

Australia: school principal denounces removal of teacher

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At the beginning of the 2005 school year, the Labor government in the Australian state of Victoria forced a young teacher to resign. Andrew Phillips, who taught at Orbost Secondary College in rural Victoria, was suspended from teaching for a minor sexual offence he committed over a decade ago (See “Australia: Victorian government forces young teacher to quit”)

Phillips resigned from the Education Department in February, rather than face being sacked under recent legislation that deems any person convicted of a sexual offence against a child ineligible for employment in the teaching service, irrespective of the date of conviction. The Miscellaneous Amendments Act 2003 is one of a range of measures introduced to intimidate and make it easier to dismiss teachers and principals.

In 1992, prior to beginning his teaching career, Phillips, then aged 20, had a consensual relationship with a girl who was 15. He was charged with a sexual offence, but no conviction was recorded and he was released on a good behaviour bond.

The details of his plight only came to light after the principal at Orbost Secondary, John Brazier, wrote to the media protesting his treatment and insisting that the government reinstate the young teacher. Brazier spoke to the WSWS about his decision to take up the case publicly.

Can you describe Orbost Secondary College and your own record?

Orbost is a Year 7-12 government school with about 370 students. There are 35 teachers at the school. Orbost was a strong timber town but a number of the mills have been closed over the last ten years. It's a town that has gone through hard times. I have spent 15 years in the Victorian government education system, and 20 years in independent schools. This is my second year at Orbost.

Can you give a brief description of what Andrew Phillips was like as a teacher?

I appointed him last year. He had taught at a country technical college for five years prior to that. He has an unblemished record and was known as an outstanding teacher. He is very good with the less motivated students. The kids love him. He is a real character. He was always throwing himself into extra things like the cricket tour. For the last week of the holidays he took a team of country school kids to go and play against schools in Melbourne. For instance they played against Brighton Grammar, and won. He then finds out through the pages of the [Melbourne] *Herald Sun* that he is going to be sacked just when he gets back. It seems the Department may have leaked this to the press.

Principals have generally been reticent to speak out about issues in education. Why did you take up this particular issue?

I think I would always stand against something that was very wrong. I didn't expect the amount of debate that has followed the letter I wrote to the *Age*. I took all this up on the first day back from the holidays. Andrew Phillips found out about all of this then. I wrote a letter to a senior member of the Department and I didn't even get a response. I said that I would assist this teacher in every way that I could and through every channel. Nobody I've spoken to says that there is any justice in how the government is treating Phillips. Can you give me any other example of how someone can be punished twice for the same offence? The government clearly hasn't accepted the magistrate's decision. He said that the incident in 1992 would not affect Phillips' career. And Andrew never hid it from anyone.

I know that there was an age gap between Andrew and his girlfriend at the time, but if she had been only two months older it never would have been an issue. I

have repeatedly said that there is no place for paedophiles in schools, but Andrew is not one, and he is no danger to the students. With retrospective legislation, Andrew is being punished twice for the same offence. I can't think of this happening in any other profession.

What has been the impact of this on the students and teachers at your school?

For a term the students have had a very piecemeal education in the subjects that Andrew taught. We've tried to cover his loss as best we can. The VCE [final year] students doing Accounting have been enrolled in Distance Education so that at least they can have a body of notes. It's not the best way to go. Kids have a great sense of justice, more so than many adults. There isn't one student who is pleased to see him go. If there is a family at the school who agrees with the government decision I haven't heard from them. Amongst the teachers there is unanimous support. They're calling for his reinstatement. They wrote to the minister but there was no response. They have also written to the media. I have had about 200 contacts via e-mail, letters and phone calls from various people in the community. They have written to me saying that this is terribly important. None have disagreed with what I wrote. I don't know where the support for the government is coming from. I suspect it is from those that are unaware of the facts. The government is playing on that, but they can't play on it forever.

How will this impact on Phillips and his family?

He is a tough country boy who will get on with his life. I don't know what career he will take up but knowing the man he will be successful. It's hard when you're in a country town. He will probably have to leave for work. The initial advice he received was to resign quietly along the lines "if you resign you will have a better chance of getting a job elsewhere".

This came from the union?

Yes.

Do you think this was good advice?

No, I would never resign. I can understand that he was worried about the future and maybe getting a job elsewhere. But you never go quietly.

In the 1970s the union organised campaigns to defend victimised teachers.

Yes, I was part of that. We're not as militant as we used to be. There is a lot of wheeling and dealing

between unions and government now.

Why do you think the government has pressed so hard in this case?

It is typical of politicians. They cannot admit to a mistake. The original bill would have exempted Phillips. But the Labor Party bowed to the opposition and even more so to the Anglican and Catholic churches. I find all this amazing. The vast majority of people support Andrew. He declared his record twice, as well as in Western Australia and I think in New South Wales. They were all happy for him to come into teaching. There is huge public support for him, yet there is no right to appeal against this retrospective legislation.

How do you think this impacts on education generally?

You don't know where this will finish. Could it later apply to drink driving? If you are found guilty of such an offence perhaps the government will move against you. It worries me. Who would want to go into the education profession? Young people will say, "We will do something else". The government can just move the goal posts whenever it likes.



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