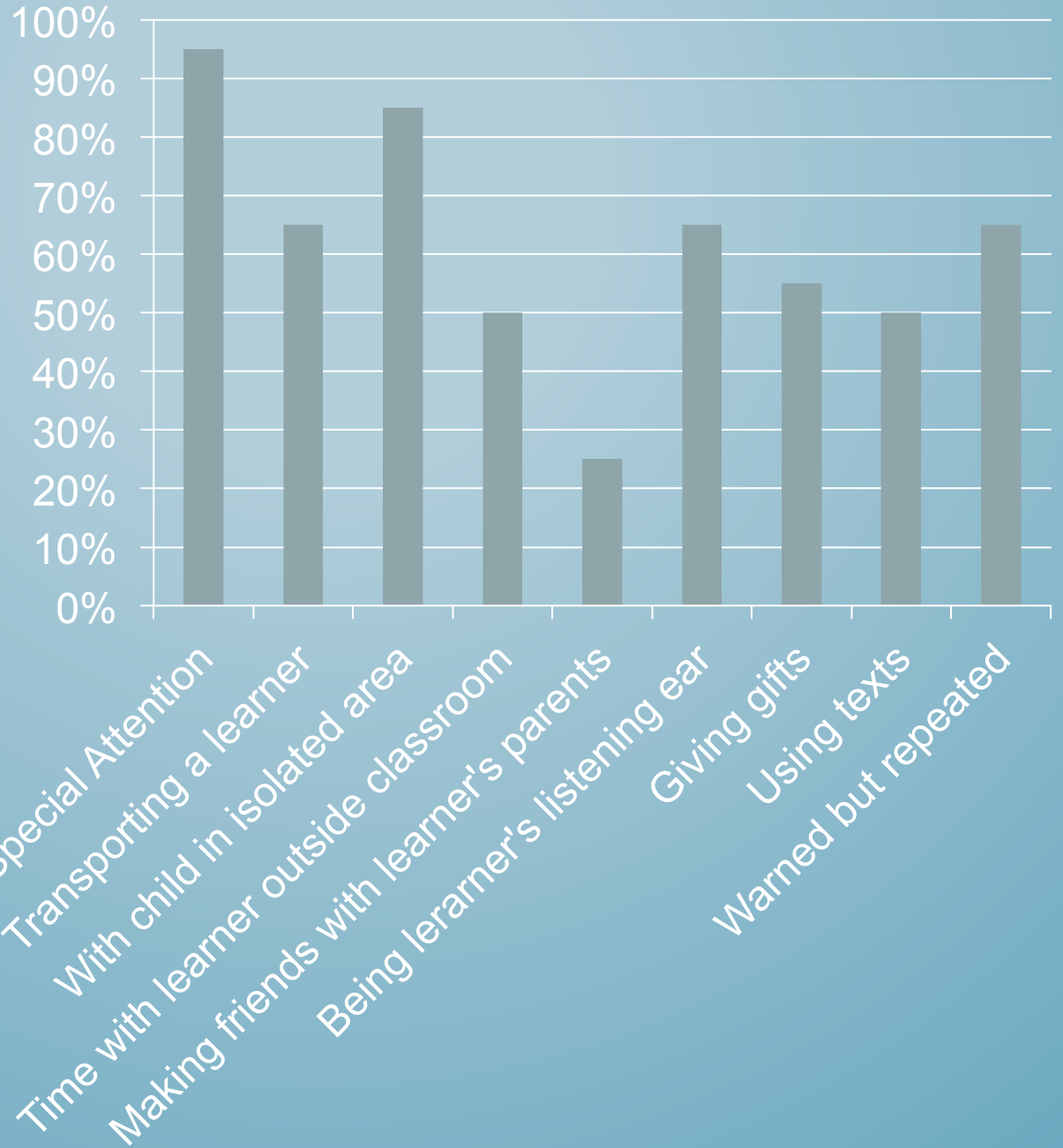
1. *Sometimes classified as romantic lovers.*

ABOUT THE
VICTIMS

Findings show that victims are:

- 1. isolated from peers and families which makes abuse less likely to be detected;*
- 2. Often shy and quiet, making them easier to control and less likely to disclose;*
- 3. or troublemakers who are less likely to be believed.*

REVIEW OF CAC CASES - WHAT WAS FOUND



WARNING SIGNS OF SEXUAL ABUSE

Warning Signs of Sexual Abuse

Warning signs are:

- 1. special attention.*
- 2. excessive time spent alone with learner outside classroom;*
- 3. frequently with child in isolated areas;*
- 4. transporting a learner;*
- 5. making friends with learner's parents;*
- 6. being learner's listening ear;*
- 7. giving gifts;*
- 8. using texts;*
- 9. having previous warnings*

Overly Affectionate Behaviour:

Such behaviour comprises:

- 1. flirtatious behaviour;*
- 2. other pupils suspicious;*
- 3. making jokes.*

WARNING SIGNS OF ABUSE

Warning Signs of Abuse	Present in the Parker Case
Special attention	✓
Excessive time spent alone with learner outside classroom	✓
Frequently with child in isolated areas	✓
Transporting a learner	✓
Making friends with learner's parents	✓
Being learner's listening ear	
Giving gifts	
Using texts	

Agreement

The Conduct we walk past is the conduct we accept.

We value and hold paramount the right of all people to be safe in our school.

We agree to maintain a culture that ensures predators, groomers and abusers have no place or opportunity in our school.

To achieve this we will, without judgment, fear or favour, report any event in which we are involved or that we observe others involved in that is questionable.

Date

There will be no oxygen for predators, groomers and abusers in our school.

Learners will be safe in our school.

Please feel free to share and use this document. When doing so you should acknowledge the source.

G Phipps, Barrister

DISCIPLINE PATHWAY

Engaged in “questionable” conduct.



Engaged in questionable conduct after warning to stop



Serious misconduct/dismissible conduct

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