

Demoted Australian principal speaks out:

"The education department is pursuing this with the zealotry of the Spanish Inquisition"

Erika Zimmer
12 May 2000

Jim Carey, the principal of Dubbo High School, west of Sydney, was demoted, suspended and removed from the school two months ago on the grounds that he was a "danger to students." Carey is one of more than a thousand New South Wales teachers who have been investigated by the state Labor government's Child Protection Investigation Unit (CPIU) (formerly the Case Management Unit) established in 1996 on the pretext of protecting students from pedophiles.

A teacher with 32 years experience, 10 as principal, married with four young children, Carey was charged late last year for "not properly managing an alleged incident between a teacher and a student." The alleged incident took place six years earlier in 1993, when Carey was the principal at Coonamble High School.

A teacher had allegedly exposed himself to a 17-year-old student in a house where they both lived. The next day the teacher told Carey he was taking the rest of the year off without pay, for personal reasons. On the same day, the student's mother asked Carey, without giving a reason or lodging a formal complaint, to remove both her sons from the teacher's class.

The CPIU charged Carey because he had not concluded from these two apparently unrelated facts that some kind of sexual misconduct had taken place. The Unit's terms of reference call for an investigation to be made on the mere suspicion of improper conduct. Those failing to report on their suspicions or initiate investigations open themselves to serious charges under the legislation.

Teachers who are charged are assumed to be guilty until proven otherwise. They cannot test the "evidence" used against them or cross-examine witnesses. Many who have been subjected to the process have had their careers and lives ruined. At least three, facing unproven allegations, have committed suicide.

When Carey appealed the CPIU's decision to demote him, the education department added two new charges and then removed him from his job. He has appealed against these additional measures. Students at Dubbo High School, teachers and residents have held strikes and rallies in his support, and he is now at home, waiting for his appeal hearing, adjourned indefinitely on March 13, to be resumed.

World Socialist Web Site reporters travelled to Dubbo, a regional city of some 38,000 in central NSW, to interview Carey. We also discussed his case with local people who universally condemned the government's action and called for Carey's immediate reinstatement.

WSWS: How did the allegations come to be made against you?

Jim Carey: A report made to Operation Paradox [a government

sponsored phone-in] in 1997 by a female teacher in Coonamble, led to a departmental investigation. In September 1997 I was rung by the Case Management Unit seeking details of what I knew about the Coonamble incident, which took place in April 1993. Nobody warned me that it was going to impact on me. I was very open and forthcoming, much to my detriment, because many of the things I said have been used against me, which is a denial of natural justice. There is no procedural fairness in that. My advice to any other teacher is not to answer any questions over the phone without legal representation.

In March 1998 the principal of the school to which the female teacher had gone rang me. He said that he had heard that they were going to charge the teacher involved in the alleged incident and when they got through with him, the education department was going to go after the principal.

I rang the CMU on receipt of this information and was told that the scenario that had been painted couldn't happen. I was lied to. In May 1998 the then education department district superintendent called me to her office to tell me that an investigation was going to be carried out in regard to the 1993 incident. I declined to answer her questions. The upshot was that I was asked to answer a set of allegations in January 1999, which translated themselves into two charges. In September a decision was handed down that the charges were proven. In October the penalty was decided on, that I should be demoted to deputy principal. I am still in the throes of appealing that determination.

WSWS: Could you describe the effect this has had on you?

Jim Carey: The effect on me personally has been pretty horrendous. I do really see that it has effectively destroyed my career. It has taken away from me any involvement in the development of Dubbo's multi-campus college, which was my idea in the first instance. On a personal level, it's with me every minute. I've woken up in the morning thinking what will the future hold for me and my family? Healthwise, I don't think it has affected me but I can't gauge what the future will hold in that respect.

I've had a tremendous amount of support from the whole Dubbo community, particularly from the students, parents and staff, from the whole of the Dubbo and Coonamble communities.

The reason why I walked down the publicity track was so that everyone would be aware of what I had done. Had I not gone down that track, there would have been all sorts of innuendoes. Twenty-six months I've been through this. They wear you down. I spoke to an assembly at the State Principals' Council and to a person they said, there but for the grace of God go I.

WSWS: Since your decision to appeal, the education department has added two new charges against you. What are they?

