



**Teachers
Registration Board**
OF SOUTH AUSTRALIA

**OCTOBER 2024
REPORT**



TEACHER UNPROFESSIONAL CONDUCT AND INCAPACITY: Insights from the data

**Associate Professor Debra
Panizzon with Brett Dixon
and Leonie Paulson**

**Teachers Registration Board
South Australia**
www.trb.sa.edu.au

Contents

List of Tables	iv
List of Figures	v
1. Introduction	1
2. Purpose of Study	2
3. Historical Regulatory Authority Context for Study	2
3.1 TRB is a notification-based system	2
3.2 Legislative changes over time	3
3.3 Working with Children Checks	4
3.4 Mutual recognition	5
4. Ethical Integrity	6
5. Research Design	6
5.1 Research questions	6
5.2 Teacher cases	6
5.3 Data methods and analyses	8
6. Results and Discussion	10
6.1 Age by categories and sub-categories of matters	10
6.2 Gender by categories and sub-categories of matters	14
6.3 Years of registration by categories and sub-categories of matters	16
6.4 Sexual violations	17
6.5 Notifiers and categories of matters	19
6.6 Teacher qualifications	22
6.7 Teaching context at time of incident	30
6.8 Teaching context at time of notification	36
6.9 Outcomes for matters	41
7. Conclusions	43
7.1 Patterns across categorisations	43
7.2 Prevalent matters and characteristics	45
7.3 Notifications	46
7.4 Patterns across ITE qualifications	47
7.5 Employment settings and specialisations	48
8. Future Considerations	49
9. Acknowledgements	49
9. References	49
Appendix 1	51

List of Tables

Table 5.1.	Categorisation of teacher allegations	9
Table 6.1.	Age at time of incident by category and sub-category of matters (<i>N</i> =233)	13
Table 6.2.	Age at time of notification by category and sub-category of matters (<i>N</i> =233)	14
Table 6.3.	Years of registration by categories and sub-categories of matters	16
Table 6.4.	Notifier of matters (<i>N</i> =233)	20
Table 6.5.	Notifier by general category of matter by sub-categories (<i>N</i> =233)	21
Table 6.6.	Summary of ITE providers, general categories and sub-categories of matters (<i>N</i> =233)	25
Table 6.7.	ITE program of registrants, general categories and sub-categories of matters by (<i>N</i> =233)	27
Table 6.8.	Specific sites at time of incident by category of matter (<i>N</i> =233)	32
Table 6.9.	Details for sites with 2-3 matters at the time of the incident	33
Table 6.10.	Specific sites at time of notification x category of matter (<i>N</i> =233)	38
Table 6.11.	Details for sites with 2-3 matters at the time of the notification	38
Table 6.12.	Initial outcomes assigned to categories of matters	42
Table 6.13.	Final (current) outcomes assigned to categories of matters	43
Table 7.1.	Categorisation and frequency of teacher matters (<i>N</i> =233)	44

List of Figures

Figure 5.1. Country of birth of registrants ($N=233$)	7
Figure 5.2. Type of application for registration with the Board ($N=233$)	7
Figure 6.1. Age at the time of the incident ($N=233$)	10
Figure 6.2. Age at the time of the notification ($N=233$)	10
Figure 6.3. General category of matters ($N=233$)	11
Figure 6.4. General categories x sub-categories matters ($N=233$)	11
Figure 6.5. Age at time of incident x general category of matters ($N=233$)	11
Figure 6.6. Age at time of notification x general category of matters ($N=233$)	12
Figure 6.7. Gender by type of general category of matters ($N=233$)	15
Figure 6.8. Gender by type of general category and sub-categories of matters ($N=233$)	15
Figure 6.9. Sexual violations categorisations: Personal versus professional in nature ($n=122$)	17
Figure 6.10. Sub-category of sexual violations: Personal versus professional in nature ($n=122$)	18
Figure 6.11. Sexual violations by age at incident: Historical versus non-historical in nature ($n=122$)	18
Figure 6.12. Sexual violations by age at notification: Historical versus non-historical in nature ($n=122$)	19
Figure 6.13. Historical sexual violations by sub-category: Personal versus professional in nature ($n=36$)	19
Figure 6.14. Application type ($N=233$)	22
Figure 6.15. Number of qualifications held by registrants ($N=233$)	22
Figure 6.16. Geographical location of ITE providers for registrants ($N=233$)	23
Figure 6.17. Providers of ITE programs ($N=233$)	23
Figure 6.18. Summary of ITE qualifications for cases ($N=233$)	24
Figure 6.19. Employment setting/position of registrants at time of incident ($N=233$)	30
Figure 6.20. Employment setting at time of incident and sub-categories of matters ($n=171$)	30

Figure 6.21. Specialisation or position held at time of incident (<i>N</i> =233)	31
Figure 6.22. Employment sector/position of registrants at time of incident (<i>N</i> =233)	31
Figure 6.23. Specific sites at time of incident (<i>N</i> =233)	32
Figure 6.24. Geographical location at time of incident	35
Figure 6.25. Employment setting of registrants at time of notification (<i>N</i> =233)	36
Figure 6.26. Specialism or position held at time of notification (<i>N</i> =233)	36
Figure 6.27. Employment sector/position of registrants at time of notification (<i>N</i> =233)	37
Figure 6.28. Specific sites at time of notification (<i>N</i> =233)	37
Figure 6.29. Geographical location at time of notification	41

1. Introduction

Schools are highly valued in Australian society and have a broader role than educating children in literacy, numeracy, and other formal subjects. Schools promote children's health, safety, and wellbeing, and impart social and life skills, cultural values and, in the case of many non-government schools, religious values (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017, p. 9).

Paramount to achieving this end for our children is a professional teaching workforce. While it is expected that teachers meet a specified standard of education, they also need to act as both moral agents and values educators (Australian Institute for Teaching and School Leadership [AITSL], 2018; Campbell, 2006). The Australian Council of Professions (2003) defines a profession as:

A disciplined group of individuals who adhere to ethical standards and who hold themselves out as, and are accepted by the public as possessing special knowledge and skills in a widely recognised body of learning derived from research, education, and training at a high level, and who are prepared to apply this knowledge and exercise these skills in the interest of others.

Each profession has a particular code of ethics and conduct that governs the aspirations, activities, and ways in which individuals within the profession are expected to function and behave. Generally speaking, membership of a profession is an indicator of integrity, trust, high standards of behaviour, and expertise (Forster, 2012).

It is the Teachers Registration Board of South Australia (the Board) that has a duty pursuant to the *Teachers Registration and Standards Act 2004* (the Act) of establishing and maintaining a system of registration of teachers and professional standards for teachers with a view to safeguarding the public interest. This is achieved by ensuring that the teaching profession in South Australia is of a high quality with members being competent educators and fit and proper persons to care for children.

The Board is endowed with the ability to screen, monitor, and assess the suitability of individuals to be, or continue to be, registered as teachers. To ensure the high standards of the profession are maintained, the Board's Investigation Unit receive, assess, and investigate allegations pertaining to:

- teacher unprofessional conduct (as defined in the Act), including incompetence, to determine whether there is proper cause for disciplinary action;
- teacher as not a 'fit and proper person' to be a registered teacher; and/or
- teacher incapacity to teach due to impairment by an illness or disability that affects behaviour or professional competence.

The Investigations team probe teacher allegations on a case-by-case basis. The work is highly intensive requiring rigorous and methodical collection, collation, and analysis of all available evidence. This evidence is used to assist the Registrar in determining whether to refer a matter to the Crown Solicitor's Office for advice as to laying of a complaint pursuant to Part 7 of the Act and/or Admissions Hearing pursuant to Part 5 of the Act.

2. Purpose of the Study

The focus of this project was to explore possible patterns across individual teacher cases by collating and analysing key data available. These data may exist: (i) as hardcopy documentation on file; (ii) notes and information entered in the Teachers Registration Board (TRB) CRM data base; and (iii) from electronic documentation for individual teachers saved in TRIM. Synthesis of these demographic data for individual teachers provided an opportunity to identify general patterns of similarity and difference across teacher cases but also in relation to particular groupings of teachers (i.e., primary vs secondary teachers).

As a research project it was paramount that the study was undertaken using processes and procedures that are ethical and following guidelines pertaining to research standards. To achieve this end, research protocols and processes around the identification, mining and analysing of data were devised and recorded to enhance both the validity and reliability of the findings. As an initial study for the Board, it facilitated the capture of baseline data for future comparisons whether these be within South Australia or across other jurisdictions.

Given the highly sensitive nature of these data, Teacher Regulatory Authorities (TRA) are in a position to oversee this type of research in order to ensure the level of integrity and confidentiality required. The Board is well-placed to conduct the study given the availability of a resident educational researcher.

3. Historical Regulatory Authority Context for Study

The data analysed in this report were collected at particular 'points in time'. While every intention was made to interpret these data appropriately, it is important to understand the confines within which the Board operates including changes in legislative requirements over time. Within this section these requirements and constraints are identified and explained.

3.1. TRB is a notification-based system

The Board have a duty to screen, monitor and assess the suitability of people to be, or continue to be, registered as teachers to safeguard the public interest and to ensure teachers are competent educators and fit and proper to have the care of children. Unlike Victoria, Australian Capital Territory, New South Wales, Queensland, Tasmania, and Western Australia¹ there is no reportable conduct scheme operating in South Australia. Reporting of risk to children occurs to an independent regulator across a broader sector that includes early childhood education and to all practical purposes this variation may make little difference.

Suitability to teach encompasses both professional conduct and capacity, i.e., the behaviour of teachers, as well as the fitness of teachers to perform their role. The Board receives notifications regarding teachers from a range of sources including:

- self-notifications;
- employer notifications;
- results of Nationally Coordinated Criminal History Checks (NCCHC);
- South Australia Police (SAPOL) and the Office of the Director of Public Prosecutions (DPP);
- parents and carers;
- other regulatory authorities with a child-centric focus;

¹ Commenced 1 January 2023

- Central Assessment Unit (CAU), Department of Human Services; and,
- other sources including media, colleagues, and interstate regulatory authorities.

A key factor with notifications is the timing. When a notification is received a thorough assessment is conducted with serious matters referred for detailed investigation. Notifications occur throughout the year, but often increase over a four-month period of renewal of registration (between October and end January of the next year). This results in a period of notification intensity.

The Board transitioned from three-year to five-year² registration periods post this study and the impact of further staggering of the teacher cohort over a longer registration cycle is yet to be experienced.

3.2. Legislative changes over time

A Teachers Registration Board (TRB) was established under the *Education Act (1972)* Part IV (as amended). Teachers were first registered in South Australia in 1976. The functions of the Board highlighted the need to protect the public interest by:

- ensuring that only competent persons provided pre-school, primary and secondary education,
- collaborating with tertiary education providers to ensure students received education and training to meet registration requirements, and
- working with other teacher regulatory authorities to promote consistency in standards and qualifications required for registration.

By 2004 it was clear the provisions of the *Education Act (1972)* no longer met the expectations of the community or national standards required for the registration of teachers. A Teacher Registration Bill was proposed to establish the TRB as an independent body under its own legislation. The *Teachers Registration and Standards Act 2004* and *Teachers Registration and Standards Regulations 2005*, established the body to regulate the teaching profession, were proclaimed on 31st March 2005. The data for the present study focuses on matters heard and determined by the Board since the proclamation of the Act and Regulations in 2005 under Part 7 and/or Part 5 of the Act as follows:

- Part 7 – Inquiry Hearing - allegations of unprofessional conduct against teachers to determine whether there is proper cause for disciplinary action.
- Part 5 – Admissions Hearing – on application for registration (new or renewing) to determine if a person is ‘fit and proper’ to be registered as a teacher.

3.2.1. Prescribed offences – power to suspend registration

On 20th December 2018, section 34A(1)(a) of the Act came into operation, providing the Registrar with the power to suspend a teacher’s registration following receipt of information that the teacher had been charged with a prescribed offence(s) set out in regulation 12A of the (former) Regulations. The list of offences prescribed were the more serious criminal matters including, amongst others, (i) aggravated offending where physical harm occurred; (ii) archetypal historical offending perceived as life-ending or life-limiting; and (iii) known pre-disposition offending leading to child harm.

The change was a significant one, as the effect of being charged with a prescribed offence was, in nearly all cases, where the Registrar exercised power to immediately suspend registration without exercise of natural justice to the teacher. Upon a 60-day review of that suspension, the Board reviewed the decision and set an expedited course for examining whether proper cause for disciplinary action existed³. This expedited the course of action and necessarily involved a sharpening

² Five-year registration commenced on 1 July 2021.

³ The effect of section 34A – see subsection 34A(4) in particular

of focus on the significant elements of substantive allegations, distinguished from a possible approach of 'coverage' in respect of a range of allegations. The impact of this change in process and any impact on the foci of investigations is too early to gauge, both in terms of case numbers evaluated in this study and opportunities to select a sub-set warranting future evaluation.

3.3. Working with Children Checks

On 1st July 2019, the *Child Safety (Prohibited Persons) Act 2016* (CSPP Act) commenced operation. Section 15 of the CSPP Act sets out those persons who are prohibited from working with children. Consequential amendments to the Act also came into effect on 1st July 2019. Section 24A of the Act provides for the automatic cancellation of registration of prohibited persons. The impact of this change was significant. In practice it meant that those teachers who were charged with serious criminal offending no longer would experience delays in anticipating impact of those untested allegations/charges on their teacher registration.

Post 1st July 2019 registration was automatically cancelled absent any administrative action by the Registrar, upon another responsible third-party regulator⁴ determining factors (whether criminal in nature or not), sufficient to demonstrate a prohibition from a teacher holding a Working with Children Check (WWCC). From this time no application for initial grant or renewal of registration could continue absent proof of holding a recent, valid WWCC⁵. The effect of this prohibition from holding a WWCC meant disciplinary matters under the *Teachers Registration and Standards Act, 2004* would not be required to be commenced/completed as teacher registration was cancelled by automatic legislative force.

The study included a small number of section 24A cancellations that occurred between 20th December 2018 and 12th April 2021. These examined matters where a teacher was prohibited from working with children and hence their registration was cancelled.

Effective from 1st July 2021 the *Teachers Registration and Standards Act 2004* was further updated to address national child safety and information sharing measures arising from various inquiries and Royal Commissions, as well as replacement regulations being proclaimed (i.e., both *Teachers Registration and Standards Regulations 2021*). These amendments help to ensure that the Teachers Registration Board can further protect the integrity of the teaching profession by ensuring only fit and proper persons have the care of children. Under these changes:

- Child safety measures were strengthened to ensure the welfare and best interest of children is the paramount consideration of the Board.
- Improved reporting obligations occurred where employers must notify the Board when allegations of unprofessional conduct are made against a teacher. Previously, employers notified the Board (and are still required to) if a teacher is dismissed for, or resigns, in response to allegations of unprofessional conduct.
- Specific reference to incompetence was included within the definition of unprofessional conduct in the Act, making it clear it was always intended to be included. Employers must report allegations of incompetence of a teacher to the Board.
- Special Authority to Teach (SAT) holders are required to meet the same rigorous obligations as registered teachers, including notifying the Board of events that may prohibit them from teaching. Note that SAT holders are not the subject of this study.
- New provisions allowed for the suspension of a teacher who failed to comply with requests for information relating to a complaint.

⁴ Here the Central Assessment Unit of the Department of Human Services

⁵ By virtue of amendments to the TRS Act – subsection 21(1)(c)

- A new section Part 9A to address information sharing between co-regulators, teacher regulatory authorities and other service providers focussed upon disclosure to prevent harm being caused to a child, to manage any risk to a child or children, or to meet official functions relating to the “*health, safety, welfare or wellbeing*” of a child or children.
- An amendment to section 34A (see 3.2.1) to include a second ground for suspension by the Registrar based upon her reasonable suspicion that a teacher “*poses an unacceptable risk to children*”.

In the study, there were a small number of cases pertaining to section 34A suspensions having been charged with a prescribed offence.

3.4. Mutual recognition

The Mutual Recognition Act, 1992 (Cth) (‘the MR Act’) was introduced by the Commonwealth and adopted by State Governments aimed at increasing occupational mobility including teachers. The effect is that teachers currently registered elsewhere in Australia who subsequently make an application to South Australia absent outstanding disciplinary actions can apply to be registered in South Australia without further suitability review. Of similar application, the *Trans-Tasman Mutual Recognition Act 1997* (Cth) applies to teachers first registered in New Zealand.

The study included 34 cases where teachers were first registered elsewhere than in South Australia. Data on interstate mutual recognition (MR) teacher applicants does not reveal any disproportionate inclusion of teachers relying on MR principles.

4. Ethical Integrity

Investigating the conduct and matters around teacher unprofessional conduct, incapacity and incompetence is a specialised field. As a key role of TRAs in Australia, it is important to acknowledge the high degree of probity and ethical accountability required by an Investigations Team in working through each teacher case. Hardcopy case files are kept under lock and key with the Investigations Team while electronic documentation, notes and demographic information stored on the CRM system is secured, only accessible by the Investigations Team. Access to these files is only possible through the Principal ICT Advisor pending approval by the Manager of Investigations.

It was imperative that any research accessing teacher data was undertaken with a high degree of sensitivity to ensure anonymity and privacy of individual teacher information. The Research Analyst conducting the project sought approval from the Manager of Investigations to gain access to all necessary documentation. As an experienced researcher and university academic, all research was conducted according to the principles outlined in the *National Statement on Ethical Conduct in Human Research* (NHMRC, 2018). These principles are used by all universities and medical institutions across Australia to judge the ethical appropriateness of research studies involving human subjects. As an employee of the Board, the Research Analyst has a current Working with Children Check and signed a confidentiality agreement for all work conducted within the agency.

5. Research Design

5.1. Research questions

Underpinning the focus of the project was a series of questions. The purpose of these was to ensure that the data collected and analysed were pertinent and informative to the work of the Investigations and the Board more generally.

1. In general, what are the most prominent categories and sub-categories of matters evident across cases? To what extent are these patterns influenced by variables, such as the age of registrants, gender, or years of registration held by teachers?
2. Are there specific sub-categories of matters that are more prevalent? If so, what are the characteristics of registrants involved (i.e., age, gender etc.)?
3. Who are the key notifiers of matters? Is there a pattern across categories or sub-categories of matters? What type of registration was held by registrants at the time of notification?
4. Who are the major providers of ITE qualification of registrants? Are patterns identifiable across the type of ITE qualifications and category/sub-category of matters held by registrants?
5. What patterns emerge around the educational contexts of registrants at the time of the matter? What is identifiable about the specialisations of registrants? Are there any patterns around the employer sectors and/or the geographical location of the sites of registrants?

5.2. Teacher cases

Selection of cases for inclusion in the project was decided based upon matters heard and determined by the Board since the proclamation of the new Act and Regulations in 2005.

A total of 222 teacher cases comprised the study when initiated in 2021. These consisted of two sets of cases.

1. 201 cases representing matters heard before the Board between 7th June 2005 and 31st August 2020.

- 21 cases pertaining to section 34A suspensions and section 24A cancellations between 20th December 2018 and 12th April 2021

However, an additional 11 cases (hearings before the Board) were added in May 2022 producing a research sample of $N=233^6$ cases. Of these, 64 individuals identified as female and 169 as male. The majority of these registrants were born in Australia (i.e., $n=195^7$) with 18 other countries represented (see Figure 5.1).

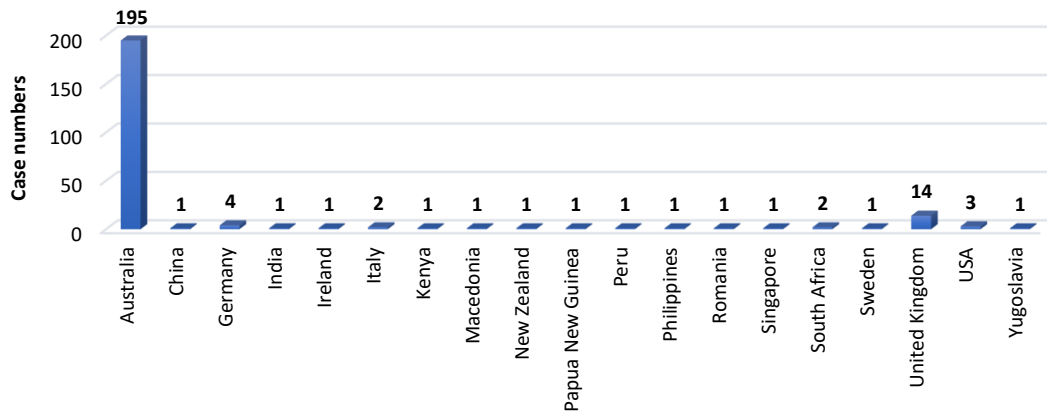


Figure 5.1. Country of birth of registrants (N=233)

The initial applications for registration received by the Board are presented in Figure 5.2. As shown here the majority of applications ($n=175$) came from exit students from the four ITE providers in South Australia. Two of the applications were either refused by the Board or withdrawn by the applicant because of an issue with the Working with Children Check. Thirty-four were either Mutual Recognition Applications (MRAs), individuals registered interstate or in New Zealand. The highest of the MRAs was from Victoria with another identified in the records as ‘Registered VIT’ although it is likely this represents another MRA. There were nine ‘Overseas’ applications representing MRAs from New Zealand. Note the 22 applications that could not be coded as there was not enough information available in the available records. In most of these cases there appeared to be a gap between the date of conferment of the ITE qualification and the year in which the teacher applied for registration with the Board. It might be predicted that these individuals were teaching or working overseas or interstate in some capacity before returning to Australia and seeking registration as a teacher in South Australia.

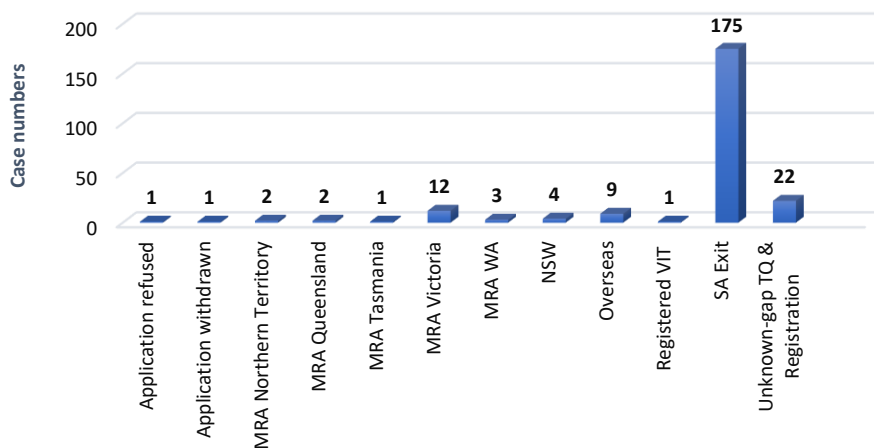


Figure 5.2. Type of application for registration with the Board (N=233)

⁶ N represents the total number of cases comprising the research sample

⁷ n represents a sub-set of the total research sample

5.3. Data methods and analyses

Paramount to this study was the identification and collation of teacher data from individual case records onto a single spreadsheet to facilitate data analysis. The Investigations Team provided two spreadsheets summarising teacher cases since 2005 that were merged into a single spreadsheet for the study. During an initial conversation with the Manager of Investigations and the Registrar, a number of data fields were identified (e.g., type of registration, years of registration, site in which the teacher was working) and entered on the spreadsheet. Additional data fields were also included to ensure that the datum necessary to address each of the Research Questions guiding the study were collected for analysis.

The next step was to read through all case documentation and notes to retrieve appropriate datum and enter it on the spreadsheet. Data were extracted from electronic and hardcopy documents (i.e., Board Decision) and the TRB data base (i.e., CRM). Extricating the relevant information was extremely intensive requiring careful reading and then insertion of appropriate datum into the spreadsheet. It should be noted that while all attempts were made to extract all data for each case, this was not possible. There are a number of reasons for this outcome.

1. Depending upon the nature of the case, particular data may not have appeared in the documentation e.g., the subject specialisation of a secondary teacher.
2. CRM was introduced at the TRB in 2008 with teacher data from the old system being moved across into similar fields in CRM. As a result, there may be missing fields in the current system for teachers entered using the old system. With changes in these systems, the parameters of the data collected will have changed over time i.e., registrants identifying as Aboriginal and Torres Strait Islander background. As such, there was considerable diversity around the level of data available for older entries on CRM compared to teacher registered more recently.
3. Some cases were quite dated with teacher hardcopy files stored safely in the basement so that accessing these documents would require additional time and personnel. The decision was made for this project to identify missing data as 'Unknown'.

The data mining and collation process was highly iterative and intensive requiring the coding of specific data into particular categories. A key set of data was identification of the major categories and sub-categories of teacher matters. This was achieved working with the Manager of Investigations to produce the categories identified in Table 5.1. As observed here, three major categories are used in this report including Incapacity, Incompetence and Unprofessional conduct. Within each of these there are a number of sub-categories, which are used consistently throughout the report.

The final spreadsheet used for analysis consisted of 47 data entry points for each of the 233 cases. Once completed, the data were 'cleaned'. This involved making decisions that would ensure a high level of consistency across the data. For example, rather than identify Adelaide College of Advanced Education and Salisbury College of Advanced Education as separate teacher education providers, these were pooled and identified as South Australian Colleges of Advanced Education. However, these were subsequently merged to become the University of South Australia in 1991. In other instances, the same term (e.g., Unknown) was applied consistently for particular gaps in the data.

Table 5.1. Categorisation of teacher matters

Categories	Sub-categories
Incapacity	Physical disability Mental health
Incompetence	Unsatisfactory performance
Unprofessional conduct	Accessing adult pornography on site Adult sexual offending (e.g., indecent filming; sexual harassment of staff; sexual assault) Assault/violence of students (e.g., pushing, shoving, hitting, punching by teacher) Boundary indiscretions students (e.g., inappropriate communication of personal information with students; use of social media inappropriately; invading students' personal spaces; touching shoulder/back) Child exploitation material (e.g., accessing child pornography) Child sex offences (e.g., sexual relationship; procurement/grooming/stalking; inappropriate sexual touching; USI children/student; sexual assault of child in family) Dishonesty/theft (e.g., falsification of documents) Driving under the influence (DUI)/dependency (e.g., alcohol/drugs) Irresponsible behaviour (e.g., leaving students unsupervised at a camp; contravening condition of registration) Murder/manslaughter Possession illicit drugs (e.g., trafficking/possession)

In terms of analysis, teacher demographic data was analysed initially (i.e., gender, age, years of registration, nationality) in relation to the categories and sub-categories of matters. Once completed, more complex analyses were undertaken (i.e., type of registration at time of incident across the category of matter). To do these analyses, pivot tables were generated from which graphical representations of the data were produced. A full list of the analyses completed as part of the research is summarised in Appendix 1. Importantly, with the data entered on the spreadsheet it is now possible to continue analyses should ideas emerge from discussions of the findings presented in this report.

6. Results and Discussion

In this section, findings are presented at a range of different scales beginning at the broadest level moving to a more detailed analysis of the data and its interpretation.

6.1. Age by categories and sub-categories of matters

The age of registrants at the actual time of the incident is summarised in Figure 6.1. As demonstrated here, all age levels are represented with the mode (i.e., most frequently occurring) being 26-30 years of age ($n=34$), followed closely by 31-35 ($n=33$), 46-50 and 51-55 (both with $n=30$).

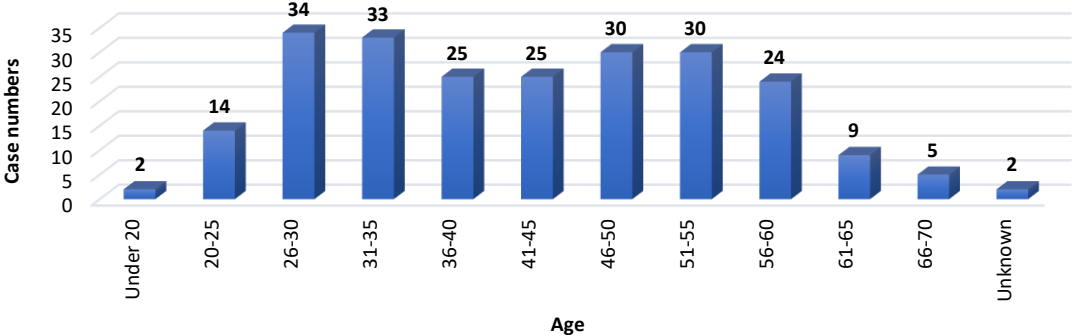


Figure 6.1. Age at the time of the incident ($N=233$)

In contrast, Figure 6.2 provides an overview of the age of registrants at the time of notification of the matter to the TRB. The mode is 56-60 years of age ($n=37$), followed closely by 51-55 years ($n=35$), then 31-35 years and 46-50 years (both with $n=34$). Notification usually occurs close to the time of the incident. Exceptions to this might include historical cases of sexual misconduct (where individuals may report events long after they occurred) or those involving teacher Incapacity or Incompetence where performance management may have been operationalised in a site to work through a process with the teacher involved. This may result in a time difference between the date of an incident and the date when the Board was notified.

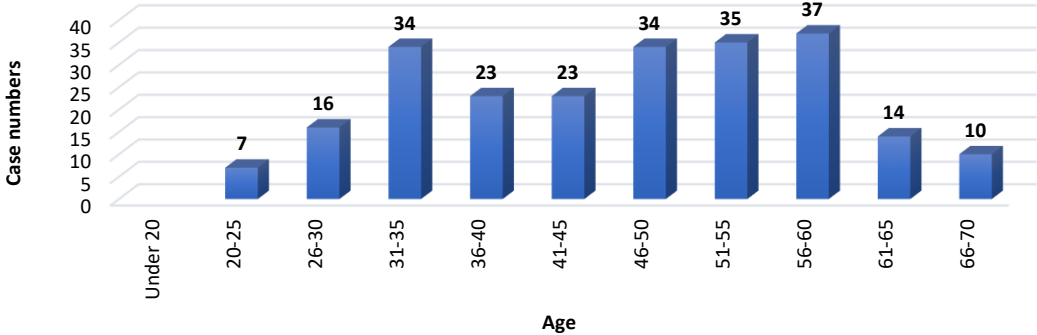


Figure 6.2. Age at the time of the notification ($N=233$)

The number of cases comprising each of the three broad categories of matters are summarised in Figure 6.3. As observed, the majority of cases were demonstrative of Unprofessional conduct ($n=178$).

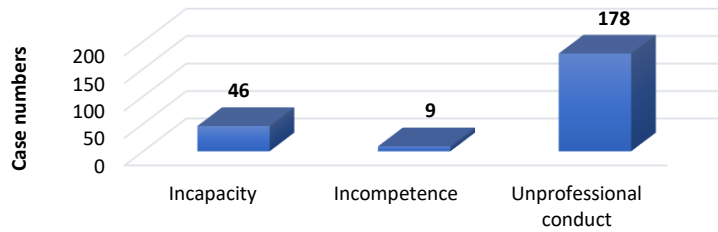


Figure 6.3. General category of matters (N=233)

When considered in relation to sub-categories of matters, the pattern observed in Figure 6.4 emerges. It is interesting to note the following:

- 70% of cases categorised as Incapacity related to mental health (i.e., depression, anxiety, personality disorders, Post-traumatic Stress Disorder (PTSD) with the remaining 30% representative of physical disabilities (i.e., limited sight); and,
- 38% of all cases aligned to the category of Unprofessional conduct related to Child sex offences, followed by 15% for Boundary indiscretions with students, then 11% for Child exploitation material.

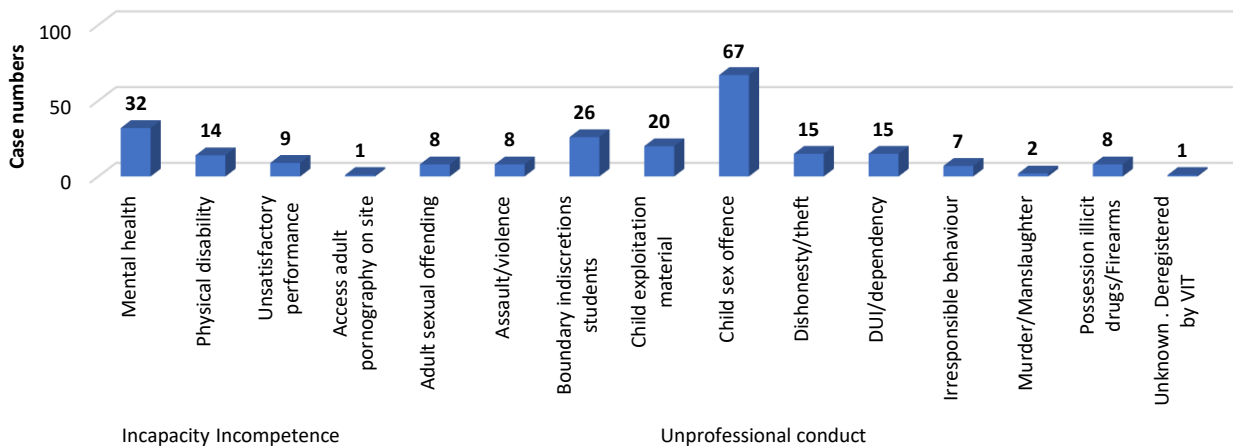


Figure 6.4. General categories x sub-categories matters (N=233)

The next level of analysis is to consider the age at the time of the incident with the category of matter. Figure 6.5 summarises these data showing a fairly even spread of cases across all age levels for the category of Unprofessional conduct with a peak over 26-35 years of age. While there is a similar spread for the category of Incapacity, the number of cases predominates in the ages of 46 years and above. In contrast, cases of Incompetence are spread very evenly across 26-55 years of age.

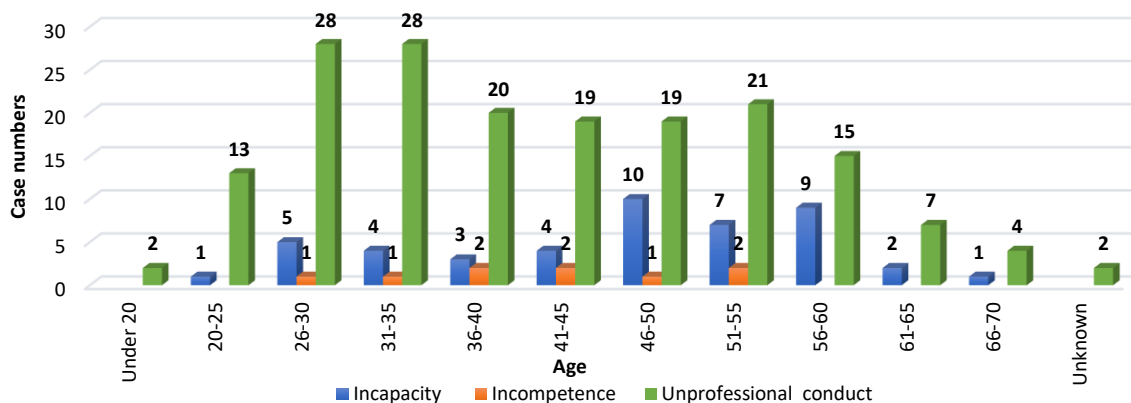


Figure 6.5. Age at time of incident x general category of matters (N=233)

In terms of age at the time of notification, Figure 6.6 demonstrates similar patterns to those above. The biggest difference is regarding the category of Unprofessional conduct with fewer cases represented across 26-30 years and more cases in the 56-60 age range. These differences are likely due to the historical cases associated with Unprofessional conduct thereby explaining the variations in patterns first identified in relation to Figures 6.1 and 6.2 earlier in the report.

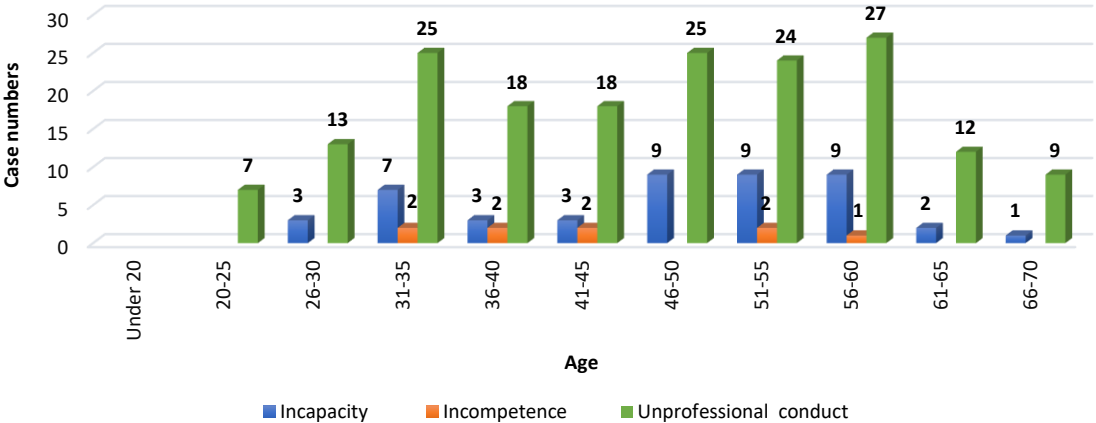


Figure 6.6. Age at time of notification x general category of matters (N=233)

A deeper interrogation of these data is possible looking at the age at the time of the incident, the category of matter and also the sub-category of matter (see Table 6.1). This makes it possible to consider whether there are patterns regarding the type of matters and particular ages of registrants. While the total aggregated in the last column of the table identifies the number of cases within each category and sub-category, the totals at the bottom of each column in the table specifies the number of cases within each age range.

So, in relation to Incapacity, physical disabilities are more prevalent for registrants 51-60, which is what might be expected. In terms of mental health, there is a more even spread across the age ranges although the mode is 46-50 years of age. Similarly, the cases for Incompetence also demonstrate a spread across a range of ages from 26-55 years.

Looking more closely at the Unprofessional conduct category shows considerable variation. While there is a spread of cases across age ranges for the majority of sub-categories, there is one exception. This is for Child sex offences. What is apparent here is a predominance of cases across the ages of 20-40, with a drop away for ages on either side of this range. It is important to remember that these data represent the age at the time of the actual incident.

Table 6.1. Age at time of incident by category and sub-category of matters (N=233)

	Age group											Total	
	Under 20	20-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70		Unknown
Incapacity		1	5	4	3	4	10	7	9	2		1	46
Physical disability			1		1		2	4	6				14
Mental health		1	4	4	2	4	8	3	3	2		1	32
Incompetence			1	1	2	2	1	2					9
Unsatisfactory performance			1	1	2	2	1	2					9
Unprofessional conduct	2	13	28	28	20	19	19	22	15	7	4	1	178
Access adult pornography on site					1								1
Adult sexual offending		2		1	1			1	2	1			8
Assault/violence			1	2			1	1	2	1			8
Boundary indiscretions students			3	4	5	1	5	4	2	2			26
Child exploitation material			2	1		5	1	5	3	1	2		20
Child sex offence	1	8	17	12	9	5	4	4	3	2	1	1	67
Dishonesty/theft			2	5	1	1	1	2	2		1		15
DUI/dependency	1			1	1	7	4	1					15
Irresponsible behaviour		1		1	2			2	1				7
Murder/manslaughter							1	1					2
Possession illicit drugs/firearms		2	3	1			1	1					8
Unknown/Deregistered VIT							1						1
Grand Total	2	14	34	33	25	25	30	31	24	9	4	2	233

Another perspective is provided in Table 6.2, which provides the category and sub-category of matters in relation to the age of the teacher at the time of notification to the TRB. As can be viewed here, there is some variability between the pattern demonstrated for the age at notification and incident for the sub-categories of Mental health, Adult sexual offending, Child exploitation material with the largest differences for Child sex offence. As mentioned earlier this is likely due to the reporting of historical cases.

Table 6.2. Age at time of notification by category and sub-category of matters (N=233)

	Age group											Total	
	Under 20	20-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70		Unknown
Incapacity			3	7	3	3	9	9	9	2	1		46
Physical disability			1		1		1	5	6				14
Mental health			2	7	2	3	8	4	3	2	1		32
Incompetence				2	2	2		2	1				9
Unsatisfactory performance				2	2	2		2	1				9
Unprofessional conduct		13	28	28	20	19	19	22	15	7	4	1	178
Access adult pornography on site					1								1
Adult sexual offending		1		2			2	1	1	1			8
Assault/violence			1	1			2	1	2	1			8
Boundary indiscretions students			3	4	4	2	5	3	3	2			26
Child exploitation material			2	1		3	2	5	3	2	2		20
Child sex offence		4	5	9	7	4	7	8	14	4	5		67
Dishonesty/theft				4	3	1	2	2	1	1	1		15
DUI/dependency		1		1	1	6	3	2		1			15
Irresponsible behaviour				1	1	2		1	2				7
Murder/manslaughter								1				1	2
Possession illicit drugs/firearms		2	1	2	1		1		1				8
Unknown Deregistered VIT							1						1
Grand Total		8	15	34	23	23	34	35	37	14	9	1	233

6.2. Gender by categories and sub-categories of matters

Within this sub-section, data are analysed in relation to gender. Figure 6.7 displays the breakdown of gender across the three major categories of matters. These results are interesting identifying:

- equal representation of female and males across Incapacity,
- more female registrants demonstrating Incompetence than males, and
- a predominance of males for Unprofessional conduct violations.

It is important to put the latter findings into a context. According to anecdotal reports, the Register of Teachers in South Australia has always had a high proportion of female teachers. Unfortunately, it is not possible to collect data retrospectively in relation to the proportion of females and male teachers on the register. So, the assumption is being made that there has been minimal variation

over the years. As of July 2022, there were 26 740 teachers identifying as female (i.e., 74%) and 9 254 as male (i.e., 26%) with five unspecified on the register. Given this context, there is clearly an overrepresentation of males in the Unprofessional conduct category of matters.

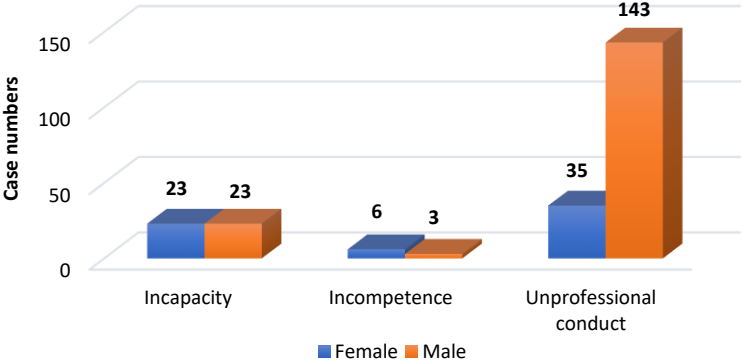


Figure 6.7. Gender by type of general category of matters (N=233)

It is also possible to identify the gender split across the sub-categories of matters as shown in Figure 6.8. Some of the key findings include:

- greater male representation of physical disabilities, with higher numbers of females with mental health issues (i.e., Incapacity category).
- greater numbers of females demonstrating Unsatisfactory performance than males (i.e., Incompetence category).
- more males than females identified across all sub-categories of Unprofessional conduct.

Note the ‘Unknown – deregistered by VIT’ case where no explanation for this was available resulted in the case being identified separately in this sub-category. The assumption was made that for deregistration to have occurred the violation was likely demonstrative of ‘Unprofessional conduct’.

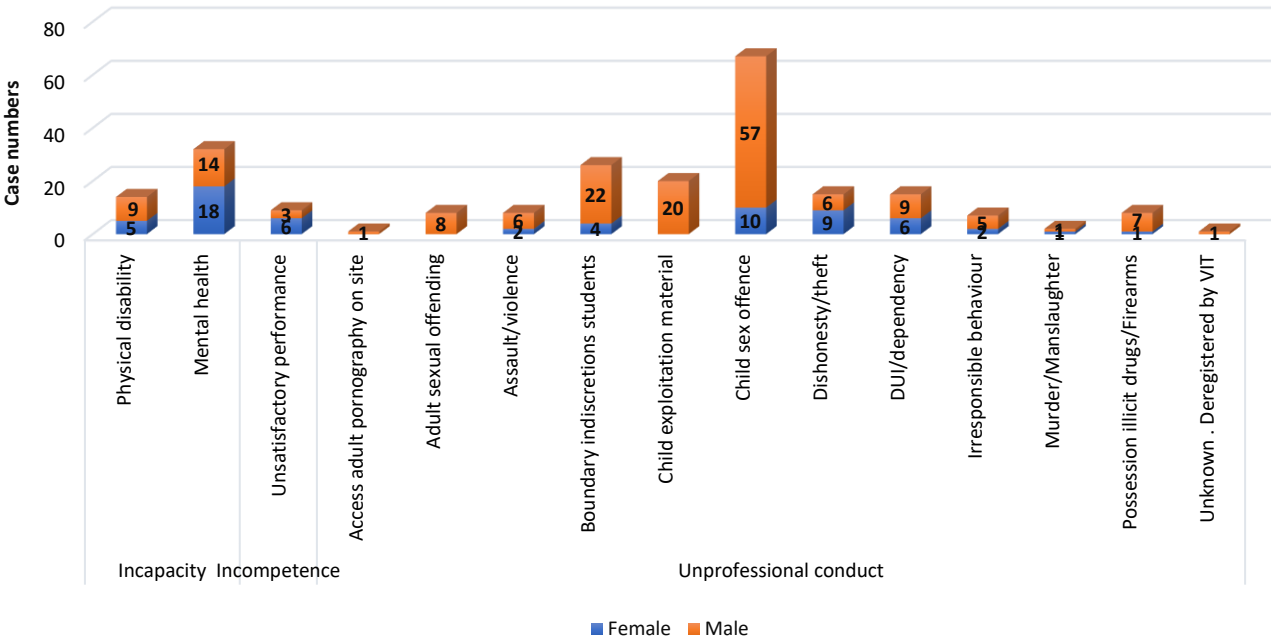


Figure 6.8. Gender by type of general category and sub-categories of matters (N=233)

6.3. Years of registration by categories and sub-categories of matters

Analysis of data in relation to the years of teaching of the registrant at the time of the incident is provided in Table 6.3.

Table 6.3. Years of registration by categories and sub-categories of matters

	Years of Registration											Not registered	Prior to registration	Registered in Victoria	Unknown	Total
	0-3	4-6	7-9	10-12	13-15	16-18	19-21	22-24	25-27	28-30	31+					
Incapacity	8	2	1	2	3	6	3	2	3	1	12		1	2	46	
Physical disability	2					3	1		2	1	5				14	
Mental health	6	2	1	2	3	3	2	2	1		7		1	2	32	
Incompetence	1	3	2			1			1	1					9	
Unsatisfactory performance	1	3	2			1			1	1					9	
Unprofessional conduct	30	28	17	7	9	6	13	12	12	6	18	6	8	2	4	178
Access adult pornography on site						1										1
Adult sexual offending	1	2						1	1		1		1	1	8	
Assault/violence	1	1				1		1			3	1			8	
Boundary indiscretions students	4	3	3		3	1	2	2	4	3	1				26	
Child exploitation material	3	2	2	1	1		3	2		1	4			1	20	
Child sex offence	15	17	8	5	3		2	2	1	1	4	2	4	1	67	
Dishonesty/theft	1		1	1	1	1	1		4		2	2	1		15	
DUI/dependency	1	1	1		1	1	3	3	2		1		1		15	
Irresponsible behaviour			2			1	1			1	1	1			7	
Murder/manslaughter	1										1				2	
Possession illicit drugs/firearms	3	2					1	1					1		8	
Unknown														1	1	
Deregistered VIT																
Grand Total	39	33	20	9	12	13	16	14	16	8	30	6	9	2	6	233

There are a number of interesting patterns to observe in relation to these findings.

1. Regarding Incapacity, the number of respondents with mental health considerations is represented across each of the years of registration categories whereas physical disabilities are more common with individuals holding more years of registration.
2. Unsatisfactory performance aligns to respondents with fewer years of registration. This is as might be anticipated as early career teachers acclimate to the rigors of the expectations around teaching.
3. In terms of Unprofessional conduct, there are some sub-categories that appear across most of the years of registration categories. Examples included Adult sexual offending, Boundary indiscretions students, Dishonesty and theft, and DUI drug/alcohol dependency. This is an interesting finding demonstrating that registrants regardless of professional experience can overstep professional boundaries – it is not just new graduates or early career teachers.

In contrast, some sub-categories are more highly represented by registrants with fewer years of registration. The most notable example is for Child sexual offences. As seen on Table 5.3, 0-3 years of registration had 15 offences, 4-6 years had 17, 7-9 years had eight, and 10-12 years five violations. Another example is Child exploitation material. A total of eight violations are evident for registrants with 0-12 years of registration compared to a total of 20 for the entire sub-category.

6.4. Sexual violations

Within this sub-section the data for Unprofessional conduct is scrutinised more deeply. In particular, analysis focuses on sexual violations only. For the analysis, these were defined by the following sub-categories representing a total of 122 cases:

- Accessing adult pornography on site ($n=1$)
- Adult sexual offending ($n=8$)
- Boundary indiscretions students ($n=26$)
- Child exploitation material ($n=20$)
- Child sex offence ($n=67$)

These violations can be considered in the light of whether they occurred within the professional or personal life of the teacher. Figure 6.9 highlights that 93 of the violations occurred within the professional life of registrants while the remaining 29 involved family members, friends, or personal acquaintances of registrants.

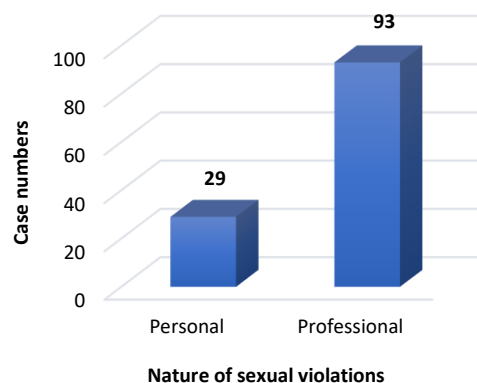


Figure 6.9. Sexual violations categorisations: Personal versus professional in nature ($n=122$)

Figure 6.10 goes one step further providing a summary of the professional/personal split across the five sub-categories comprising all sexual violations. As observed here, each sub-category is represented by violations that occurred in both the personal and professional lives of registrants.

However, there is a higher proportion represented within the professional category for the sub-categories of Boundary indiscretions students and Child sex offence.

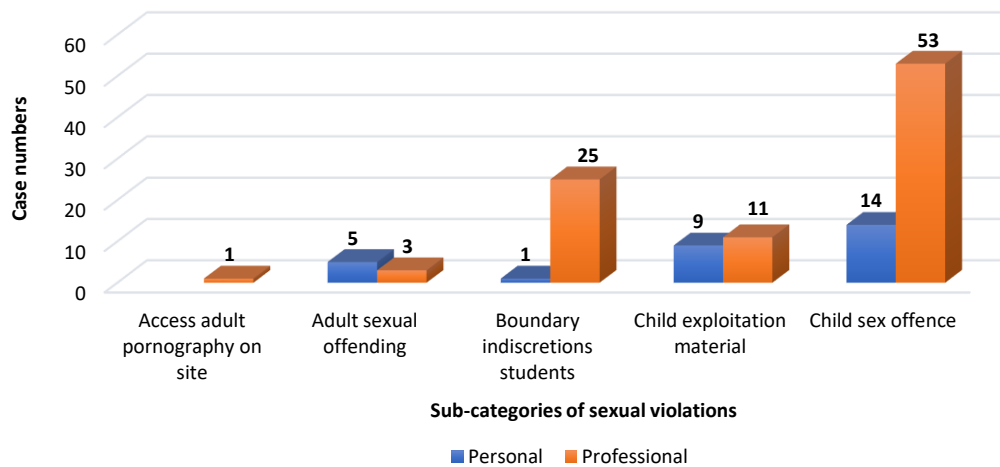


Figure 6.10. Sub-category of sexual violations: Personal versus professional in nature (n=122)

Another component that can be used to interrogate sexual violations is whether the violation was recent or historical. For this analysis, a case was identified as historical when it occurred at least five years prior to notification to the Board. However, in the majority of cases, the difference was greater than five years. Figure 6.11 presents a summary of these data as at the time of the incident.

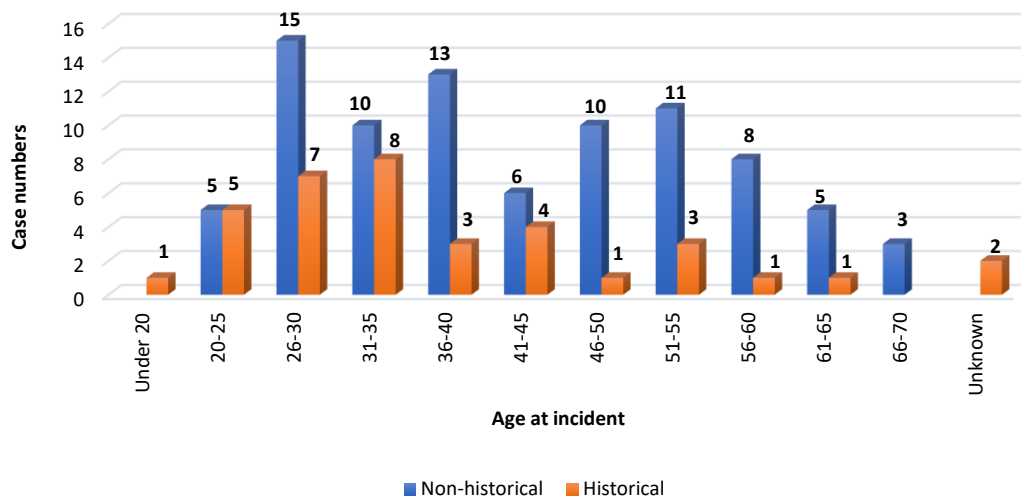


Figure 6.11. Sexual violations by age at incident: Historical versus non-historical in nature (n=122)

The pattern here shows 36 historical sexual violations were evident across all age ranges with the exception of 66-70. However, there were slightly higher numbers represented for the ages of 20-25, 26-30 and 31-35. The non-historical matters (n=86) are similarly spread but in a pattern that appears bimodal, focused around 26-40 years and then 46-60 years.

When historical and non-historical violations are presented by the age of the teacher at the time of notification, Figure 6.12 emerges. As demonstrated here, the mode for historical cases shifts from 31-35 years of age to 56-60 years of age. This highlights the length of time between notification to the TRB and when the incident actually occurred.

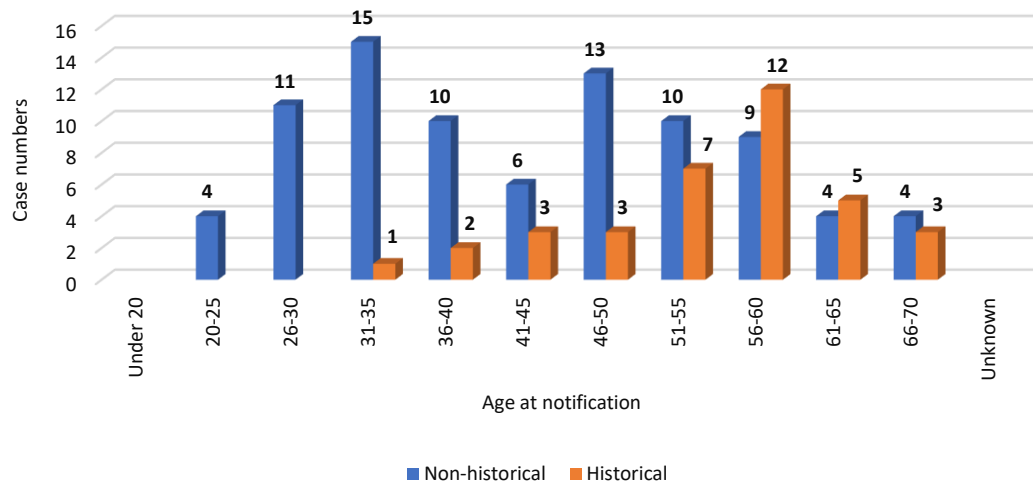


Figure 6.12. Sexual violations by age at notification: Historical versus non-historical in nature (n=122)

Focusing on the historical sexual violations in relation to the actual sub-category represented produces Figure 6.13. As observed, the majority of violations were in relation to Child sex offences. More specifically, nine of these cases had occurred in the personal life of the teacher compared to 21 cases within the professional sphere. Similarly, three of the historical cases for Child exploitation material occurred in the professional and one in the personal life of the teacher.

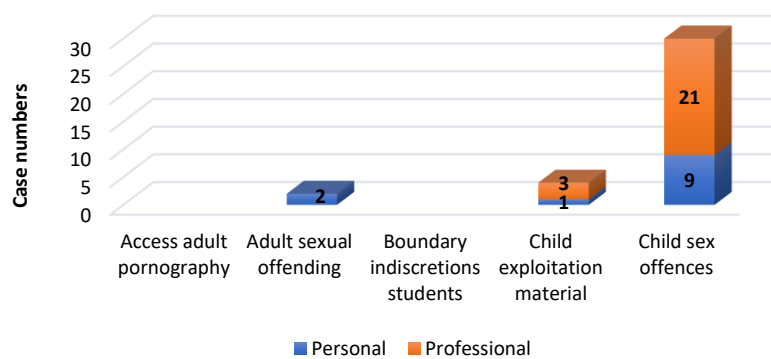


Figure 6.13. Historical sexual violations by sub-category: Personal versus professional in nature (n=36)

6.5. Notifiers and categories of matters

In terms of notification to the Board, this may be undertaken by a range of different individuals or representatives from various institutions. Table 6.4 provides a summary of the notifiers recorded for the cases comprising this study. It is not surprising that South Australian Police (SAPOL, $n=70$) are the most prolific notifiers in this space. However, it is interesting to note that the second frequently occurring notifier is the actual Applicant ($n=56$). This would relate to section 24 obligations on teachers to report certain matters and section 22 fitness and propriety declarations made on applications for registration (new applicants and renewing teachers). The third ranking notifier is the Department for Education ($n=40$), which is to be expected given that they are the largest employer of teachers in South Australia. Ranking fourth was Principals ($n=24$), largely capturing non-government school notifications.

Table 6.4. Notifier of matters (N=233)

Notifier	Case numbers
A/Director Pt Pirie Diocese	1
AEU legal officer	1
AISSA	1
Applicant	56
Catholic Education South Australia	1
Central Assessment Unit	2
Clinical psychologist	2
Department for Education	40
Director of Public Prosecutions	2
Director, CESA	1
Family member	1
Federal Police	1
Lawyers	1
Manager Registration	2
Media alert	1
National Criminal Police Check	1
Parents	1
Principal	24
Psychiatrist	1
Queensland Board of Teacher Registration	1
SAPOL	70
TRB NT	1
Unknown	21

To gain further insight, data were analysed across the notifiers and the types of categories and sub-categories of matters. A summary of these findings is provided in Table 6.5. As mentioned above, SAPOL is a key notifier to the TRB. Not surprisingly, the focus of the matters falls within the Unprofessional conduct category covering the majority of sub-categories.

In terms of the Applicant, the majority of sub-categories are represented. However, there is clearly a greater number of matters reported in relation to Physical disability and Mental health.

The third highest notifier was the Department for Education. Most of these correspond to cases of Unsatisfactory performance along with Physical disability and Mental health. While there were notifications across many of the sub-categories for Unprofessional conduct, the mode was for Child sex offences.

The fourth key group were Principals who also notified across the majority of sub-categories of matters.

Finally, note the 21 cases where the notifier was not identified in any of the electronic or written documentation so could not be coded appropriately. These were labelled as Unknown and represent a number of sub-categories.

Table 6.5. Notifier by general category of matter by sub-categories (N=233)

	INCAPACITY		INCOMPETENCE		UNPROFESSIONAL CONDUCT											TOTALS
	Physical disability	Mental health	Unsatisfactory performance		Access adult pornography on site	Adult sexual offending	Assault/violence	Boundary indiscretions student	Child exploitation material	Child sex offence	Dishonesty/theft	DUI/dependency	Irresponsible behaviour	Murder/manslaughter	Possession illicit drugs/firearms	
A/Director Pt Pirie Diocese										1						1
AEU legal officer										1						1
AISSA										1						1
Applicant	11	19	2				4	4	4	4	4				3	1
Catholic Education South Australia							1			1						1
Central Assessment Unit							2			2						2
Clinical psychologist									2							2
Department for Education	1	6	6				1	1	4	9	3	2	2			40
Director of Public Prosecutions										2						2
Director, CESA														1		1
Family member							1									1
Federal Police									1							1
Lawyer							1									1
Manager Registration										1	1					2
Media alert														1		1
National Criminal Police Check										1						1
Parents										1						1
Principal		4	1				1	1	5	5	2		2			24
Psychiatrist										1						1
Queensland Board of Teacher Registration											1					1
SAPOL							5	1	6	13	2	5	1	1	4	70
TRB NT													1			1
Unknown	2	3					6	8	2							21
Total sub-category matters	14	32	9	1	8	8	26	20	67	15	15	7	2	8	1	233

The other aspect that can be considered in relation to notification is the type of registration held by the teacher (see Figure 6.14). As observed here, the majority of teachers held full Registration followed closely by Provisional registration. Six of the matters aligned to another two categories of registration that are no longer applied i.e., Provisional registration with conditions, and Provisional restricted registration. The remaining categories are low in number and are self-explanatory.

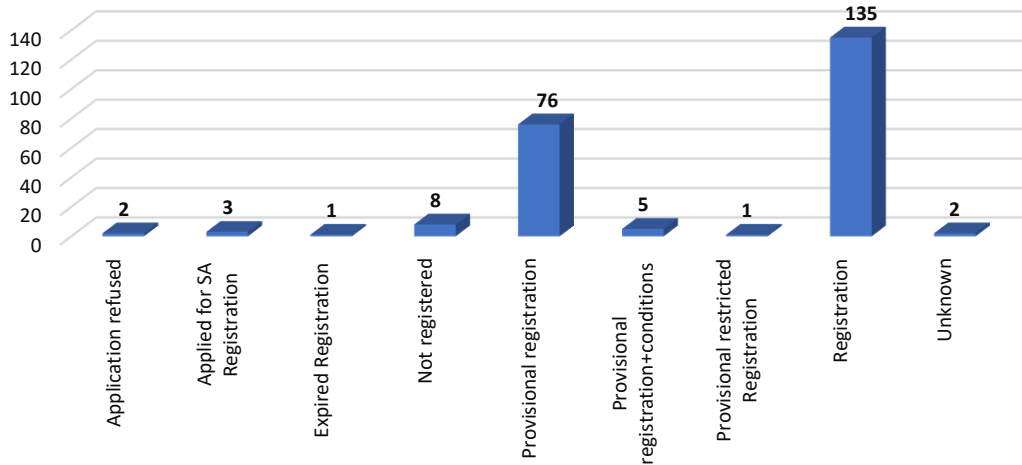


Figure 6.14. Application type (N=233)

6.6. Teacher qualifications

Within this sub-section, the qualifications of individuals comprising the cases are explored. The total number of qualifications held is summarised in Figure 6.15. The majority of cases held one ITE qualification only ($n=106$) as might be expected for primary teachers. In contrast, the 81 teachers with two qualifications are likely secondary teachers with the first representative of their subject discipline specialisation (i.e., Bachelor of Science) and the second their Initial Teacher Education (ITE) qualification (i.e., Diploma of Teaching, Master of Teaching). Note that there are 35 registrants with between 3-5 qualifications, which included a Doctor of Philosophy (PhD). The 11 instances coded as 'No qualifications available' identifies that data for these individuals were not readily accessible on CRM or in hardcopy files accessed as part of the data mining process. However, these records may be stored in the basement.

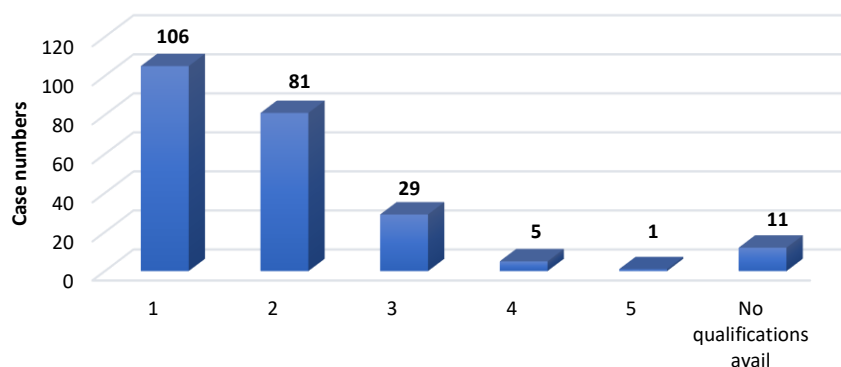


Figure 6.15. Number of qualifications held by registrants (N=233)

Figure 6.16 identifies the location of the provider of the ITE program specifically. Clearly, the majority of teachers ($n=196$) received their teacher qualification from providers located in South Australia with only small numbers of teachers representing other states in Australia or countries.

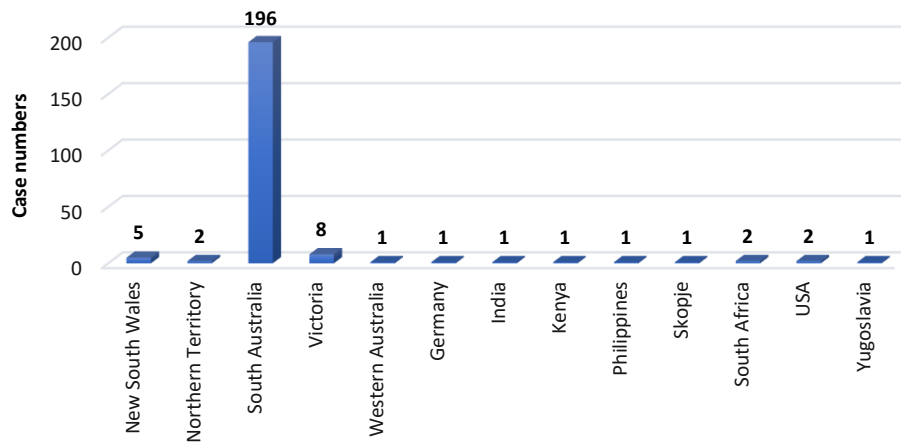


Figure 6.16. Geographical location of ITE providers for registrants (N=233)

Figure 6.17 identifies the actual providers of the ITE program completed by registrants. As viewed here, the majority of teachers were graduates from the University of South Australia (UniSA). However, it is important to remember that this includes the former Australian Colleges of Advanced Education that were amalgamated to form UniSA. Flinders University and the University of Adelaide are the second tier of providers represented with all remaining institutions low in number. It is difficult to interpret these results further except to point out the UniSA and the former Colleges of Advanced Education were the main providers of teachers in South Australia for a considerable time.

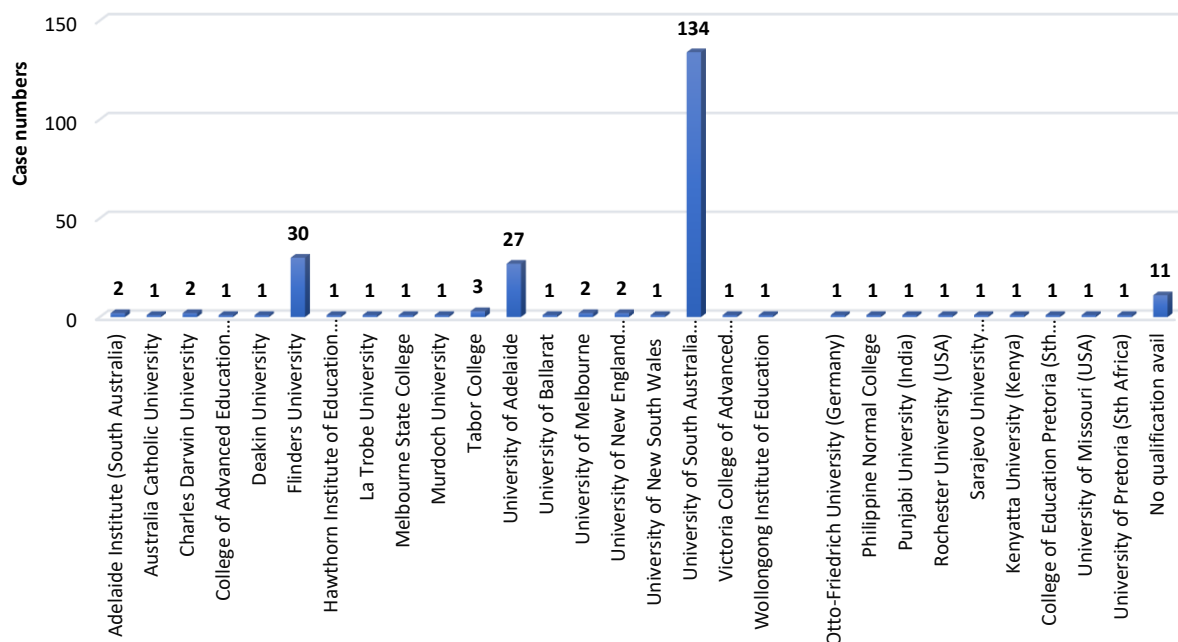


Figure 6.17. Providers of ITE programs (N=233)

Delving more deeply, Figure 6.18 summarises the actual ITE program completed by registrants. These have been grouped from programs at a Master level, Bachelor through to the older Graduate Diploma and Diploma of Teaching programs. As identified here, the majority of matters were from teachers with Diploma of Education/Teaching degrees ($n=105$) compared to Bachelor of Teaching ($n=6$), Bachelor of Education ($n=102$), and Master of Teaching degrees ($n=6$). This finding is not surprising given that Bachelor of Education and Master of Teaching degrees are more recent ITE programs on offer by providers. However, this pattern is likely to change over the next decade.

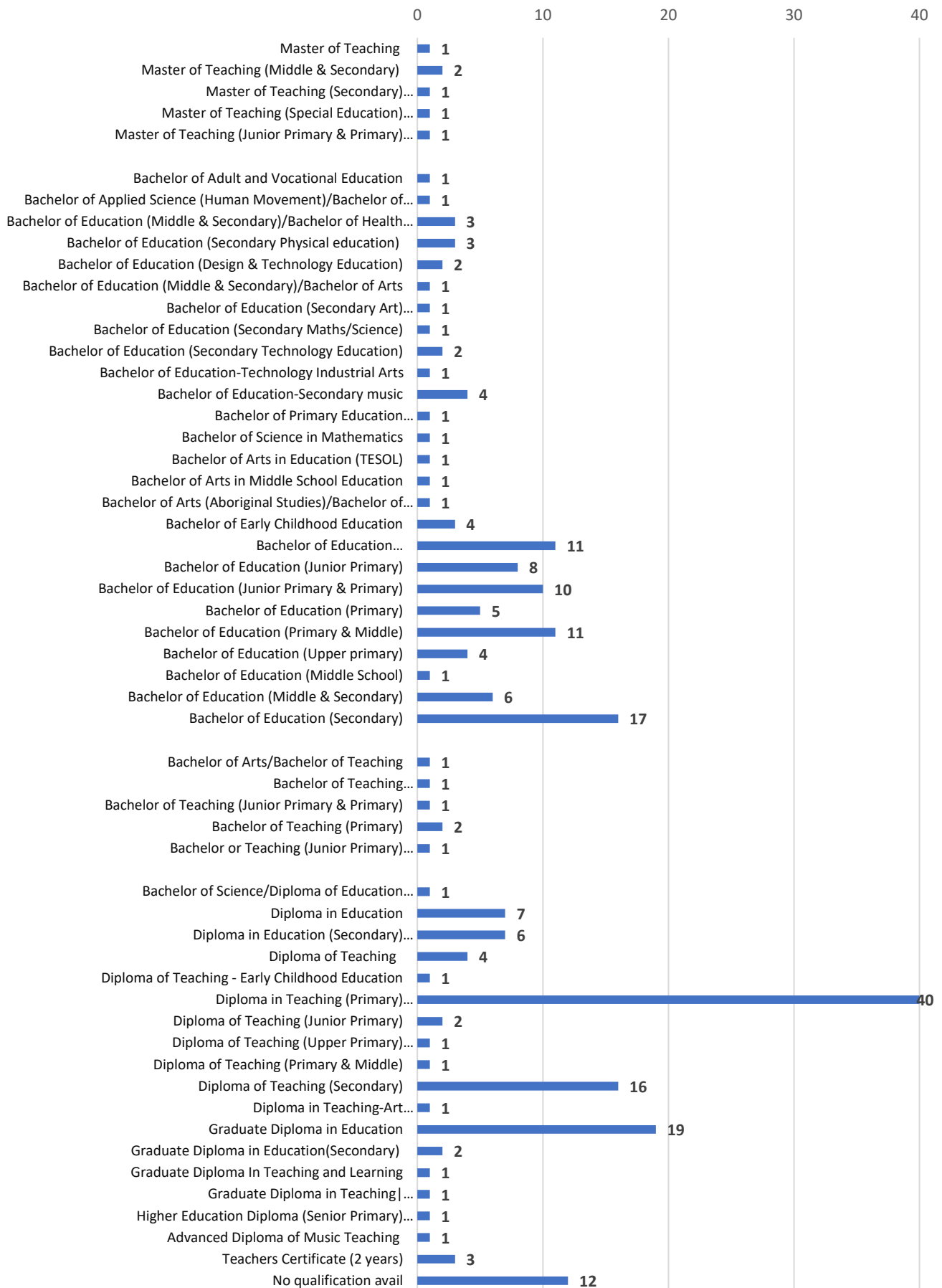


Figure 6.18. Summary of ITE qualifications for cases (N=233)

Given the data, it is possible to align each of the ITE providers with the categories and sub-categories of matters (see Table 6.6). What is shown in the table is a fairly similar distribution of matters across the majority of sub-categories that is independent of the ITE provider. While this pattern is more noticeable for the providers in South Australia, this is not surprising given the earlier results explained in Figure 6.16.

Table 6.6. Summary of ITE providers, general categories and sub-categories of matters (N=233)

	INCAPACITY		INCOMPETENCE		UNPROFESSIONAL CONDUCT											TOTALS	
	Physical disability	Mental health	Unsatisfactory performance		Access adult pornography on site	Adult sexual offending	Assault/violence	Boundary indiscretions student	Child exploitation material	Child sex offence	Dishonesty/theft	DUI/dependency	Irresponsible behaviour	Murder/manslaughter	Possession illicit drugs/firearms		Unknown Deregistered VIT
Adelaide Institute (South Australia)	2																2
Australia Catholic University												1					1
Charles Darwin University								1	1	1							2
College of Advanced Education (Interstate)										1							1
Deakin University			1														1
Flinders University	2	3	0		1	2	2	4	2	7	1	2	1		3		30
Hawthorn Institute of Education	1																1
La Trobe University	1																1
Melbourne State College												1					1
Murdoch University										1							1
Tabor College							2			1							3
University of Adelaide	4		1			1	7	6	6		2						27
University of Ballarat										1							1
University of Melbourne								1				1					2
University of New England									2								2
University of New South Wales									1								1
University of South Australia (*SACAE)	10	18	6		5	4	11	8	44	7	10	3	2	5	1		134
Victoria College of Advanced Education									1								1
Wollongong Institute of Education								1									1
Otto-Friedrich University							1										1
Philippine Normal College																1	1

	INCAPACITY		INCOMPETENCE		UNPROFESSIONAL CONDUCT											TOTALS	
	Physical disability	Mental health	Unsatisfactory performance		Access adult pornography on site	Adult sexual offending	Assault/violence	Boundary indiscretions student	Child exploitation material	Child sex offence	Dishonesty/theft	DUI/dependency	Irresponsible behaviour	Murder/manslaughter	Possession illicit drugs/firearms		Unknown Deregistered VIT
Punjabi University		1															1
Rochester University					1												1
Sarajevo University						1											1
Kenyatta University	1																1
College of Education Pretoria										1							1
University of Missouri																	1
University of Pretoria				1													1
No qualifications available	1	2				1	4	2	1								11
Total sub-category matters	14	32	9	1	8	8	26	20	67	15	15	7	2	8	1	233	

*SACAE = South Australian Colleges of Advanced Education

Interrogating the data further, Table 6.7 summarises the ITE qualification held along with the category and sub-category of allegation. There are a number of programs with large numbers of matters represented, including:

- Bachelor of Education (unspecified) $n=11$
- Bachelor of Education (Primary & Middle) $n=11$
- Bachelor of Education (Secondary) $n=16$
- Diploma of Teaching (Primary) $n=40$
- Diploma of Teaching (Secondary) $n=16$
- Graduate Diploma in Education (unspecified) $n=19$

It is important to point out that these are also likely to be the ITE programs that attracted the largest number of students when offered for study. As observed in the table, a definite pattern across sub-categories of matters is not evident with all programs represented to some degree. However, it is interesting to note a higher incidence of matters for Child exploitation and Child sex offences for the Master of Teaching and Bachelor of Education badged degree programs (e.g., Bachelor of Education-Secondary) when compared to other programs. Regarding primary versus secondary programs, there does not appear to be any distinction in the pattern of matters across sub-categories for these in the data.

Table 6.7. ITE program of registrants across general categories and sub-categories of matters (N=233)

	INCAPACITY		INCOMPETENCE		UNPROFESSIONAL CONDUCT											TOTALS	
	Physical disability	Mental health		Unsatisfactory performance	Access adult pornography on site	Adult sexual offending	Assault/violence	Boundary indiscretions student	Child exploitation material	Child sex offence	Dishonesty/theft	DUI/dependency	Irresponsible behaviour	Murder/manslaughter	Possession illicit drugs/firearms		Unknown Deregistered VIT
Master of Teaching									1								1
Master of Teaching (Middle and Secondary)						1											2
Master of Teaching (Secondary)							1										1
Master of Teaching (Special Education)	1																1
Master of Teaching (Junior Primary & Primary)								1									1
Bachelor of Adult and Vocational Education							1										1
Bachelor of Applied Science (Human Movement)/Bachelor of Education (Middle & Secondary)						1											1
Bachelor of Education (Middle and Secondary)/Bachelor of Health Sciences									1				1				3
Bachelor of Education (Secondary Physical Education)							1				1						3
Bachelor of Education (Design & Technology Education)							1			1							2
Bachelor of Education (Middle and Secondary)/Bachelor of Arts									1								1
Bachelor of Education (Secondary Art)												1					1
Bachelor of Education (Secondary Maths/Science)		1															1
Bachelor of Education (Secondary Technology Education)										2							2
Bachelor of Education-Technology Industrial Arts							1										1
Bachelor of Education-Secondary music						1	1	1	1	1	1						4

INCAPACITY	INCOMPETENCE	UNPROFESSIONAL CONDUCT											TOTALS			
		Physical disability	Mental health	Unsatisfactory performance	Access adult pornography on site	Adult sexual offending	Assault/violence	Boundary indiscretions student	Child exploitation material	Child sex offence	Dishonesty/theft	DUI/dependency		Irresponsible behaviour	Murder/manslaughter	Possession illicit drugs/firearms
				1												1
																1
								1								1
								1								1
									1							1
				1												4
		1	1													11
		1	1	1												8
			1	1												10
			1	1												5
			1	1												11
		1	1													4
																1
		2	2													6
		2	2													17
			1													1
			1													1
																1
																2
																1
																2
																1
																2
																1
																7
																6
																4

	INCAPACITY		UNPROFESSIONAL CONDUCT										TOTALS		
	Physical disability	Mental health	Unsatisfactory performance	Access adult pornography on site	Adult sexual offending	Assault/violence	Boundary indiscretions student	Child exploitation material	Child sex offence	Dishonesty/theft	DUI/dependency	Irresponsible behaviour		Murder/manslaughter	Possession illicit drugs/firearms
Diploma of Teaching - Early Childhood Education				1											1
Diploma of Teaching (Primary)	7	7	2	1	1	2	1	2	9	4	1	1	2	1	40
Diploma of Teaching (Junior Primary)	1				1										2
Diploma of Teaching (Upper Primary)			1				1								1
Diploma of Teaching (Primary & Middle)														1	1
Diploma of Teaching (Secondary)	1			1	1	2	2	2	8	1			1		16
Diploma in Teaching-Art	1														1
Graduate Diploma in Education	2		1	2	2	4	4	8	8	1	1	1			19
Graduate Diploma in Education (Secondary)				1						1					2
Graduate Diploma in Teaching and Learning							1								1
Graduate Diploma in Teaching/Bachelor of Arts											1				1
Higher Education Diploma (Senior Primary)															1
Advanced Diploma of Music Teaching		1													1
Teachers Certificate (2 years)		1							1	1					3
No qualification available	1	3				1	4	1	1	1					11
Total sub-category matters	14	32	9	1	8	8	26	20	67	15	15	7	2	8	233

6.7. Teaching context at time of incident

The purpose of this sub-section is to explore the data around the teaching context. It discusses the employment setting, specialisations, employment sector and specific site of the registrant at the time of the incident.

6.7.1. Employment setting

A summary of the number of matters aligned to the employment setting of the registrant at the time of the incident is provided in Figure 6.19. In the majority of cases, registrants were employed as early years, primary or secondary teachers ($n=171$) with the secondary setting dominating ($n=107$). However, in 40 cases, registrants were coded as Prior to teaching, Not registered, Not teaching, Suspended from teaching, or held other positions within the community. As noted here, the employment setting at the time of the incident for 22 of the cases was Unknown.

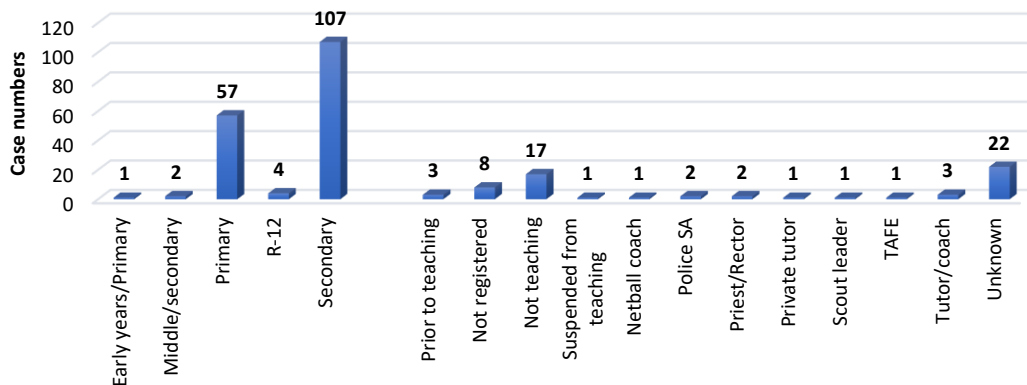


Figure 6.19. Employment setting/position of registrants at time of incident (N=233)

The 171 teacher matters are explored in more detail in Figure 6.20. The graph summarises the sub-category of allegation aligned to the various educational settings in which teachers were located at the time of the incident. As observed here, the majority of violations committed by secondary teachers linked to Child sex offences ($n=42$) and Boundary indiscretions students ($n=20$). In contrast, key matters for primary teachers were Mental health ($n=12$) and Dishonesty/theft ($n=9$).

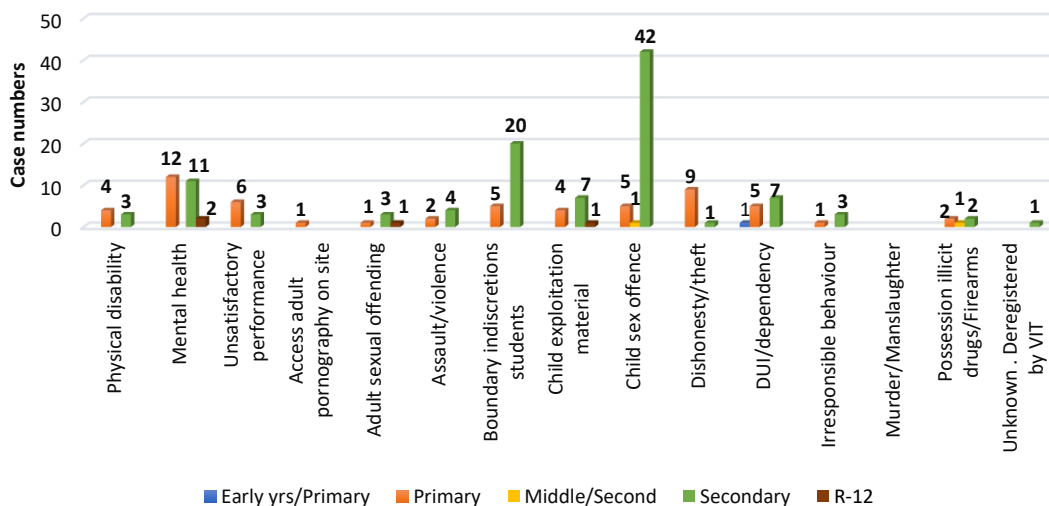


Figure 6.20. Employment setting at time of incident and sub-categories of matters ($n=171$)

6.7.2. Specialisations

Specialisms identify the subject expertise of registrants and is a key requirement for secondary teachers who must have a qualification in a particular subject domain. In contrast, primary teachers

have traditionally been generalists demonstrating a level of competence across all subjects. However, this will change in the future with recent changes to ITE program accreditation standards and the requirement that all primary teachers have a specialisation.

A summary of the specialisations held by registrants at the time of the incident is provided in Figure 6.21. In those cases where teachers were not in educational sites, their positions are identified. As demonstrated here, there were 12 violations each for Physical education and Music teachers with a spread across a range of other subject areas. The large number of ‘Unknown/undesigned’ is likely due to the lack of specialisms for primary teachers. However, it should also be noted that in mining this datum, many case files did not refer to the specialisation of the teacher even in instances where teachers were in secondary sites. This is not surprising because it may not have been pertinent to the case, hence the lack of reference to this aspect in the case file documentation.

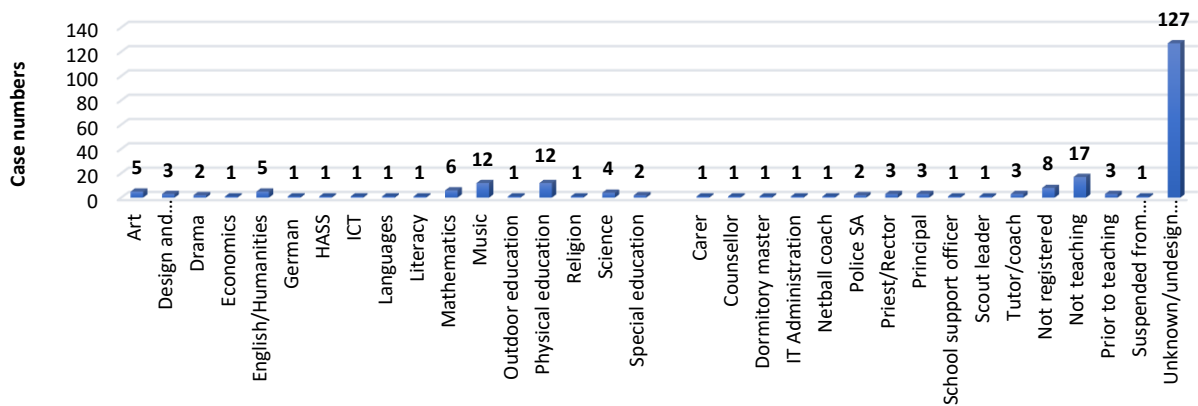


Figure 6.21. Specialisation or position held at time of incident (N=233)

6.7.3. Employment sector at the time of incident

The key employers for teachers in South Australia are the Department for Education, Catholic Education South Australia, and the independent sector, which includes the Association of Independent Schools of South Australia (AISSA). Figure 6.22 presents the number of registrants employed within the various sectors at the time of the incident. As evidenced here, 171 registrants were employed by the employers identified above. In contrast, the remaining 62 were either Not teaching or employed in other positions outside of educational sites. There were 22 cases where there was no information provided for this variable with the label ‘Unknown’ applied.

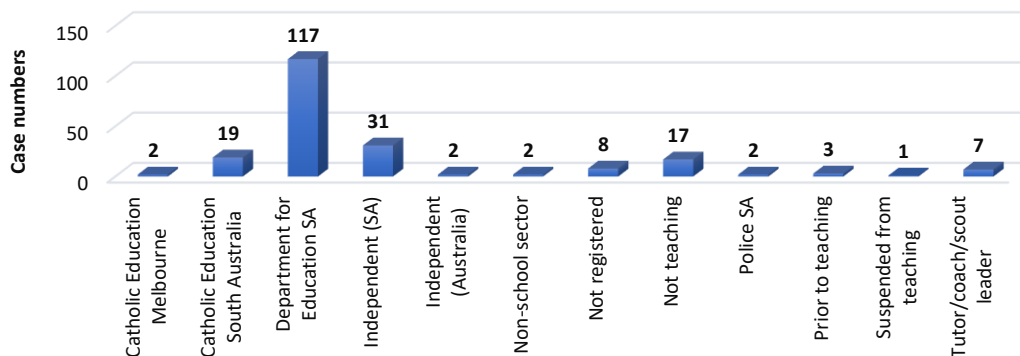


Figure 6.22. Employment sector/position of registrants at time of incident (N=233)

6.7.4. Specific site of registrant at time of incident

Data were available identifying the actual site in which registrants were employed at the time of the incident. Rather than name individual educational sites, these were collated using the label ‘All educational sites’ (n=165) (see Figure 6.23). Of these sites:

- One had three matters lined three different individuals;
- 24 had two matters aligned to different individuals; and,
- 114 had a single matter only.

Note the difference between the 171 matters across employment sectors identified in Figure 6.22 compared to the 165 matters in All educational sites observed in in 6.23. The missing six cases are likely included in the Unknown category. This would have occurred because the actual name of the site was not documented even though the sector was stated. With this exception, all other categories in the figure are consistent with those identified in Figure 6.22.

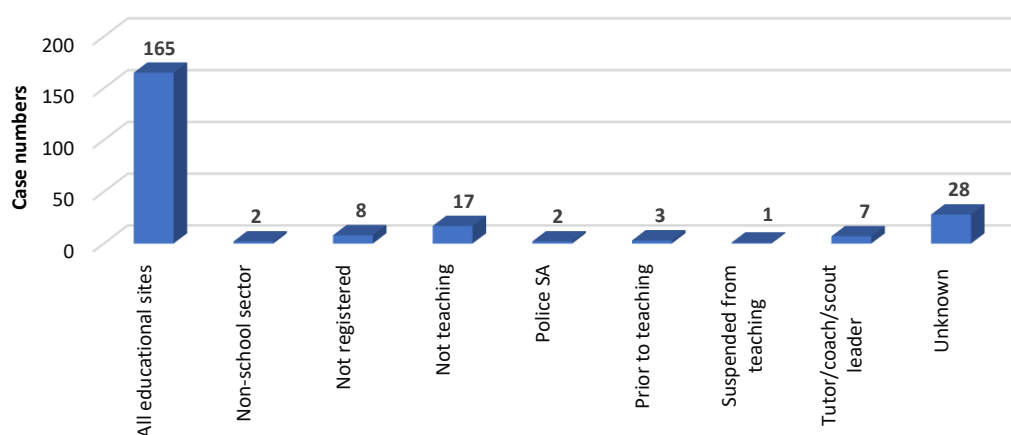


Figure 6.23. Specific sites at time of incident (N=233)

These data can be considered in more detail in relation to the category of matter (see Table 6.8). It is clear from these data that all cases of Incompetence occurred in educational sites. Alternatively, cases of Unprofessional conduct occurred predominately within educational sites but also outside of this setting i.e., tutor/coach, scout leader The large number of Unknowns is due to not having any data easily accessible regarding the employment of the individual at the time of the incident.

Table 6.8. Specific sites at time of incident by category of matter (N=233)

	Category of allegation			Totals
	Incapacity	Incompetence	Unprofessional conduct	
All educational sites	28	9	128	165
Non-school sector	2			2
Not registered	2		6	8
Not teaching	7		10	17
Police SA			2	2
Prior to teaching			3	3
Suspended from teaching			1	1
Tutor/coach/scout leader	1		6	7
Unknown	6		22	28
				233

Looking more closely at 'All educational sites', Table 6.9 provides more detail about those sites identified with more than one case matter. As viewed in this table, one site had three matters recorded with each aligned to a separate individual. Another 24 sites had two matters representing different individuals. Importantly, all the matter appeared as isolated incidences with only a few sites showing an overlap in time across matters. These instances usually occurred when there was a teacher with an Incapacity issue and another with demonstrating Incompetence. While it is possible to identify the schools (primary and secondary) in this table, the decision was made to keep this information confidential.

Table 6.9. Details for sites with 2-3 matters at the time of the incident

	Site 1	Site 2	Site 3	Site 4
	<p>Site 1</p> <ul style="list-style-type: none"> Independent sector Metropolitan SA Secondary school 3 separate matters by Priest/Rector; teacher (Unknown specialisation); IT administrator <p>3 matters</p> <ul style="list-style-type: none"> All categorised as Unprofessional conduct Sub-categories include 2 child exploitation material; 1 child sex offence 1 historical offence for child exploitation material 	<p>Site 2</p> <ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with Music specialisation; other Unknown <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Unprofessional conduct Sub-categories include 1 child sex offence; 1 assault/violence 	<p>Site 3</p> <ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with ICT specialisation and Unknown <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Unprofessional conduct Sub-categories include 1 child sex offence; 1 assault/violence 	<p>Site 4</p> <ul style="list-style-type: none"> Independent sector Metropolitan SA R-12 school 2 separate matters by teachers with Art and Unknown specialisations <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Unprofessional conduct Sub-categories include 1 adult sex offending; 1 boundary indiscretions students
	<p>Site 5</p> <ul style="list-style-type: none"> Independent sector Metropolitan SA Secondary school 2 separate matters by teachers with Music and Unknown specialisations <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Incapacity and Unprofessional conduct 	<p>Site 6</p> <ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teachers with Unknown specialisations <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Unprofessional conduct 	<p>Site 7</p> <ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with Unknown specialisations <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Incapacity and Unprofessional conduct 	<p>Site 8</p> <ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teachers with Unknown specialisations <p>2 matters</p> <ul style="list-style-type: none"> Categorised as Unprofessional conduct

<ul style="list-style-type: none"> Sub-categories include 1 child sex offence; 1 mental health Sub-categories include 1 child exploitation material; 1 boundary indiscretions students Sub-categories include 1 child mental health; 1 child exploitation material Sub-categories include 1 child sex offence; 1 boundary indiscretions students 	Site 9	Site 10	Site 11	Site 12
<ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teachers with Physical Education and Technical Studies specialisations Categorised as Unprofessional conduct Sub-categories include 1 DUI/dependency; 1 child sex offence <p>2 matters</p>	<ul style="list-style-type: none"> Independent sector Country SA Secondary school 2 separate matters by teachers with Music specialisation and a Principal Categorised as Unprofessional conduct Sub-categories include 1 child sex offence; 1 irresponsible behaviour 	<ul style="list-style-type: none"> Department for Education Metropolitan SA Birth-12 school 2 separate matters by teachers with 1 English specialisation and other Unknown Categorised as Unprofessional conduct Sub-categories include 1 child sex offence; 1 possession illicit drugs/firearms 	<ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with 1 Art specialisation and 1 Unknown Categorised as Incapacity and Unprofessional conduct Sub-categories include 1 physical disability; 1 child exploitation material 	
<ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with 1 Mathematics specialisation and 1 Unknown Categorised as Unprofessional conduct Sub-categories include 1 boundary indiscretion students; 1 DUI/dependency <p>2 matters</p>	Site 13	Site 14	Site 15	Site 16
<ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with 1 Mathematics specialisation and 1 Unknown Categorised as Unprofessional conduct Sub-categories include 1 boundary indiscretion students; 1 DUI/dependency 	<ul style="list-style-type: none"> Independent sector Country SA Secondary school 2 separate matters by teachers both with Unknown specialisations Categorised as Unprofessional conduct Sub-categories include 1 irresponsible behaviour; 1 child sex offence 	<ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with Language and Unknown specialisations All categorised as Unprofessional conduct Sub-categories include 2 child sex offences 1 historical allegation for child sex offence 	<ul style="list-style-type: none"> Independent sector Metropolitan SA Secondary school 2 separate matters by teachers with specialisations in Religion and Unknown Categorised as Unprofessional conduct and Incapacity Sub-categories include 1 child sex offence; 1 mental health concern 	
<ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teachers with Music and Unknown specialisations Categorised as Unprofessional conduct <p>2 matters</p>	Site 17	Site 18	Site 19	Site 20
<ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teachers with Music and Unknown specialisations Categorised as Unprofessional conduct 	<ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teacher by Unknown specialisation and a Principal Categorised as Incompetence and Unprofessional conduct 	<ul style="list-style-type: none"> Department for Education Country SA Secondary school 2 separate matters by teachers with English and Woodwork specialisations Categorised as Unprofessional conduct 	<ul style="list-style-type: none"> Catholic Education SA Metropolitan SA Secondary school 2 separate matters by teachers with English and Woodwork specialisations Categorised as Unprofessional conduct 	<ul style="list-style-type: none"> Department for Education Metropolitan SA Secondary school 2 separate matters by teachers with Special Education and Unknown specialisations Categorised as Incompetence and Unprofessional conduct

	Site 21	Site 22	Site 23	Site 24
<ul style="list-style-type: none"> Sub-categories include 1 assault/violence; and 1 adult sexual offending 	<ul style="list-style-type: none"> Sub-categories include 1 unsatisfactory performance; 1 child sex offence 	<ul style="list-style-type: none"> Sub-categories include 1 unsatisfactory performance; 1 child sex offence 	<ul style="list-style-type: none"> Sub-categories include 2 child sex offences 	<ul style="list-style-type: none"> Sub-categories include 1 unsatisfactory performance; 1 child exploitation material
2 matters	<ul style="list-style-type: none"> Department for Education Metropolitan SA K-10 2 separate matters by teachers with Unknown specialisations Categorised as Unprofessional conduct Sub-categories include 1 DUI/dependency; 1 Boundary indiscretions students 	<ul style="list-style-type: none"> Independent/Catholic Education SA Metropolitan SA R-12 2 separate matters by teachers with Unknown specialisations Categorised as Unprofessional conduct and Incompetence Sub-categories include 1 child sex offence; 1 unsatisfactory performance 	<ul style="list-style-type: none"> Catholic Education SA Metropolitan SA Secondary school 2 separate matters by a Priest/Recto; teacher with HASS specialisation Categorised as Unprofessional conduct and incapacity Sub-categories include 1 child exploitation material; 1 mental health 	<ul style="list-style-type: none"> Independent sector Metropolitan SA Secondary school 2 separate matters by teachers with English and Unknown specialisations Categorised as Unprofessional conduct Sub-categories include 2 child sex offences

6.7.5. Geographical location at time of incident

The geographical location in which registrants were positioned at the time of the matter is provided in Figure 6.24. In summary, of all cases:

- 51% occurred in Metropolitan locations either in South Australia or interstate;
- 20% took place in Country locations within South Australia or interstate;
- 2% in Rural locations in South Australia or interstate; and,
- 27% were identified as Not registered, Not teaching, Prior to teaching, Suspended from teaching, Tutor/coach/scout leader, and Unknown categories.

These results are not surprising given that the majority of schools and educational sites, hence teachers will be located in Metropolitan SA compared to Country and Rural SA.

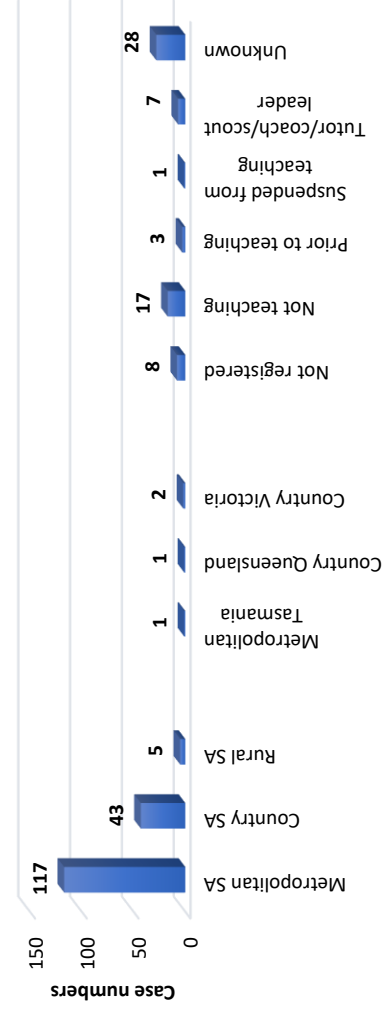


Figure 6.24. Geographical location at time of incident

6.8. Teaching context at time of notification

In this sub-section, data around the teaching context is continued with a focus on the time of notification. This is achieved through a discussion of the employment setting, specialisations, employment sector and specific site of the matter.

6.8.1. Employment setting at time of notification

A summary of the number of matters aligned to the employment setting of the registrant at the time of the notification is provided in Figure 6.25. In the majority of cases, registrants were employed as early years, primary or secondary teachers ($n=163$). However, in 45 cases, they were coded as Prior to teaching, Not registered, Not teaching, Suspended from teaching, or held other positions within the community. As noted here, the employment setting for 25 of the cases was Unknown.

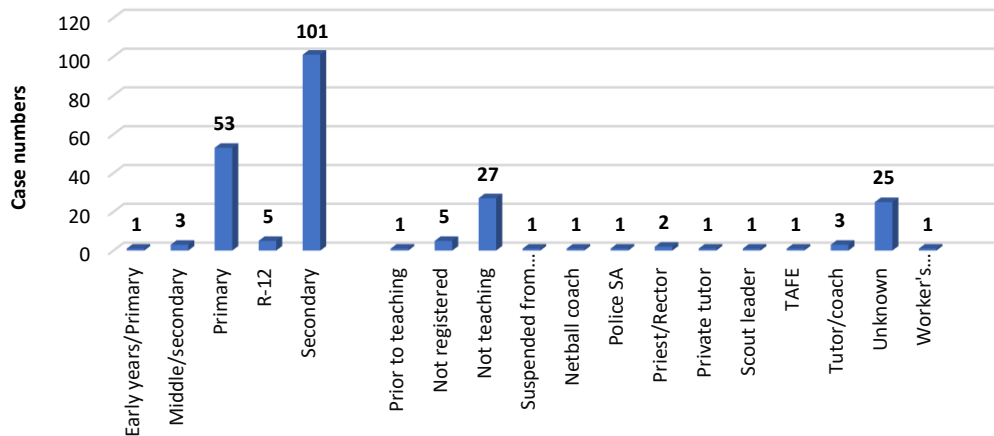


Figure 6.25. Employment setting of registrants at time of notification (N=233)

When these results are compared with those at the time of the incident (see Figure 6.19), there are only slight shifts in the numbers within these various categories.

6.8.2. Specialisations

A summary of the specialisations held by teachers at the time of notification is provided in Figure 6.26. The general pattern here is the same as for the time of the incident (see Figure 6.21) with the highest number aligned to the subject specialisations of Music and Physical education. There is an increase in the number of registrants coded as Not teaching and also Unknown/undesigned. As explained earlier, this is not surprising given that the specialisation of the teacher may not have been pertinent to the case so that documentation was deemed unnecessary.

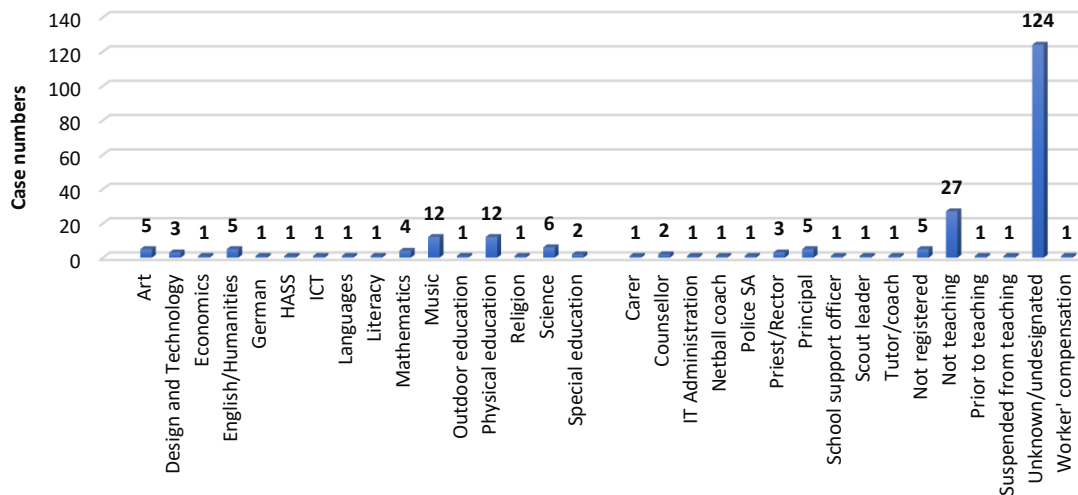


Figure 6.26. Specialism or position held at time of notification (N=233)

6.8.3. Employment sector at time of notification

Figure 6.27 summarises the number of registrants employed with the Department for Education, Catholic Education South Australia, and the independent sector at the time of notification. Again, the general pattern of findings is similar to that for the time of the incident (Figure 6.22) although there have been shifts across the sectors as teachers may have changed sites between the time of the incident and the time at which notification occurred. This is to be expected especially around historical sexual offences.

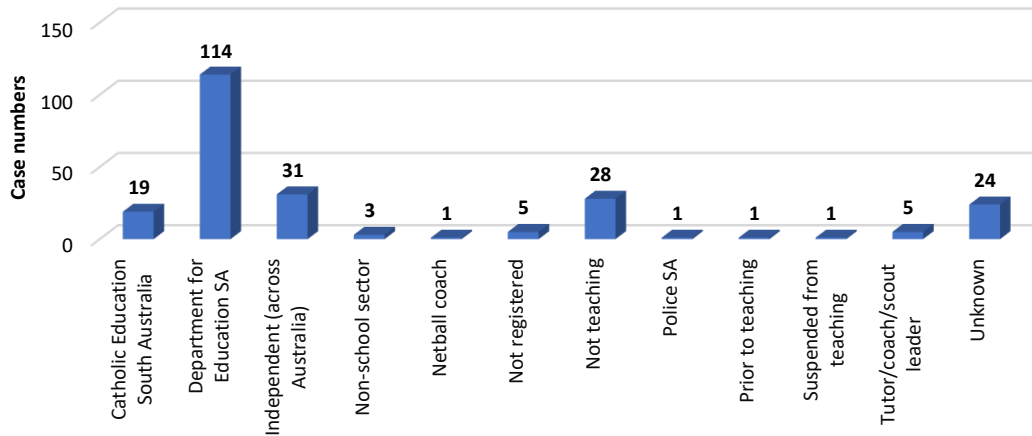


Figure 6.27. Employment sector/position at time of notification (N=233)

6.8.4. Specific site of registrant at time of notification

As with the time of incident, the site in which registrants were working at the time of notification was analysed (see Figure 6.28). The pattern between the two is very similar with a slight decrease in the number working in All educational sites and an increase in those Not teaching. This difference between the time of incident and notification is likely due to teachers being older given the delay in reporting between the two components as might be expected with historical sexual violations.

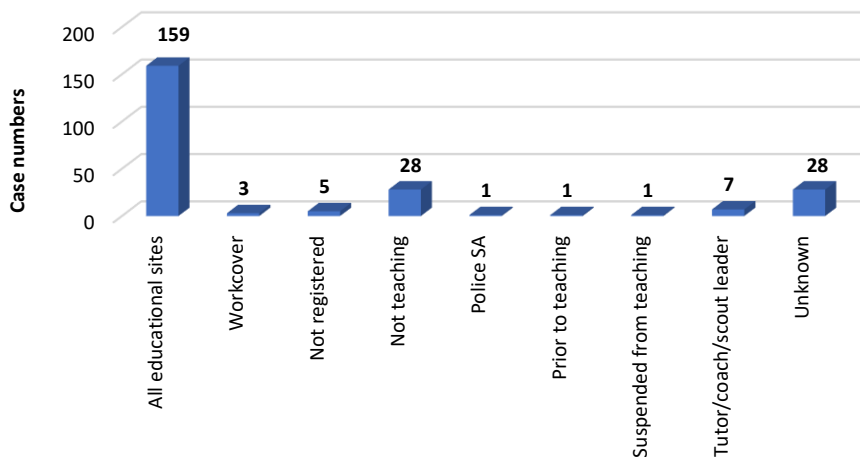


Figure 6.28. Specific sites at time of notification (N=233)

These data were analysed in greater detail regarding the category of matter (see Table 6.10). As with the time of incident, all cases of Incompetence occurred in educational sites while cases of Unprofessional conduct were represented across a number of employment categories.

Table 6.10. Specific sites at time of notification x category of matter (N=233)

	Category of allegation			Totals
	Incapacity	Incompetence	Unprofessional conduct	
All educational sites	26	8	125	159
Workcover	2		1	3
Not registered	2		3	5
Not teaching	8	1	19	28
Police SA			1	1
Prior to teaching	1			1
Suspended from teaching			1	1
Tutor/coach/scout leader	2		5	7
Unknown	5		23	28
				233

Picking up more closely on the All educational sites category, Table 6.11 provides more details about those sites identified with more than one matter at the time of notification. When compared to Table 6.9 that displays sites at the time of the incident, there is a great deal of overlap with only slight variations occurring where teachers may have moved between sites. As observed in Table 6.11, there were three sites with three matters representing separate individuals. It also shows a spread across Department for Education, Catholic Education South Australia and sites that align to the independent sector.

Table 6.11. Details for sites with 2-3 matters at the time of the notification

	Site 1	Site 2	Site 3	Site 4
3 matters	<ul style="list-style-type: none"> • Department for Education • Metropolitan SA • Secondary school • 3 separate matters by teachers with 1 ICT specialisation and 2 Unknowns • Categorised as Unprofessional conduct • Sub-categories include 1 child sex offence; 1 child exploitation material; 1 assault/violence 	<ul style="list-style-type: none"> • Department for Education • Metropolitan SA • Secondary school • 3 separate matters by teachers with 2 Physical Education and 1 Unknown specialisations • Categorised as Unprofessional conduct • Sub-categories include 1 boundary indiscretions students; 1 child sex offence; 1 child exploitation material 	<ul style="list-style-type: none"> • Independent sector • Metropolitan SA • Secondary school • 3 separate matters by 2 with Unknown specialisations and a Counsellor • Categorised as Unprofessional conduct and incompetence • Sub-categories include 2 child sex offences; 1 unsatisfactory performance 	<ul style="list-style-type: none"> • Independent sector • Metropolitan SA • Secondary school
2 matters	<ul style="list-style-type: none"> • Department for Education • Metropolitan SA • Secondary school 	<ul style="list-style-type: none"> • Department for Education • Rural SA • R-12 school 	<ul style="list-style-type: none"> • Independent sector • Metropolitan SA • R-12 school 	<ul style="list-style-type: none"> • Independent sector • Metropolitan SA • Secondary school

6.8.5. Geographical location at time of notification

The geographical location in which individuals were positioned at the time of notification is presented in Figure 6.29. Overall, of all cases:

- 50% occurred in Metropolitan locations in South Australia;
- 17% took place in Country locations within South Australia;
- 2% in Rural locations in South Australia; and,
- 31% were identified as Not registered, Not teaching, Prior to teaching, Suspended from teaching, Tutor/coach/scout leader, and Unknown categories.

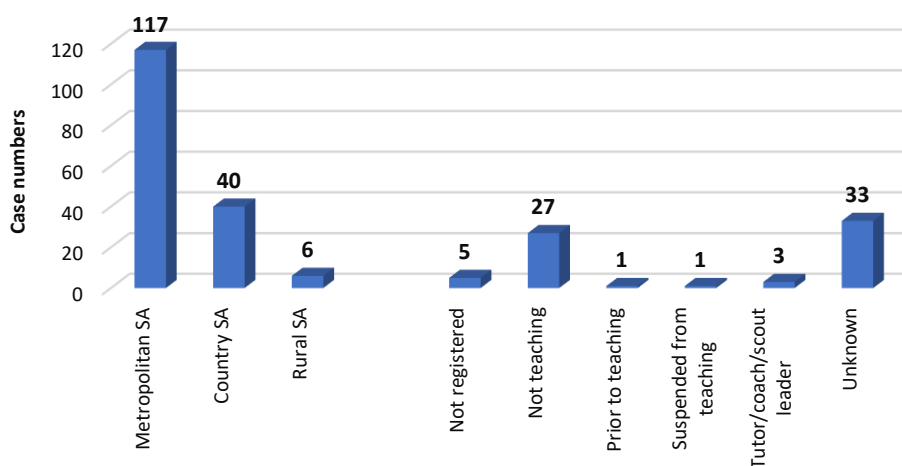


Figure 6.29. Geographical location at time of notification

6.9. Outcomes for matters

In this sub-section of the report, the initial and final (current) outcomes for matters are presented. These are aligned to the three main categories of matters, Incapacity, Incompetence, and Unprofessional conduct.

6.9.1. Initial outcomes

A summary of the initial outcomes undertaken in relation to the category of matter is provided in Table 6.12. As demonstrated in the first column, there were a range of different levels of outcome that alter depending upon the category of matters. While most initial outcomes involved the imposition of some kind of change or alteration to registration, five ended up being positive for the teacher with the allegation being dismissed, cancellation of suspension or conviction withdrawn.

In viewing the category of matter and the initial outcomes it can be noted that there is a wide range of outcomes applied. Incapacity resulted predominantly in condition(s) being imposed upon Provisional registration ($n=22$) or full Registration ($n=9$). In a few instances, full Registration was suspended ($n=4$) or cancelled ($n=3$).

In relation to Incompetence, the outcome was that conditions were imposed on full Registration ($n=4$) or cancelled until further order ($n=2$).

As expected, matters coded as Unprofessional conduct received more severe initial impositions. These included some form of Registration cancellation ($n=81$), suspension of Registration ($n=23$) or imposition of conditions on Registration ($n=14$). While a breakdown of these cases into the 11 sub-categories of offences is possible, this has not been provided in this report.

It should be noted that in coding these Initial Outcomes, there were a number of instances where no data was entered for this data variable. In these instances, the term 'Unknown' has been applied for the analysis.

Table 6.12. Initial outcomes assigned to categories of matters

	Category of matters			TOTAL
	Incapacity	Incompetence	Unprofessional conduct	
Allegations dismissed/withdrawn	1		1	2
Application dismissed. Registration continues			1	1
Suspension cancelled/no case to answer			1	1
Conviction withdrawn			1	1
Application withdrawn by teacher	3		3	6
Application for registration returned/refused	1	1	5	7
Complaint withdrawn - teacher signed undertaking not to teach	1		3	4
Disqualified until further order			1	1
Prohibited			1	1
Provisional restricted registration	1			1
Provisional registration + conditions	22		2	24
Provisional registration			1	1
Registration + conditions	9	4	9	22
Reprimand/Provisional registration + conditions			1	1
Reprimand/Registration + conditions			4	4
Readmitted Provisional registration			1	1
Registration cancelled	3		15	18
Registration cancelled/Disqualified permanently			45	45
Registration cancelled/Disqualified for specified time			1	1
Registration cancelled/Disqualified until further order		2	17	19
Registration cancelled, Disqualified until conditions fulfilled			3	3
Reprimand			5	5
Reprimand/conditions imposed			2	2
Reprimand/suspension			4	4
Serious reprimand/course to complete			2	2
Reprimand/Disqualified until condition met			6	6
Reprimand/Disqualified until further order			2	2
Reprimand/Disqualified permanently			3	3
Suspension	4		14	18
Suspension/Registration cancelled			2	2
Suspension/conditions imposed			4	4
Suspension/Registration + conditions			3	3
Hear adjourned/psych assessment	1		1	2
Request to postpone/worker compensation underway		1		1
Unknown		1	11	12
TOTAL	46	9	178	233

6.9.2. Final (current⁸) outcomes

The data in Table 6.13 summarises the final or current outcomes documented for each case at the time of collecting and analysing the data. The term current has been applied because in a small number of cases these outcomes may change with time e.g., where conditions were imposed on Registration.

The first aspect to observe in Table 6.13 is that the range of outcomes applied is fewer than those used with Initial Outcomes. Overall, it is possible to identify a high degree of congruence in the patterns across the two sets of outcomes. Where there are differences, these are likely explained by the increase in the number of Unknowns in relation to the Final (current) outcomes. To investigate further, when each case was viewed individually, it appeared that in a number of cases an outcome was entered for the Initial Outcome column with no entry provided in the Final Outcome column. This was likely due to the fact that the Initial Outcome was not overturned or changed with time as might be expected if Registration was cancelled indefinitely or until further order at the time the matter was first reported to the TRB. In other words, the Initial Outcome was also likely the Final

⁸ 'Current' is used here to identify that at the time of completing this study final outcomes for some cases had not been determined.

Outcome in these instances. However, rather than make this assumption the term Unknown was applied for consistency.

Table 6.13. Final (current) outcomes assigned to categories of matters

	Category of matters			TOTAL
	Incapacity	Incompetence	Unprofessional conduct	
Allegations dismissed/withdrawn	1		1	2
Conviction withdrawn			1	1
Application withdrawn by teacher			1	1
Application for registration returned/refused	1		6	7
Complaint withdrawn - teacher signed undertaking not to teach			2	2
Not to register in Australia			2	2
Disqualified until further order		1	4	5
Disqualified permanently			3	3
Board revoked conditions			1	1
Provisional restricted registration remains	1			1
Provisional registration + conditions	17	1	2	20
Provisional registration expiration			2	2
Registration + conditions	6	5	3	14
Readmitted Provisional registration	1			1
Registration reinstated (condition met)		1	7	8
Provisional registration cancelled		1	2	3
Registration cancelled			14	14
Registration cancelled/Disqualified permanently	1		24	25
Registration cancelled/Disqualified until further order			22	22
Registration expired	2		9	11
Serious reprimand/course to complete			1	1
Reprimand/Disqualified permanently			1	1
Suspension	1		12	13
Suspension/conditions imposed	1		3	4
Not finalized/ongoing			1	1
Unknown	14		54	68
TOTAL	46	9	178	233

7. Conclusions

The purpose of the study was to explore potential patterns of data among 233 teacher cases aligned to Parts 5 and 7 of the Teachers Registration and Standards Act 2004 (the Act). Data were collected from a variety of sources and entered onto a single spreadsheet for analysis. To guide the analyses of the data, five research questions were developed. These are used in this section of the report to tie together the key findings of the study.

- 1. In general, what are the most prominent categories and sub-categories of matters evident across cases? To what extent are these patterns influenced by variables, such as the age of registrants, gender, or years of registration held by teachers?**

7.1. Patterns across categorisations

Three major categories of matters were identifiable termed Incapacity, Incompetence, and Unprofessional conduct. Within each category, sub-categories were also developed. This categorisation is summarised and defined in Table 7.1. As observed in the table, the most prominent category was for Unprofessional conduct with a total of 178 matters. Of these, Child sex offences was the sub-category with the greatest frequency $n=67$. This was followed by Boundary indiscretions with students ($n=26$) and then Child exploitation material ($n=20$).

Importantly, the second most frequent sub-category of matters overall was for Mental health with a total of 32 cases. This aligned to the broader category of Incapacity.

Table 7.1. Categorisation and frequency of matters (N=233)

Categories	Sub-categories	Frequency
Incapacity	Physical disability	14
	Mental health	32
Incompetence	Unsatisfactory performance	9
Unprofessional conduct	Accessing adult pornography on site	1
	Adult sexual offending (e.g., indecent filming; sexual harassment of staff; sexual assault)	8
	Assault/violence of students (e.g., pushing, shoving, hitting, punching by teacher)	8
	Boundary indiscretions students (e.g., inappropriate communication of personal information with students; use of social media inappropriately; invading students' personal spaces; touching shoulder/back)	26
	Child exploitation material (e.g., accessing child pornography)	20
	Child sex offences (e.g., sexual relationship; procurement/grooming/stalking; inappropriate sexual touching; USI children/student; sexual assault of child in family)	67
	Dishonesty/theft (e.g., falsification of documents)	15
	Driving under the influence (DUI)/dependency (e.g., alcohol/drugs)	15
	Irresponsible behaviour (e.g., leaving students unsupervised at a camp; contravening condition of registration)	7
	Murder/manslaughter	2
	Possession illicit drugs (e.g., trafficking/possession)	8
	Unknown but deregistered by Victorian Institute of Teachers	1

7.1.1. Categorisation by age

When these data were considered in relation to the age of the registrant at the time of the incident a few clear patterns emerged. For example, with Incapacity, physical disabilities were more prevalent for registrants aged 51-60, which is what might be expected. However, with Mental health, there was a more consistent spread across most age ranges although the mode was for 46-50 years of age. Similarly, the cases for Incompetence demonstrated a spread across 26-55 years of age.

In terms of the Unprofessional conduct category, there was considerable variation. While there was a spread of cases across age ranges for the majority of sub-categories, there was one exception. This was for Child sex offences. What occurred here was a predominance of cases across the ages of 20-40, with a drop away for ages on either side of this range.

There was some variation of these patterns when the age of notification was considered. These differences occurred in relation to the sub-categories of Mental health, Adult sexual offending, Child exploitation material although the largest differences emerged for Child sex offences. The reason for this variation with the latter sub-category was due to the reporting of historical sexual violations.

7.1.2. Categorisation by gender

Gender resulted in distinct patterns across some categories of matters.

- Incapacity ($n=46$) demonstrated an even split between genders. Of interest though was that more males identified issues with Physical disabilities than females (i.e., 64% males, 36% females) while the opposite occurred for Mental health (44% males, 56% females).
- Incompetence ($n=9$) was dominated by 67% cases involving females compared to 33% being males.

- Unprofessional conduct ($n=178$) identified the opposite pattern with 80% (i.e., 143) of matters representing males compared to 20% (i.e., 35) for females. In general, it might be expected that females would be more highly represented given the predominance of females on the Teacher Register for South Australia. Hence, the results for Unprofessional conduct are concerning.

7.1.3. Categorisation by years of registration

There were a number of interesting patterns observed in relation to these findings.

- Regarding Incapacity, the number of respondents with Mental health considerations was evident across most years of registration whereas having a Physical disability aligned with individuals holding more years of registration. This is not surprising in that years of registration will often correspond to age.
- Unsatisfactory performance aligned to respondents holding fewer years of registration. This finding is also not surprising as early career teachers learn to adjust to the rigors and expectations around teaching.
- In terms of Unprofessional conduct, there were some sub-categories that appeared across most of years of registration. Examples included Adult sexual offending, Boundary indiscretions students, Child exploitation material, Dishonesty and theft, and DUI drug/alcohol dependency. This was an important finding demonstrating that registrants regardless of their professional experience can overstep professional boundaries – it is not just new graduates or early career teachers. In contrast to these findings, some sub-categories of Unprofessional conduct were more highly represented by registrants with fewer years of registration. The most notable example was for Child sex offences. As seen in Table 6.3, 0-3 years of registration had 15 offences while 4-6 years had 17. The number of offences in general tended to decline as the years of registration increased.

2. Are there specific sub-categories of matters that are more prevalent? If so, what are the characteristics of registrants involved (i.e., age, gender etc.)?

7.2. Prevalent matters and characteristics

As identified above, the three most represented sub-categories were Mental health ($n=32$), Child sex offences ($n=67$) and Boundary indiscretions with students ($n=26$).

7.2.1. Mental health (Category – Incapacity)

When scrutinised more closely, the majority of the Mental health cases related to depression and anxiety, with fewer cases of Post-traumatic Stress Disorder (PTSD) (usually due to an incident while teaching) and personality disorders. In each case, diagnosis was confirmed by either a psychiatrist or medical practitioner.

Considered in relation age at the time of the incident, the pattern was constant across all age ranges with the exception of 46-50 years represented by eight registrants. In terms of gender, only a slight variation was noted in the data with more female ($n=18$) than male ($n=14$) cases. Years of teacher registration demonstrated a consistent spread of cases of Mental health across all years with slightly higher numbers identified for 0-3 years of registration ($n=6$) and 31+ years of registration ($n=7$).

7.2.2. Sexual violations (Category – Unprofessional conduct)

A total of 122 cases aligned to the five sub-categories of Accessing adult pornography on site ($n=1$); Adult sexual offending ($n=8$); Boundary indiscretions students ($n=26$); Child exploitation material ($n=20$); and Child sex offences ($n=67$). These sub-categories referred to as ‘Sexual violations’ accounted for 54% of all matters (i.e., 233).

Regarding age, the spread of violations was reasonably consistent with the exception of Child sex offences. For this sub-category, more cases were identified for ages of 20-25 ($n=8$), 26-30 ($n=17$), 31-35 ($n=12$) and 36-40 ($n=9$) with a lower spread across remaining age ranges.

In relation to gender, without exception males predominated all of these sub-categories. In reference to Child sex offences particularly, of the 67 cases, 57 aligned to males with the remaining 10 to females. Similarly, of the 26 cases of Boundary indiscretions with students, 22 aligned to males with only four to females. These data support prevailing literature identifying males as the dominant perpetrators of sexual violations against students (Creagh, 2013; Jaffe et al., 2013; Mototsune, 2015; Kaufman et al., 2016).

When analysed in relation to years of registration, the pattern of cases aligned to Boundary indiscretions with students was fairly consistent across all years. This contrasts greatly to Child sex offences where the majority of cases were identified for 0-3 ($n=15$), 4-6 ($n=17$), and 7-9 ($n=8$) years of registration. The number of cases aligned to other years of registration were fairly constant.

Further information pertaining to Sexual violations also emerged. For example:

- Of the 122 cases comprising this sub-grouping, 93 occurred in the professional lives of the registrants compared to 29 in their personal lives (i.e., involving family friends or members).
- Of the Sexual violations, 36 were historical in nature (i.e., with five years or more years evident between time of incident and notification to TRB). Child sex offences accounted for 30 of these cases with the remaining six aligned to Child exploitation material ($n=4$) and Adult sexual offending ($n=2$).
- Of all Child sex offences ($n=67$), 53 occurred in the professional lives of registrants with the remaining 14 taking place in their personal lives.

3. Who are the key notifiers of matters? Is there a pattern across categories or sub-categories of matters? What type of registration was held by registrants at the time of notification?

7.3. Notifications

Four key notifiers to the Board were identified from the data. These included:

- South Australian Police ($n=70$) for matters aligned to the Unprofessional conduct category. More specifically, the highest number of notifications occurred for Child sex offences ($n=32$) and Child exploitation material ($n=13$).
- Applicant ($n=56$) for matters pertaining to Incapacity ($n=30$) with 11 cases aligned to Physical disability and 19 to Mental health. The remaining notifications were mainly in relation to Boundary indiscretions with students, ($n=4$), Child sex offences ($n=4$), Dishonesty/theft ($n=4$), DUI/dependency ($n=4$), and Assault/violence ($n=3$).
- Department for Education ($n=40$) across all categories and sub-categories. While being the chief notifiers of Unsatisfactory performance ($n=6$), they also reported mainly on Child sex offences ($n=9$), Mental health ($n=6$), Boundary indiscretions with students ($n=5$), and Child exploitation material ($n=4$).
- Principal ($n=24$) for matters aligned mainly to Boundary indiscretions with students ($n=5$), Child sex offences ($n=5$), Mental health ($n=4$) with remaining notifications across all other sub-categories.

The type of registration held by teachers at the time of notification varied across nine categories. The main types were full Registration ($n=135$) and Provisional registration ($n=76$). A total of 14 teachers had their registration refused, it had expired or were not registered.

4. Who are the major providers of ITE qualification for registrants? Are patterns identifiable across the type of ITE qualifications and category/sub-category of matters held by registrants?

7.4. Patterns across ITE qualifications

Data identified that the major providers of ITE qualifications for registrants comprising this study were located within South Australia. The specific numbers of registrants aligned to each provider were:

- University of South Australia $n=134$. It should be noted that the former Colleges of Advanced Education have been included here as these merged with two other South Australian institutions in 1991 to form the University of South Australia.
- Flinders University $n=30$
- University of Adelaide $n=27$
- Tabor $n=3$

These results are not surprising given that the University of South Australia and former Colleges of Advanced Education were the longest standing ITE providers in the state, thereby producing the largest number of early childhood, primary and secondary teachers over time. In contrast, the other three South Australian providers have not been operating in the ITE space for as long so have not collected the same number of teacher graduates.

In terms of the type of ITE qualification, the majority of matters were from teachers with Graduate Diploma, Diploma of Education and/or Teaching degrees ($n=105$) compared to Bachelor of Teaching ($n=6$), Bachelor of Education ($n=102$), and Master of Teaching degrees ($n=6$). Note that three matters aligned to registrants with Teacher Certificates while 11 had 'Unknown' ITE qualifications as this information was not uploaded into the database. The prevalence of Diploma/Graduate Diploma degrees is not surprising given that these were the major ITE qualifications for a long period of time in South Australia. However, these have been replaced by Bachelor of Education and Master of Teaching degrees, which will likely predominate into the future.

7.4.1. ITE qualifications and categories/sub-categories of matters

There are a number of programs linked to large numbers of matters represented in the data. Key highlights included:

- Bachelor of Education (unspecified) $n=11$
- Bachelor of Education (Primary & Middle) $n=11$
- Bachelor of Education (Secondary) $n=17$
- Diploma of Teaching (Primary) $n=40$
- Diploma of Teaching (Secondary) $n=16$
- Graduate Diploma in Education (unspecified) $n=19$

It is important to point out that these are also likely to be the ITE programs that attracted the largest number of students when offered for study at the time. In relation to identifying any patterns across sub-categories of matters, this was not evident as all ITE programs were represented to some degree. However, it is interesting to note a slightly higher incidence of matters for Child exploitation and Child sex offences for the Master of Teaching and Bachelor of Education badged degree programs (e.g., Bachelor of Education-Secondary) when compared to other programs (See Table 6.7). Regarding primary versus secondary programs, there does not appear to be any distinction in the pattern of matters across sub-categories for these in the data.

5. What patterns emerge around the educational contexts of registrants at the time of the incident? What is identifiable about the specialisations of registrants? Are there any patterns around the employer sectors and/or the geographical location of the sites of registrants?

7.5. Employment settings and specialisations

Most registrants were employed as early years, primary or secondary teachers ($n=171$) at the time of committing the offence. A total of 107 matters aligned to secondary teachers and 57 to primary teachers. The remaining seven matters were for teachers in the early years/primary, middle-school, and R-12 contexts. In terms of secondary teachers, the majority of matters comprised Child sex offences ($n=42$) and Boundary indiscretions students ($n=20$), with fewer numbers of matters across all other sub-categories. In contrast, the key matters for primary teachers were Mental health ($n=12$) and Dishonesty/theft ($n=9$) with most of the other sub-categories represented.

The remaining registrants (i.e., 66) were coded as Prior to teaching, Not registered, Not teaching, Suspended from teaching, held other positions within the community (i.e., scout leader, tutor), or identified as 'Unknown setting'.

The specialisations of teachers were often not recorded in the documents viewed for extracting data. A total of 127 cases did not provide any information regarding the specialism of the teacher while a further 47 of registrants were not located in school or early years settings. This finding is not surprising in that in many instances the subject being taught by the teacher may not have been directly relevant to the case. It should also be noted that early years and primary teachers until recently have been generalists so not required to hold a specialism. However, this will likely change in the future given recent changes to ITE program accreditation that now requires primary teachers to graduate with a specialism.

What did emerge from the data for the 59 cases where the specialisms were identified is that 12 of these represented secondary teachers who were teaching Physical Education at the time of the incident with another 12 teachers holding Music specialisms. A number of other specialisms were also represented including Mathematics ($n=6$), Art ($n=5$), English ($n=5$), and Science ($n=4$).

7.5.1. Employer sectors and geographical location of sites

The key employers for registrants at the time of the incident were the Department for Education South Australia ($n=117$), Catholic Education South Australia and Melbourne ($n=21$), and the independent sector, which includes the Association of Independent Schools of South Australia (AISSA) ($n=33$). The remaining registrants ($n=62$) were either 'Not teaching' or employed in other positions. There were also 22 cases where no information was available for this variable with the label 'Unknown' applied.

Regarding the geographical location in which registrants were working at the time of the incident, data evidenced the following patterns:

- 51% occurred in sites located in Metropolitan South Australia or interstate;
- 20% took place in Country locations within South Australia or interstate;
- 2% in Rural locations in South Australia or interstate; and,
- 27% were identified as Not registered, Not teaching, Prior to teaching, Suspended from teaching, Tutor/coach/scout leader, and Unknown categories.

These results are not surprising given that the majority of schools and early childhood centres (hence teachers) in South Australia tend to be located in Metropolitan areas when compared to Country and Rural areas. Of interest is that when the actual educational sites for which information was available for individuals ($n=165$) were considered, the following results emerged.

- One site had three matters by three different individuals;
- 24 sites had two matters aligned to different individuals; and,
- 114 had single matters only.

When the sites accruing multiple incidents by different individuals (i.e., those with 2-3 matters) were scrutinised more closely, these sites represented Metropolitan SA with few instances affiliated with Country and Rural SA.

8. Future Considerations

The findings in this report identify clear patterns across categories and sub-categories of matters. Interestingly, some of the myths that pervade in the educational community were not evidenced from the analysis of the 233 TRB cases. For example, the myth that incidents discussed in this report are more likely to occur in educational sites located in regional and remote areas was not supported. The greatest number of incidents occurred in Adelaide and its surrounds. This outcome is not surprising given that more educational sites exist in these localities along with a teaching workforce to support the sites. In contrast, it was clear from the analysis that the prevailing myth that sexual violation of students is more likely to be perpetrated by males than females was supported by findings from this project. Importantly, prevailing research conducted over the last two decades corroborates this finding (Creagh, 2013; Jaffe et al., 2013; Mototsune, 2015; Kaufman et al., 2016). What is interesting though is that emerging research suggests that female teachers also offend but are less likely to be reported (Christensen & Darling, 2020; Darling, Hackett & Jamie, 2018).

Given the findings of this study there are two key questions worthy of further consideration by TRAs in terms of 'futures thinking'.

1. How do TRAs attempt to mitigate the likelihood of these matters arising among our teaching profession especially as alternative pathways into teaching escalate? What strategies are already in place and what else is possible?
2. As TRAs move towards Automatic Mutual Recognition, how does South Australia safeguard our educational context to ensure that only 'fit and proper' teachers are working in our educational sites?

9. Acknowledgements

Undertaking the mining of data and entering it accurately into the spreadsheet used for this project took considerable time. It is important to acknowledge the contributions of Kylie Copogreco who was selected to work on the project because of her high attention to detail thereby enhancing the validity of our findings.

10. References

- Australian Council of Professions (2003). What is a profession? Retrieved from: <https://www.professions.org.au/what-is-a-professional/>
- Australian Institute for Teaching and School Leadership [AITSL] (2018). *One teaching profession: Teacher registration in Australia*. Education Services Australia. Retrieved from: <https://www.aitsl.edu.au/docs/default-source/national-review-of-teacher-registration/report/one-teaching-profession---teacher-registration-in-australia.pdf>
- Campbell, E. (2006). Ethical knowledge in teaching: A moral imperative. *Education Canada*, 46(4), 32-35.
- Creagh, S. (2013). An analysis of factors related to teacher sexual misconduct, using data sourced from Queensland disciplinary outcomes. Toowong: Queensland College of Teachers.
- Christensen, L. S. & Darling, A. J. (2020). Sexual abuse by educators: A comparison between male and female teachers who sexually abuse students. *Journal of Sexual Aggression*, 26(1), 23-35.
- Darling, A. J., Hackett, S. & Jamie, K. (2018). Female sex offenders who abuse children whilst working in organisational contexts: Offending, conviction and sentencing. *Journal of Sexual Aggression*, 24(2), 196-214.
- Jaffe, P., Straatman, A.-L., Harris, B., Georges, A., Vink, K. & Reif, K. (2013). Emerging trends in teacher sexual misconduct in Ontario 2007-2012. *Education and Law Journal*, 23(1), 19-39.

- Kaufman, K., Erooga, M., Stewart, K., Zarkin, J., McConnell, E., Tews, H. & Higgins, D. (2016). Risk profiles for institutional child sexual abuse: A literature review. Report generated for the Royal Commission into Institutional Responses to Child Sexual Abuse. Retrieved from:
<https://safeguardingchildren.acu.edu.au/research-and-resources/risk-profiles-for-institutional-child-sexual-abuse>
- Mototsune, T. (2015). Ontario College of Teachers cases of teacher sexual misconduct. Retrieved from:
<https://ir.lib.uwo.ca/etd/2840/>
- National Health and Medical Research Council [NHMRC] (2018). *National Statement on Ethical Conduct in Human Research*. Retrieved from: <https://www.nhmrc.gov.au/about-us/publications/national-statement-ethical-conduct-human-research-2007-updated-2018>.
- Royal Commission into Institutional Responses to Child Sexual Abuse (2017). Final report: Schools. Retrieved from: https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_13_schools.pdf

Appendix 1

The following list of analyses were undertaken using pivot tables and either summarised in tabular or graphic form in the report.

- Gender
- Age at the time of incident
- Age at the time of notification
- Historical sexual violations
- Notifier of offence
- Country of birth
- Categories of matters x gender
- Categories of matters x age at time of incident
- Categories of matters x age at time of notification
- Categories x sub-categories of matters x age at time of incident
- Categories x sub-categories of matters x age at time of notification
- Categories x sub-categories of matters x gender
- Age at time of incident x historical matters
- Notifier x category of matter
- Notifier x sub-category of matter
- Sexual violations x historical or not x personal or professional
- Type of registration at time of incident
- Type of registration at time of notification
- Type of registration x categories of matters
- Years of registration x categories and sub-categories of matters
- Years of registration at date of incident
- Years of registration at date of notification
- Educational provider of ITE qualification
- Educational provider of ITE qualification x categories of matters
- Educational provider of ITE qualification x sub-categories of matters
- Age of incident x provider of ITE qualification
- Age of notification x provider of ITE qualification
- ITE qualification x category of matters
- ITE qualification x sub-categories of matters
- Total number of qualifications per case
- Employment setting at time of incident
- Specialisation at time of incident
- Sector at time of incident
- Educational site at time of incident
- Geographical location of educational site at time of incident
- Educational site at time of incident x category of matter
- Initial outcomes x categories and sub-categories of matters
- Final outcomes x categories and sub-categories of matters