Jim Carey: One of those happened in 1997. The superintendent did not report that until July 1998. It has resulted in me being taken out of school because I'm a "danger to the students". If that is the case, why was I not taken out earlier? Why was it [the report] left lying in her desk? The case related to a student who was the niece of a school employee. He kicked her and the student reported it to the school counsellor, who told me. I said I did not think it was notifiable.

In the second charge against me, a very difficult student left the school and told the police that a teacher had slapped her face. The case went to court and the teacher was found to have no case to answer. According to the department, I should have reported the teacher to the CMU.

WSWS: Are you aware of similar cases?

Jim Carey: I know of many. One school principal, on the south coast, heard rumours about liaisons between a teacher on his staff and senior students. He reported the teacher to the CMU, but they did nothing. Some time later, rumours again reached the principal who, because the CMU had not acted, warned the teacher himself in no uncertain terms. The principal had charges laid against him for not notifying the CMU in the second instance. The charges resulted in him being invited to resign. When he refused, he was ordered to resign.

WSWS: What do you think has motivated the government to carry out this campaign against teachers?

Jim Carey: It's to create a culture of fear and then say: "if you don't do it our way, look what we can do to you". Once they sniffed that there was something, they pursued it with the zealotry you'd find in the Crusades or the Spanish Inquisition.

WSWS: You got a lot of support from Dubbo students, parents and teachers. What sort of objections did they make to the government's proceedings?

Jim Carey: The basis was "give us back our principal." One (local) newspaper ran a full front-page article with a headline taken from student posters, "Don't steal Jim." Dubbo High school captain Kate Williams had printed on a T-shirt, "Forget the whales—save Jim Carey."

WSWS: What is happening to you now?

Jim Carey: I went to the Government and Related Employees Appeals Tribunal (GREAT) and my legal people argued that a legal precedent had been established, that the denial of procedural fairness at the point of primary decision could not be cured by an appeal and that the [education] department should go back and do it properly. The chairman of GREAT did not agree that the precedent applied in my case and said that the appeal should continue on its merits. So that's the situation.

WSWS: What do you think should happen?

Jim Carey: My fervent wish is that I should be reinstated to the position of principal of Dubbo High School because I have done nothing which makes me a danger to kids or deserves the sort of draconian punishments that are being meted out to me. Realistically, I can see that that's not going to be the case and I will have to fight this until I can fight no longer.

Carey's is not an isolated case. Figures released last week by acting state ombudsman, Chris Wheeler, record that since the Unit was set up in 1996 over 1,000 allegations have been made against teachers. In addition, "40 teachers [have] been sacked, 40 ordered or permitted to resign, 17 demoted, cautioned or forced to take a pay cut, while 35 [are] being monitored. A further 95 [are] still being finalised. Twelve

of the teachers involved [have] died."

Already, as the two additional charges against Carey demonstrate, the Unit's jurisdiction goes way beyond "sexual abuse". Any disciplining of a student can become the subject of a complaint. However, the recommendations in Wheeler's report indicate that the Carr government intends to step up its witchhunt. The report calls for stronger powers "to discipline staff when allegations of child abuse—physical, sexual or psychological—could not be substantiated but risk remained." In other words, the report demands completely untrammelled powers over teachers.

This offensive against the democratic rights of principals and teachers is bound up with the move to force public schools to function like businesses. The education department's increasing orientation to the market requires a corresponding transformation in the relations within schools between principals and teachers, between teachers themselves and between teachers and students.

Education is being turned into a commodity with parents and students defined as consumers. Pressure is constantly applied on school administrations to attract greater numbers or face stiff funding cuts. Complaints against teachers, by students or parents, no matter how spurious, are increasingly dealt with as examples of customer dissatisfaction.

At the same time, the government's campaign against pedophiles, and its promotion of an ongoing climate of suspicion and fear, is being used to undermine any collaboration and mutual support between parents and teachers, let alone between teachers and their pupils.

Moreover, courses are being streamlined, standardised and packaged, their costs minimised and employee output maximised. Under these conditions, a minor lapse in judgement on the part of a teacher or principal, working under considerable stress and facing a myriad of educational and social problems in the classroom, is being converted into a sackable offence.

The rights and welfare of teachers and students are being sacrificed on the altar of "cost effectiveness". Teachers who might render a school less "marketable" are being weeded out. Principals not prepared to toe the line, to discipline or sack staff on the most nebulous grounds, or teachers who refuse to rat on their colleagues, can expect, like Carey, to fall under the iron fist of the CPIU.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact