

VICTORIAN INSTITUTE OF TEACHING

DECISION AND REASONS OF THE FORMAL HEARING

NUMBER: 131

REGISTERED TEACHER: Christine Sally HOBBS

PANEL MEMBERS: Susan Halliday, Chairperson
Anne Farrelly, Registered Teacher
Paul Wilhelm, Registered Teacher

ATTENDANCE: The teacher attended the Formal Hearing and was self-represented

Mr Chris Enright, Counsel Assisting with Mr Rodney Hepburn, Instructing Solicitor on behalf of the Victorian Institute of Teaching

DATES OF HEARING: 4 & 5 December 2012

DATE OF DECISION: 29 January 2013

FINDINGS AND DETERMINATION:

Pursuant to section 2.6.46(1) of the *Education and Training Reform Act 2006*, on 29 January 2013 the Panel found the teacher had engaged in serious misconduct.

The Panel determined pursuant to section 2.6.46(2)(h) of the *Education and Training Reform Act 2006* to impose conditions on the registration of the teacher.

The registration of the teacher is subject to the following 5 conditions.

1. The teacher must consult a registered psychologist for the purpose of counselling in respect of the following:

- (a) The teacher's emotional upheaval and personal circumstances which the panel considers have significantly impacted her professionally;
 - (b) Anger management – insights, triggers and future coping strategies;
 - (c) Differentiating between personal and professional roles, with specific reference to family related circumstances, and the mapping of the teacher's future engagement in matters concerning the education of her grandchildren;
 - (d) A considered assessment, by the teacher, of how she was 'experienced' by other professionals and the pursuit of a genuine willingness to take on board and address the level of discomfort other professionals voiced about her behaviour;
 - (e) A thorough analysis of, and informed personal reflections about, the behaviour the teacher engaged in during the Hearing, which is noted in the Panel's reasons; and
 - (f) A comprehensive understanding of the Victorian Institute of Teaching Code of Ethics and Code of Conduct with specific links being made to the conduct of the teacher that fell short of what is required of a teacher, and in turn, the broader consequences for all parties (both direct and indirect) of such conduct.
2. There are to be a minimum of 10 sessions to be completed by the end of the 2013 school year, and 6 of the 10 sessions are to be completed by 30 June 2013.
3. The teacher is to provide to the Institute with two reports from the registered psychologist; one prior to 30 June 2013, and the second one prior to 20 December 2013.
4. The reports from the registered psychologist should set out the psychologist's qualifications, address of practice, confirmation that the psychologist has read the Panel's determination (including the Panel's reasons), confirmation of the teacher's attendance and address the matters set out in condition 1.
5. The teacher is to provide the Institute with two letters to be written by the teacher, to accompany each of the psychologist's reports, detailing the teacher's personal views on her progress, and the personal and professional insights she has gained, addressing all matters set out in condition 1.

REASONS

BACKGROUND

The teacher has been a registered teacher with the Victorian Institute of Teaching (the Institute) since 31 December 2002.

By letter dated 11 August 2010, the employer notified the Institute that it had taken action in relation to the alleged serious misconduct and/or lack of fitness to teach of the teacher. The teacher's employment with the employer was terminated in August 2010 as a result of the allegations.

The matter was referred to the Disciplinary Proceedings Committee (the Committee) of the Institute on 8 December 2010 and the Committee decided to conduct an investigation.

On 1 April 2011, the teacher's registration with the Institute was suspended due to non-payment of the 2011 annual registration fee.

On 25 May 2011, the Committee decided to continue with the inquiry and to conduct an investigation.

On 16 November 2011, the Committee considered the Investigator's report and decided to continue with the inquiry and referred the matter to a Formal Hearing.

A Notice of Formal Hearing dated 9 November 2012 was served upon the teacher by registered post on 13 November 2012.

THE ALLEGATIONS

The allegations of serious misconduct/serious incompetence and/or lack of fitness to teach as set out in the Notice of Formal Hearing are:

1. *On or about 18 November 2009, whilst employed as an(sic) registered teacher at school 1, you:*
 - a. *Attended the school with your daughter, witness 2, at approximately 1.00pm, in relation to a playground incident between your granddaughter, student 1 and student 2 and aggressively demanded that you attend a meeting concerning the said students, in order to be your granddaughter's advocate, despite the principal explaining that the meeting was for the students only.*
 - b. *Subsequently refused to listen to the principal about the action she would be taking in relation to the playground incident, threw your bag on the ground and constantly interrupted the principal as she attempted to give an explanation of the action she would be taking.*
 - c. *Refused to leave the school when the principal repeatedly asked you to leave and after being informed that the principal would call the police if you did not leave.*

- d. Following your refusal to leave the school, commented to your daughter, in reference to the principal, words to the effect that 'this fucking bitch is calling the police and I am not fucking leaving.'
 - e. Made a number of disparaging, unprofessional and aggressive comments in reference to the principal, including words to the effect that the principal was :
 - i 'a fucking useless whore'
 - ii 'a fucking useless wonder who just sweeps things under the carpet'
 - iii 'a fucking liar'
 - iv 'a fucking dyke bitch'
 - v 'the school is shit and it is no wonder with a fucking idiot like her'
 - vi 'looking (sic) how she's walking around – fucking strutting'
 - vii 'go on, walk away you fucking gutless wonder'
 - viii was 'out there lying to the police'
 - f. When the principal asked you to stop using such foul language because there were children around, you replied with words to the effect "I'll fucking speak how I like, who do you think you are?"
2. As a result of your conduct detailed in 1 a) – f) the principal was required to place the administration area of the school into lock down, given that your behaviour was able to be witnessed by students, staff and other members of the school community.
 3. As a result of your conduct detailed in 1 a) - f) and your refusal to leave the school premises, the principal had to contact the police for assistance.
 4. When the police officer attended the school, and attempted to talk with you about what happened, you :
 - a. Were rude and aggressive and would not listen to him.
 - b. Pointed your finger at the police officer and demanded that he listen to you saying words to the effect "fucking shut up and listen to me" and "you have no fucking clue what is going on."
 - c. Refused to leave the school, when the police officer asked you to, stating that the police officer had no power to compel you to do so and instead sat outside the principal's office where you continued to use offensive language in a loud voice.
 - d. Following the discussion with the police officer, you aggressively walked over to an interview room where witness 3, the mother of student 2 had been waiting, opened the door and said words to the effect 'keep your fucking son away from my granddaughter' and then slammed the door shut.
 5. On 18 November 2009 whilst you were required to be on duty at school 1, you attended the school without advising the principal of school 1 that you were doing so.

THE EVIDENCE

Counsel Assisting's opening submission noted that the allegations related to Wednesday 18 November 2009 when the teacher attended the school with her adult daughter, witness 2 and grandchildren.

Counsel Assisting confirmed that the parties agreed that the incident had taken place. The parties were however in significant disagreement about the specifics of the incident, and the teacher's conduct on the day. Witnesses were called by the Institute, including the adult daughter of the teacher. The adult daughter had originally asked to provide evidence by telephone. The Panel determined that this witness should give evidence in person, and the witness did so.

Counsel Assisting indicated that when the teacher attended the school (a school located a short distance from school 1 where the teacher was employed) she repeatedly and profanely abused and publicly vilified the school principal. Counsel Assisting informed the Panel that the teacher's verbal abuse and intolerant vilification, in combination with her acerbic and aggressive deportment created fear and anxiety in the primary school community to such an extent as to require the first enforced security 'lockdown' in the school's recent history.

Further, Counsel Assisting raised that subsequent to her demonstrable refusal to leave the school grounds upon the demand of the principal and the police, the teacher continued her abusive approach and threatening demeanour toward school staff, a member of Victoria Police and the mother of a student.

The teacher represented herself during the Hearing, and in turn provided her opening submission under oath given the evidential nature of the content.

During her opening submission the teacher provided some personal background relating to her family circumstances over past years. She also noted that while she considered the employer's past decision to terminate her as excessive, given what had happened, that at the time she had decided not to pursue a teaching role into the future. However, family circumstances had more recently dictated that she return to work and she needed her registration.

The teacher stated that she regretted both going to the school and that the incident took place. She stated that she disagreed with many of the specifics detailed in the allegations currently before the Panel, and felt that there had been some embellishment. The teacher apologised for the fact that a Hearing had to be conducted given the time and expense to the Institute.

During her opening submission the teacher also stated that she did go to the room where witness 3, the mother of student 2 had been waiting, and said *'keep your fucking son away from my granddaughter'* and that she was sorry that she had done so.

The teacher provided verbal evidence that mirrored the content of the signed and dated statement that she provided to her principal, principal 1 of school 1 on 7 December 2009.

Principal 1

The Principal of school 1 since September 2009, principal 1 stated that she had been Principal at another primary school for close to four years prior to accepting her current

appointment. She said that her written statement signed and dated on 31 May 2011 was true and correct, mindful that amendments needed to be made to the year that she started teaching (i.e. 1977 - rather than 1997 as stated) and the incorrect dates relating to her follow up action after being notified about the incident (i.e. Monday 23 November 2009, rather than the 21 November as stated and Wednesday 25 November 2009, rather than 23 November as stated).

Principal 1 had taught with the teacher previously from 1999 to 2005. At the time of becoming her Principal in September 2009, the teacher was employed three days a week as a numeracy specialist. Her role involved helping other teachers with numeracy and taking certain students out of class for support and enrichment work. The teacher also took some library literacy classes. The teacher was employed two days a week in 2010, undertaking numeracy assistance and science lessons.

At the end of Wednesday 18 November 2009, principal 1 received a message to call the principal of the school. She was informed that there had been an altercation at the school involving the teacher and her adult daughter around lunch time and that the police had been called because the teacher had been very disruptive at the front office.

On Friday 20 November the teacher rang and said she would not be in on Monday 23 November as she had a Doctor's appointment. Principal 1 rang the officer of the employer on Monday 23 November and advised him of the situation. On Wednesday 25 November, the teacher rang principal 1 to say that after having been to the Doctor she would be taking the next two weeks off work. Principal 1 stated that when the incident was raised with the teacher on the phone, the teacher said that she could look at herself and know that she had done nothing wrong. She said that she did go to the school, but she did not raise her voice and that she had been away from school a bit longer than expected.

A few days later principal 1 received a letter from the officer of the employer detailing a complaint about a teacher. Principal 1 was tasked with managing an investigation into what had transpired, and was provided with statements from the principal, the assistant principal, witness 1 and the social worker, all of whom worked at the school.

On Wednesday 2 December, principal 1 gave the teacher a letter setting out the allegations against her. She was requested to reply in writing by 5 December. A response was received on 7 December in which the teacher largely refuted the allegations of aggressive, abusive or offensive behaviour and/or language towards the principal. The teacher's signed written response dated 7 December 2009 (which was seen by the Panel) stated:

1 - At no time did I use aggressive or abusive or offensive behaviour or language towards the principal. I would describe my demeanour as assertive, becoming increasingly agitated. I am ashamed to admit it was my daughter, witness 2, that said words to the effect of those stated in the allegation ... during the time I repeated 4 or 5 times ' witness 2, please stop swearing.'

2 - When the principal asked me to leave the school (approximately 5 minutes after arriving) I did say 'you do what you have to do, but I am not leaving until this matter is

resolved.’ When the principal rang the police she said ‘I have 2 adults here that I have asked to leave the school and they have refused.’ It was at that point, having had no conversation whatsoever with the principal that witness 2 lost it and started venting her anger at the principal.

3 – The principal informed me that she would call the police in her office. Witness 2 was in the outer office area at the time.

4 – At no time did my behaviour or language at the school warrant such action.

5 – I do not know witness 3 and therefore have no comment on her allegation

6 I admittedly , most inappropriately,put my head into the room and said to witness 3 ‘keep your f----- son away from my granddaughter.’

7 – I was on duty at school 1 on the day, however I was on my lunch hour acting as student one’s grandmother, and had notified the Bursar of my meeting and that I may be a little late back. I also notified the teacher in whose room I would have been timetabled. I do apologize that I did not tell you principal 1, as you are, in effect, my employer. I did think that I had given adequate notice to the school, however on reflection I can see that I should have spoken directly to you. I believe you may have been in meetings the couple of times it occurred to me to tell you so I told the Bursar and the classroom teacher instead.

8 – I did approach the social worker at school 1 to inquire as to whether she had seen the travelling performance we had just seen perform. I was trying to initiate a discussion about the appropriateness or otherwise of such a program.

Again, in hindsight, knowing as I do now about communication breakdown with change-over of principals regarding this particular program, I realise we at school 1 were responsible in part for any confusion regarding age groups attending. However I would like to state that my intention in raising the subject was the welfare of the children

Nov 17

- Rang the assistant principal*

Nov 18

- Rang the assistant principal*
- Attended the school as grandparent of student 1 and mother of witness 2*
- Rang an employee of the employer, left message – no reply*

Nov 19

- Rang the school, spoke to the Business Manager and asked for a message to be left for the assistant principal “Is the school able to give an overview of the incident yet?”*

Nov 20

- Rang the school, spoke to the Business Manager, asked if the assistant principal had received message. She replied yes. I asked “Am I missing something?” She replied “Not at liberty to discuss it.”*

- Rang the local police, spoke to the police officer. I rang for advice as we had heard nothing from the school and it was obvious they had closed any means of communication. He also advised me that he had paperwork on his desk prohibiting me from entering the school.
- Rang an employee of the employer, left message. No reply.

Principal 1 stated that she spoke to the police officer who had attended the school on the day of the incident, on 9 December 2009 and he then provided a written statement. It was unsigned and undated.

On 16 December 2009, principal 1 met with the teacher and asked further questions about the alleged swearing and abusive behaviour. The teacher indicated that her responses were in her signed correspondence.

Principal 1 stated that she found the allegations against the teacher to be substantiated and would be recommending to the officer of the employer that there may be grounds for action to be taken against the teacher. Principal 1's notes show that the teacher said that she would not have said the 'f' word and that it was a fabrication that she had. Principal 1's notes from the 16 December 2009 meeting also show the teacher said that the police officer kept turning his back on her and while she didn't swear at the police officer, she was not going to be humiliated by him and that he was trying to block her out. She asked principal 1 that if she had behaved as alleged, why would she have rung the police officer back on the next day (Friday 20 November). The notes also show that the teacher stated that she may have said 'Oi' to the office girl. The notes also show that when asked about being back a little bit late after lunch, versus half an hour late, the teacher said '*I wouldn't have been half an hour late if they had answered my questions (at the school) - all the who-ha (sic).*'

Principal 1 noted that the teacher had told school 1's Bursar that she was leaving the school grounds. She returned half an hour late and was timetabled to take a team teaching session of math with P/Year 1 straight after lunch. The teacher was to be mentoring the classroom teacher and providing strategies for a mixed ability group in the after lunch lesson.

Principal 1 noted that there is nothing in the school policy about teachers taking leave at lunchtime.

In addition, principal 1 noted that earlier on 18 November, the teacher made a comment to the social worker that principal 1 had overheard, about a performance for students and how the teacher did not consider it appropriate. Principal 1 said in her statement that she did consider it to be '*a personal attack about why such an approach should not be supported.*'

Principal 1 said that the teacher seemed to be a good teacher although she had noted that she was more '*prickly*' with colleagues and students than she used to be. Principal 1 said that she had seen the teacher being angry and argumentative. She added that the teacher would refer to herself as being *robust* on such occasions. Principal 1 also said that the teacher could be domineering and intimidating. Despite these behaviours and

the teacher remaining at work until her employment with the employer was terminated (August 2010), principal 1 said that she did not performance manage the teacher or ever raise any concerns with the teacher about her behaviours that were of concern to her and other members of staff.

Principal 1 stated that she had never heard the teacher use language mirroring that which was alleged in the complaint. Principal 1 noted that she understood the teacher had some family issues and she was regularly *tense*, and often *not relaxed*.

Principal 1 said that she changed the day of the staff meeting so that it was a day that the teacher was not working (as the teacher was part-time) due to concerns other staff had about how the teacher engaged during staff meetings. Principal 1 gave evidence that she did not tell the teacher that she had done so, and the teacher had no idea the change had anything to do with her.

Principal 1 noted that there were no other significant incidents that stood out, post her investigation, up until the time that the teacher was terminated; a period of about eight more months.

The Principal

The principal had been assistant principal from 2006 and then appointed principal of the school in 2008. Signed and dated 26 May 2011, the principal said that her statement was true and correct, and that she had been working as a teacher since 1981.

The principal stated that the incident of concern involved several children including the teacher's granddaughter and witness 3's son, student 2. The teacher's adult daughter – witness 2, had come to the school front office twice on the morning of 18 November 2009 wanting information about the incident that took place on 17 November, and had been told that they were still looking into the matter. On the second occasion she left with her child, student 1. The principal reported that as a parent she made it clear that she was dissatisfied with the progress made by the school with regards to the incident.

The principal stated that between 11.00 am and 1.00 pm the assistant principal rang her while she was at the local high school transition day, to say that the teacher (and grandmother of student 1) was coming by at 1.00 pm to attend the meeting scheduled with students about the 17 November incident. The principal said that she understood that the assistant principal informed the teacher over the phone that she couldn't come, and the teacher was then rude and aggressive, and hung up.

The principal arrived back at the school about 1.00 pm and the teacher was in the front office. She asked the teacher into her 'Principal's Office' and explained the meeting was for students, herself as principal of the school and the assistant principal only. The principal stated that the teacher then shouted, said that she would be attending, and also said that she would not be leaving the school given that her granddaughter had been physically assaulted in the playground the previous day, and that she wanted answers. The principal stated that the teacher indicated that she would be student 1's advocate.

The principal wanted the teacher to leave and to be able to progress her inquiry with the children. She told the Panel that the teacher *'threw her bag on the ground, was aggressive, unreasonable and out of control.'*

The principal stated she told the teacher that the conversation was over, and that she would talk to her when she was calm and reasonable. She stated she asked the teacher to leave again or she'd call the police. The teacher then swore at her repeatedly using the 'f' word – it was a tirade of abuse. She stated, *'the doors of my office were open and witness 1 could hear the abuse from three to four metres away.'*

The principal gave evidence that she walked out into the office reception area and phoned the police on her mobile phone. Witness 2 was in the reception area, and they both became abusive and swearing saying *'she's calling the fucking police'* and then the teacher called her names and a liar and continued to swear at the principal.

The principal noted that she asked the teacher to stop using foul language as there were children around and the teacher responded with words like *'I'll fucking speak how I like, who do you think you are?'*

She stated that she then put the school in lockdown, asking witness 1 to close the glass windows of the front office and she had her put a call over the speaker system for no-one to enter the building. She stated that she saw the father of student heading for the front door and that she opened it for him.

At 1.20 pm the police officer arrived at the school. The principal told the Panel that he took student 1's father, witness 2 and the teacher into her 'Principal's Office' while she went to the scheduled 1.00 pm meeting with the students and the assistant principal elsewhere. While at that meeting she received a call from witness 1 to say that the teacher was abusing a parent, namely witness 3. She stated that she returned to the area and found witness 3 with another parent in a small interview room. She told them to stay put until the matter at hand was sorted.

The principal stated that she overheard the teacher talking to the police officer about her and saying that she was a *'fucking bitch.'* She gave evidence that she heard the police officer ask the teacher to leave the school.

The police officer and witness 2 went to get student 1's belongings. A second police officer had arrived. As the police officer and witness 2 were taking some time the principal stated that she went with the second police officer to see where they were. They met them on their way back. Student 1's father joined them and then they left the school premises.

At 2.00 pm that day the principal stated she rang the employer. She told the Panel she also rang the teacher's principal at school 1 to advise her of what had happened. She then asked the relevant staff to provide statements about what had happened. Witness 1, the assistant principal and teacher 1 did so. She noted that the office staff were upset as a result of the incident.

The principal told the Panel there had never been a lockdown during her time as principal at the school. She also indicated that she didn't know how people entered the building during that time, but she was aware that some seemed to have done so.

Later that day she was advised by witness 3 over the phone, that some related comments had been put on Facebook by witness 2.

Witness 1

Witness 1 is currently the Business Manager at the school. At the time of the incident in November 2009 she was a member of the Administration Staff. Witness 1, who started working at the school in 2004, said that her written statement, signed and dated 30 May 2011, was accurate.

Witness 1 said that she spoke with witness 2 on the morning of November 18 2009 and that she was loud, angry and aggressive. Witness 1 told the Panel that witness 2 claimed that her daughter had been assaulted the day before by another student. She went into the office of the principal and a short time later the principal came out and said she was going to collect student 1 from class for her mother. Witness 2 waited at the office.

Witness 1 stated that later that day at 1.00 pm witness 2, accompanied by her daughter - student 1 and two younger children, arrived. The teacher also arrived. Witness 1 said she was at the front office window and teacher 1 was in the front office. Teacher 1 went into the 'Principal's Office' with the principal. After a minute they came out. She told the Panel that she couldn't hear what was said when the door was closed, but when they exited she heard the principal say to the teacher that she would not be permitted to attend the meeting with students at 1.00 pm, and then the principal asked the teacher to leave the school.

She gave evidence that the teacher became angry, saying to her daughter that the principal was a *'fucking liar'* and that the *'school was run by fucking dykes.'* She stated the daughter said to the teacher that the principal would sweep everything under the carpet. She told the Panel that there was abuse and insults directed at the principal with words such as gutless wonder, bitch, whore, moll and liar being used.

She stated that the principal came over and asked her if she was alright and told her that the police were on their way. She said the principal also asked her to close the office window, and to lockdown the foyer area.

She noted the teacher walked away and approached her granddaughter's teacher and asked her if she was going to the 1.00 pm meeting. Witness 1 said that she then asked the teacher to come inside, saying that the principal would deal with things. She then said she heard the teacher say *'Oi - office girl, are the children being taken care of?'* Witness 1 stated she asked which children and the teacher replied, *'Pfff'* and witness 1 responded *'of course the children are being taken care of.'* The teacher then said sarcastically *'yeah right.'*

Witness 1 said that she did hear the teacher tell her daughter at one stage to sit down and stop swearing. When the police officer arrived and the principal went to speak to him, witness 1 heard the teacher say to her daughter that the principal was out there *'fucking lying to the police.'*

Witness 1 told the Panel that witness 3 and another parent had come into the school to do tasks in the interview room across from the front office. When the teacher saw witness 3 she went to the room carrying her granddaughter and screamed something like *'fucking away from my granddaughter'* and slammed the door. The witness went to the room to see if witness 3 was alright and to ask what had been said. She was told that the teacher had said *'tell your fucking son to stay away from my granddaughter.'*

Witness 1 stated the police officer went with witness 2 and student 1 to collect student 1's belongings from her classroom. Then they all left the school. She noted it was a relief when they had gone. Witness 1 said that she documented what had happened on the day. She added that another teacher, namely teacher 1, was in the office during the incident, and was quite shaken up about what had happened.

Teacher 1

A teacher since 2004, teacher 1 started teaching at the school in 2005. She stated that her written statement signed and dated 22 June 2011 was true and correct.

In relation to the day of the incident she gave evidence that she was in the front office compiling the school magazine. She saw the teacher and her daughter, witness 2, come to speak to the principal about an incident involving the teacher's granddaughter.

She noted that she knew who the teacher was as she had seen her at school cluster meetings. She stated that they both went into the principal's office and that she heard raised voices but couldn't understand what was being said. The principal's door then opened and she heard the principal say *'I want you to leave, I'm going to call the police.'*

She stated that the teacher was now in the foyer area about 5 metres away and that she was behind the glass. She told the Panel that the teacher was aggressive, loud and abusive. *I heard the teacher say 'you are a fucking bitch' and 'you don't know how to run a school' and 'I don't have to fucking leave.'* She noted that the teacher was very aggressive and *in your face*. She said it was *'very unprofessional and while I wasn't frightened, I was concerned for the principal.'*

She told the Panel that the principal had them close the glass. She went on to say that she did not know any details about lock down and only found out about it later. She stated that the principal rang the police. She stated *'I saw the teacher move over towards the glass sliding doors at the front of the school. She did not stop swearing, she was so worked up.'*

Teacher 1 gave evidence that the police officer tried to get the teacher to leave, but she wouldn't. The teacher said things like, *'I don't have to fucking go, I can be here.'*

She stated, *'I remember how bad the swearing was and how shocked I was by it.'*

The teacher stated that she recalled the teacher was rude to others in cluster meetings.

The Assistant Principal

Currently in another role at the school, the witness was the assistant principal at the school from 2007 to 2010. A teacher for 39 years, the assistant principal said that her statement signed and dated 3 June 2011 and accompanying notes, were accurate.

On the afternoon of 17 November 2009, the assistant principal received a phone call from the teacher's son-in-law saying that student 1 had been kicked at school. She said she would investigate the matter in the morning. The teacher's daughter, witness 2, then rang back and was very aggressive wanting to know what had been done about her child being assaulted in the playground. The assistant principal said that she'd meet with the children the next day, and get back to the families involved. She stated that witness 2 was aggressive and said that she would go to the police.

The assistant principal told the Panel that not long after, the teacher phoned her. The teacher was calm and pleasant on the phone and left the assistant principal with the impression that she was happy for the matter to be followed up the next day. The teacher also indicated to the assistant principal that there was some history between the adults in the families of the children involved in the incident.

The assistant principal told the principal about the phone calls the next morning and proceeded to interview six children who had been involved in the incident after 9.00 am. She did not interview the teacher's granddaughter as there was not an opportunity. The assistant principal then provided an overview of what had happened to the principal before recess.

The assistant principal stated that there was a call late morning from the teacher who said that she would be at the 1.00 pm meeting with students. The teacher engaged with an abrupt anxious tone, very different to the afternoon before. The call ended rapidly.

The assistant principal, when questioned, was unsure about a lockdown and did not recall a siren or announcement. The assistant principal noted however that she was not in the front office area when the incident took place.

The assistant principal stated that she knew who the teacher was as she had seen her behave poorly at school cluster meetings. The teacher was known for challenging people, and the assistant principal said that she knew that people avoided sitting near the teaching at cluster meetings.

The Police Officer

A member of the police force for 22 years and stationed in the town from 2009, the police officer stated that his statement signed and dated 27 July 2011 was accurate.

The police officer told the Panel that around 2.00 pm on 18 November 2009 he received via D24 a call seeking assistance at the school. On arrival the principal met him outside the front office on the ramp. He noted that in the front office area the teacher, her daughter and her son-in-law were also present.

He gave evidence that he went into the 'Principal's Office' with the teacher, her daughter and her son-in-law. It became clear that the family was concerned about the bullying of student 1 and that the family felt that the school had done nothing about it. The police officer stated that the teacher was loud and aggressive, and wanted to talk over him. He indicated that she wanted to control the situation saying at one stage '*no, I'll tell you what you are going to do.*' The police officer said that he asked the teacher not to raise her voice. He said that she was obnoxious and was winding herself up. Her demeanour and stance was aggressive. He suggested to the teacher that her behaviour was a breach of the peace and the teacher challenged him on the statement.

The police officer said that the teacher was the stirrer of the pot in the office and screaming. At one stage the teacher told the police officer to '*fucking shut up and listen to me*' and '*you have no fucking idea what is going on.*'

The police officer asked the teacher to leave, but she refused saying that he had no power to make her leave. The police officer stated that he informed the teacher that he did have the power under common law provisions. The teacher then left the office and sat outside. The mood in the office calmed, but the teacher continued to be loud and disruptive outside. He stated that the office staff seemed frightened.

The police officer went with witness 2 to collect her daughter's belongings. The police officer did not recall the teacher leaving.

At one stage, the police officer said that he recalled hearing the teacher tell the principal that she was not doing her job properly. Reflecting, he said that it was concerning to him that a professional person like a teacher was not able to calm down and resolve the matter at hand; rather he was of the view that she had escalated the situation.

The police officer stated that he made handwritten notes on the day of the incident. He added that he had tried to defuse the situation, but felt it was not possible due to the teacher's behaviour.

Witness 2

The adult daughter of the teacher, mother of student 1 and wife of the student's father, witness 2 indicated that her signed and dated statement of 5 June 2011 was accurate.

Witness 2 told the Panel that on collecting her own child and another child from the school on 17 November 2009 she became aware of a physical incident involving her daughter. Once home she had her husband ring the school to find out what had happened and why as parents they hadn't been informed. The assistant principal indicated she would look into the matter and contact them.

She stated the next morning she went to the school with another mother to find out some detail. The principal told them to return around 11.00 am. She agreed.

Leaving the school, she stated, she called into the police station to report the matter. She was told nothing could be done because the child who had caused the problem was underage. Returning to the school for the 11.00 am meeting she was given some detail by the principal and told that the assistant principal was going to be talking to all students involved at 1.00 pm.

Witness 2 told the Panel that she saw her mother, the teacher, at the bakery near the school where her mother taught, to seek her advice. The teacher said she'd attend the 1.00 pm meeting that her granddaughter, student 1, was being taken back to school to attend. Witness 2 said they then travelled in separate cars to the school.

Witness 2 noted that upon arriving at the school the teacher went straight into the principal's office without her. She got the children out of the car. On entering the school, she saw that the door of the "Principal's Office" was shut and she couldn't hear anything. Two minutes later the teacher came out followed by the principal who was on the phone.

She stated the teacher said to her '*she's calling the police*' and witness 2 responded '*you've got to be kidding*'. Witness 2 said that she may have sworn at that stage. She told the Panel she heard the principal say that she had two adults in the school office who were refusing to leave.

Witness 2 stated that she became angry as she hadn't even spoken to the principal, so the principal, she believed, was not being honest with the police. "*That's when I lost it*". Witness 2 phoned her husband to come to the school. She stated that the teacher was sitting with her younger grandchildren on her knee, and kept asking her to stop swearing as her behaviour wasn't helping. Witness 2 stated that she "*was ranting and raving*."

Witness 2 stated that she called the principal a '*fucking bitch*' and '*a dyke*' over and over again. She said that she said things to her husband like "*the fucking bitch isn't going to do anything, she likes sweeping things under the carpet*."

Witness 2 said that she didn't hear her mother say anything except to tell her to calm down.

She stated two police officers arrived and the one she had spoken to earlier on in the day took the family and the teacher into the 'Principal's Office'. The principal was not in the office. The teacher started the conversation saying that she wouldn't have considered the situation to be a police matter. The teacher apologised to the police officer for the way she spoke. Witness 2 stated there was no swearing after the police came. She said that when in the principal's office the teacher asserted that the blue uniform didn't intimidate her.

Witness 2 said that she was upset that her mother, the teacher, got into trouble for her bad behaviour. She said that she had spoken to her mother the night of the incident. She stated her mother had wanted to support her and her granddaughter.

Witness 3

Witness 3 provided evidence over the phone and submitted a written statement that she prepared herself on 27 November 2012. She raised that she considered that she may have been misrepresented during the earlier or current proceedings by the principal and wanted to ensure that she spoke for herself.

She told the Panel that when she entered the school on 18 November 2009, she was informed by witness 1 that there was *'a situation going on'*. When asked by the Panel, she did not consider the school to be in 'lockdown' given that she and another parent had entered and moved around the building during the time of concern. Further, she had not heard any announcement. While she was in the meeting room collating stock, the teacher leaned into the room and told her to *'keep your fucking son away from my granddaughter.'* She said:

'I know the teacher she appeared upset and frustrated.... I was in shock as I had not previously seen her so emotional.'

She stated after closing the door she stayed inside with the other parent. *'I had no idea why the teacher was upset and I was worried about my son'* given he had been referred to. She said witness 1 came by and told her that her son was safe and the teacher was with a police officer.

She gave evidence that sometime after the incident the principal phoned her. She stated that she wouldn't say why she wanted to meet in person, when she called. Attending the meeting, the principal informed the witness that the employer was doing an investigation into the teacher's conduct and she strongly advised her to make a statement. She stated that *'her tone was intimidating when she said it was ultimately my choice as to whether I did or not, but the best possible solution for all concerned and the school would be if the teacher was unable to teach again.'*

On 18 November 2009, the witness provided the principal with copies of Facebook comments made by witness 2. However the witness stated that if it had been inferred that she did so to support the principal, then that was not accurate. She stated that she made contact, having read what was on Facebook, to find out what was going on given that it appeared to involve her son. Inquiring about how long the school had known about an incident that she now felt she should know about, but didn't, witness 3 sought information. She said she was confused by having seen the teacher so upset, concerned for the other child, and aware that there had been a police officer at the school; she wanted information – hence the contact with the principal.

Witness 3 said that she was aware from another parent that the principal could be heavy handed, rather than consultative. She told the Panel that she knew of a parent who was asked to leave, and the police were called.

Witness 3 said that on the day the employer investigator came she made it clear she was not happy about the lack of privacy available. The principal was observed around, behind and near the area where she was giving her statement and she did not feel she could give an accurate private account with the principal hovering. Also fearful of the repercussions for her child if she was overheard, she stated that in the end she withdrew her statement as she did not agree with how the investigation was being conducted. The investigator indicated that her information would be available to the principal. Witness 3 stated that the principal was 'very nice' to her during proceedings which made her nervous and guarded, particularly given this was not necessarily how the principal had acted towards her previously.

Witness 3 raised a number of concerns in writing about the principal; the school's learning program, staff movement and how the school was run. She indicated that having removed her son recently to another school, she was now comfortable to contribute openly to proceedings. Previously she had feared ramifications and this had driven her decision not to engage in the proceedings.

Teacher 2

Teacher 2 provided an unsigned written character reference for the teacher, dated 26 November 2012, and gave evidence over the phone during the Hearing. The former principal of school 1 from 1984 to 2002, teacher 2 stated that he was still teaching.

Teacher 2 as the former principal at school 1 worked with the teacher from 1992 to 2002. Teacher 2 stated that she was a good teacher who behaved in a professional and supportive manner in his experience. He described her as an active team member and a person who contributed. He stated that in his experience during the stated years she was a person who was organised, as well as someone who dealt well with parents, initiated new ideas, involved herself in the broader activities of the school community and shared content with her colleagues. He said that when he worked with the teacher that he found her to be punctual, calm, willing to take on extra duties, a person who sought advice when needed, and an individual who was frank and honest; the sort of person who would seek the facts, put things on the table and not beat around the bush. He said he had found her personal judgement to be sound and reasonable.

Teacher 2 stated that he had not had much contact with the teacher since 2002, but prior to that he found that she managed conflict well and did not use bad language. He noted that his experiences with the teacher were during a time when she was also caring for a gravely ill spouse. Teacher 2 said that he would be very surprised if the teacher had acted unprofessionally.

Principal 2

Principal 2 provided a written character reference for the teacher, dated and signed 22 November 2012, and gave evidence over the phone during the Hearing. Currently the principal of school 2, principal 2 stated that she had known the teacher in a professional capacity for 24 years. Having first met the teacher when conducting courses as an

education consultant, principal 2 stated that she had found the teacher to be passionate and very willing to engage in pedagogy. She stated that she was very skilled.

Principal 2 stated that she also dealt with the teacher as a parent, as her children attended school 2. Principal 2 stated that she had seen the teacher very emotive, upset and angry given the death of her son, the death of her husband, the hospitalisation of her daughter, and extensive damage to her property. Principal 2 stated that the teacher was always willing to work positively towards agreed outcomes when dealing with matters regarding her children, and if they did not agree on something, the teacher was always willing to listen to other ideas and negotiate. The teacher was able to provide good insights into her own children which aided the school greatly when needing to create support mechanisms.

Principal 2 said that she had seen the teacher in very stressful situations over the years, but she had always remained professional. *'She can be very firm and articulate, and she won't easily be rail-roaded - she understands her rights.'* Principal 2 added *'I have always found the teacher to be professional, honest, respectful and engaging.'* Principal 2 stated that she was aware of what had happened with the employer. She then said that she would be confident employing the teacher if she had her registration. Principal 2 said the teacher would be *'a quality Casual Relief Teacher'* in her school and she would be happy to employ her.

The Teacher

The teacher said that she had been a teacher since 1975. She stated that due to family and life circumstances that she did not think she would teach again and had no energy to fight what happened with the employer. Then she realised some time later that she would need to work.

The teacher said that her daughter and son-in-law were unhappy about what had happened at the school and she rang the assistant principal, hoping to help. She also wanted to let her know that there was an adult family incident that may have affected her daughter's approach given the matter involved witness 3, the parent of student 2, the other child involved in the incident.

The teacher said that she agreed with the assistant principal's evidence and that she could see how her call on the 18 November 2009 could have been interpreted as rude and abrupt. The teacher said that that was not her intention, rather she just hung up when she'd finished, having said she'd be attending the 1.00 pm meeting.

The teacher recalled having morning tea with her daughter, and returning to school prior to 11.30 am. She said that she wanted to speak to her own principal, but she was busy. The teacher then told the Bursar, and the classroom teacher with whom she was to be working in the afternoon, that she may be back a little late from lunch.

She told the Panel that she went to the school in her own car, and the reason that she went was because witness 2 was worked up and she had hoped that she could help by talking to the principal. She parked out the front of the school and saw the principal

waiting, and assumed she was waiting for her. She stated that the principal was pacing. The teacher said to the principal that she'd come for the 1.00 pm meeting. The principal said it wasn't possible for her to attend. The teacher said that she was there to sort things out, and she stated she was then invited into the 'Principal's Office'.

The teacher said that her bag came off her shoulder and dropped to the floor; she said that it was not thrown as had been alleged by the principal. She then said that she was there to resolve the matter. She stated the principal said that she needed to leave. The teacher raised again that she was there to resolve the matter involving her grandchild and would not leave until the matter was resolved.

She gave evidence that as she left the 'Principal's Office' the principal was on the mobile phone. She said she heard her say to the police that she had two adults refusing to leave the school premises. She stated that witness 2 was furious and let forth a tirade of abuse directed at the principal. The principal walked away and the teacher recalled saying to her, *'that's not a very professional attitude.'*

The teacher said that she was mortified that things unravelled as they did and that she had asked her daughter to stop swearing. The teacher stated that she did not see anyone in the glassed office area.

The police arrived and the teacher said she indicated that she didn't think it was a police matter. They all moved into the 'Principal's Office' – except the principal who was not there. The witness stated she felt there had been no attempt to discuss the event. She said that she explained that she was a teacher. She stated that the police officer said nothing to her, and told her to be quiet when she spoke. The teacher stated that she was not going to be intimidated by the blue uniform. The police officer then asked her to leave and she said no. She told the Panel that in the end she did leave and sat outside with her grandchildren who had left the 'Principal's Office' with her.

She stated that she then spotted her granddaughter's teacher and moved outside towards her hoping she could shed some light on the incident that took place the previous day. The teacher said she was then approached and told by someone from the office that the assistant principal was looking after that matter. She was then asked to come back inside. The teacher stated that she did say *'oi – office girl'* to this person, and understood why that was considered to be rude.

She said she saw witness 3 in a room, and went over. She stated that she made the inappropriate comment as alleged, which she regretted.

She recalled that witness 2 and her family left the school around the same time she did, utilising their own cars. She returned to school half an hour late.

The teacher stated that with regards to her comments to the social worker, she felt that she had a right to express her concerns as an educator.

The teacher said that she tried to ring an employee of the employer to discuss what had happened given her belief that the police should not have been called, but received no replies.

The teacher stated that going to the school was a big mistake that she regretted deeply. She indicated that she had put her daughter and family first, something that she always does. She stated that she would not have used the ‘f’ word however she admitted she was frustrated, persistent, loud and agitated in the foyer of the school. She said that her control had lapsed.

The teacher stated that she may have pointed her finger at the police officer. She added that her frustration arose because she believed that he just wanted to move it along rather than solve the real issues at hand.

The teacher said that she regretted deeply how things developed, and that her involvement had been a huge mistake. *‘Going to the school was the worst mistake of my life.’*

The teacher informed the Panel that she had not ever sought professional help or support to deal with the family circumstances that had been so traumatic for her. She indicated that she had believed, and in turn tried to just manage it all herself.

When asked by the Panel about her body language during the Hearing, the teacher acknowledged that during the Hearing she had on several occasions turned and glared in an inappropriate manner at the principal, who was sitting at the back of the Hearing Room. She said that she did so as a result of being angry and feeling protective, as she watched her daughter upset in the witness box, and believed it was the principal who was to blame for what her daughter was going through, given the manner in which the principal had handled things originally.

The teacher also shared with the Panel at the end of the Hearing that she had heard things said about her during the proceedings that had come as a surprise. She did not know that people had an issue with her or her behaviour. She did not know the staff meeting day had been altered to a day where she was not employed, given her part time role. She did not know that people were uncomfortable with sitting near her at cluster meetings. She did not know that people thought she was intimidating and rude.

WRITTEN CLOSING SUBMISSIONS

In her written closing submission the teacher stated *‘this was a one-off incident which I can assure the Panel will never happen again’*. She added *‘the entire process has made me acutely aware that changes in my inter-personal relations are required.’*

The teacher stated *‘I would respectfully request that the Panel consider my awareness that my professional behaviour has negatively impacted on others’* and *‘my proven record as a classroom teacher, my love of teaching and my belief that I still have something to offer’* and

'the effect of significant life events which have had a negative impact and my willingness to undertake appropriate counselling in order to improve my inter-personal relations.'

The teacher in between the last day of the Hearing and submitting her written closing submission had sought advice from her Doctor and started attending sessions with a psychologist.

In the written closing submission of Counsel Assisting, in addition to commentary on the evidence, it was noted that during the conduct of the Hearing and while her daughter was giving evidence, on a number of occasions the teacher turned away from the Panel and looked directly at principal, glaring in a way that the teacher agreed under oath was intimidatory. Further, the teacher personally described the nature of the glares she directed towards the principal as *'If looks could kill she would be dead.'* Counsel Assisting added that the teacher justified her intimidatory glares towards the principal by stating that it was the *'mumma bear'* coming out in her, without providing any insight into the inappropriateness of her own behaviour. Counsel Assisting raised that the teacher in the final stages of the Hearing further demonstrated her lack of insight by justifying her intimidatory glares suggesting that the principal was to blame for the events that occurred on 18 November 2009 - *'if the principal had of (sic) handled things differently, we would have had a different situation.'*

DISCUSSION OF THE EVIDENCE

During opening submissions the teacher apologised and described the nature and extent of her remorse. The teacher is well aware of the results of her involvement in the incident, with respect to the personal impact she has experienced. However, the Panel was not convinced the teacher had the same level of understanding in relation to the school community, or the teaching profession as a whole. The Panel concluded that the teacher had clearly done some reflection saying that she would never place herself in the position that she had in November 2009 again and better understood the need to differentiate between her professional role and her engagement as a concerned family member.

At the time of the Hearing the absence of any corrective action on the part of the teacher was noted. Further, the inappropriate intimidatory body language at the Hearing, which was spontaneous and in turn acknowledged by the teacher at the end of the Hearing, demonstrated the type of behaviour that concerned people, as detailed during proceedings.

To her credit the teacher conceded that she understood how the assistant principal perceived that she was rude and abrupt during the phone conversation on the morning of 18 November 2009. She also conceded that from the time she made the decision to go to the school she was going there to sort things out. While she claimed to be at the school supporting her daughter, the teacher acknowledged that she entered the school alone, before her daughter, and immediately engaged with the principal.

The teacher also conceded that a short time into their discussion, the principal requested that the teacher leave and she refused. To leave did not suit the purposes of the teacher. It was a conscious decision to refuse to leave. With the knowledge that the principal was calling the police, the teacher continued to refuse to leave the school. The teacher indicated that she would not be going until the matter was resolved. She also admitted that she initially refused the direction of the police officer to leave the school.

The Panel concluded that the dogged, demanding approach of the teacher was impacted by her decision to singularly progress the matter on her own terms. She was very clear that she was *'not leaving the school until the matter was resolved.'* Her approach caused unnecessary upheaval and concern. The matter was being progressed by the school, and the teacher as the grandmother of the child was not entitled to usurp the roles of her daughter and son-in-law and engage as if primarily responsible for the child. To have done so under the auspice that she was a teacher, and in turn use her professional standing as her platform to engage in the manner that she did, falls well short of the requirements of the Victorian Institute Code of Conduct.

To say that she reacted as she did because she put family first, is unsatisfactory. The teacher having reflected conceded in her sworn evidence that refusing to leave the school upon the demand of the principal was *'most definitely inappropriate.'*

The teacher's interactions with the police officer were unprofessional. Her conscious and deliberate decision to refuse a direction that was given to her demonstrated poor judgement and a limited capacity to take on board the bigger picture and the way in which she was contributing, and inflaming the very situation that she wished to resolve.

The Panel is very clear that the teacher should have left the school when asked to do so. Further the relevance of her refusing to do so should not be underestimated given that she herself is a teacher.

The teacher acknowledged that while carrying her three year old granddaughter on her hip she approached witness 3 in a meeting room in the school, pointed her finger at her and used a phrase similar to *'keep your fucking son away from my granddaughter.'* The teacher also indicated that she agreed that the way in which she spoke to the member of the office staff, who was doing her job and attempting to keep some control of the situation where she could, was rude.

The Panel noted that elements of the evidence were disputed. The teacher voiced concern about embellishment by the witnesses from the school and further, that people had lied about what she had vocalised during the incident. The Panel however concluded that the evidence of the teacher and her daughter couldn't be relied on in its entirety, particularly given the unharnessed frustration, anger and emotion that had engulfed them. It appears that the nature of the teacher's approach, her demeanour, and her behaviour at the time were about more than the actual incident with her granddaughter.

The teacher still has some distance to travel to come to an objective view of what transpired. She needs to be able to re-run the circumstances in her head, understanding

the alternate pathways that could have been initiated and travelled, including how she may have better negotiated a way forward given the responsibilities of the actual principal and the school.

The Panel concluded that the teacher did at some point ask her daughter to be quiet, to sit down and not to swear. However, the teacher personally engaged in unacceptable behaviour, causing concern for a number of parties. Additionally much of what transpired, that was in the control of the teacher, took place in front of her three grandchildren, which conflicts with her stated intent to extend protection to her family.

The Panel noted that the first time the teacher heard about principal 2's actions to change the staff meeting day was during the Hearing. It was also during the Hearing that the teacher learned that others at school 1 had concerns about how she engaged and interacted.

The teacher conceded in her evidence that she made a conscious decision to refuse the direction of the principal because *'I was there to try and help out, if I had of (sic) just left it would have progressed absolutely nowhere'* and *'it would have been a pointless effort to leave with no discussion with the parent and I was there as witness 8's support person'* and *'I wanted the matter to move along. To walk away from what to me was a horrendous situation was to me not an option.'*

In closing submissions Counsel Assisting accepted that the school was not placed in lockdown (in terms of the meaning and procedure that the school had articulated as a 'lockdown'). The principal clearly attempted to protect the office staff from the disturbance and the glass windows were closed, but this did not amount to an invocation of the school's lockdown procedure.

FINDINGS

The Panel received widely varied accounts of the circumstances of the day. It was a very fraught occurrence and no doubt this has influenced recollections of what occurred. On the balance of probabilities the Panel has found Allegations 1a, 1c, 1d and 1f to be substantiated as put. The Panel also concluded that Allegation 1b was largely substantiated. The Panel accepted the teacher's account that her bag dropped with a degree of force to the floor from her shoulder.

Although the Panel cannot be entirely sure that particulars of Allegation 1(e) occurred exactly as put, the Panel found that the teacher made a number of disparaging, unprofessional and aggressive comments in reference to the principal and further that she did swear and so the allegation is therefore substantiated.

Allegation 2 is not substantiated. The Panel is not satisfied on the evidence that the allegation is made out.

Allegation 3 is substantiated.

Allegations 4a, 4b, 4c and 4d are substantiated.

Allegation 5 is substantiated.

The substantiated allegations demonstrate clear and significant breaches of the Code of Conduct, particularly Principles 1.6, 1.7, 1.8, 2.1 and 3.2. They occurred in a school setting and are highly likely to affect the standing of the profession. They represent a substantial departure from what is expected of a registered teacher. They are serious within the ordinary meaning of that word.

The Panel therefore concluded that they amounted to serious misconduct within the context of section 2.6.46 of the Act.

The Panel noted that these matters arose out of a single incident and it is therefore difficult for the Panel to draw any conclusion as to the teacher's overall character. The Panel was concerned however about the teacher's presentation at the Formal Hearing. Notwithstanding the teacher's statements to the contrary, the Panel was not convinced that the teacher understood in a comprehensive way all that sat behind her reactions and behaviours, and that she also needed to analyse and come to terms with her conduct that was directed at the principal during the Hearing. The nature of the teacher's response when asked about her inappropriate spontaneous conduct that was witnessed by the Panel during the Hearing confirmed concerns that the Panel had amassed during proceedings.

The Panel therefore concluded that the teacher should have conditions, aimed at addressing the Panel's concerns, placed upon her registration.

DETERMINATION

Pursuant to section 2.6.46 of the Education and Training Reform Act 2006, on 29 January 2013 the Panel found the teacher had engaged in serious misconduct.

The Panel determined to impose the following conditions on the registration of the teacher.

The registration of the teacher is subject to the following 5 Conditions.

1. The teacher must consult a registered psychologist for the purpose of counselling in respect of the following:
 - (a) The teacher's emotional upheaval and personal circumstances which the panel considers have significantly impacted her professionally;
 - (b) Anger management – insights, triggers and future coping strategies;
 - (c) Differentiating between personal and professional roles, with specific reference to family related circumstances, and the mapping of the teacher's future engagement in matters concerning the education of her grandchildren;

- (d) A considered assessment, by the teacher, of how she was 'experienced' by other professionals and the pursuit of a genuine willingness to take on board and address the level of discomfort other professionals voiced about her behaviour;
 - (e) A thorough analysis of, and informed personal reflections about, the behaviour the teacher engaged in during the Hearing, which is noted in the Panel's reasons; and
 - (f) A comprehensive understanding of the Victorian Institute of Teaching Code of Ethics and Code of Conduct with specific links being made to the conduct of the teacher that fell short of what is required of a teacher, and in turn, the broader consequences for all parties (both direct and indirect) of such conduct.
2. There are to be a minimum of 10 sessions to be completed by the end of the 2013 school year, and 6 of the 10 sessions are to be completed by 30 June 2013.
 3. The teacher is to provide to the Institute with two reports from the registered psychologist; one prior to 30 June 2013, and the second one prior to 20 December 2013.
 4. The reports from the registered psychologist should set out the psychologist's qualifications, address of practice, confirmation that the psychologist has read the Panel's determination (including the Panel's reasons), confirmation of the teacher's attendance and address the matters set out in Condition 1.
 5. The teacher is to provide the Institute with two letters to be written by the teacher, to accompany each of the psychologist's reports, detailing the teacher's personal views on her progress, and the personal and professional insights she has gained, addressing all matters set out in Condition 1.



SUSAN HALLIDAY, CHAIRPERSON



**per:
ANNE FARRELLY, REGISTERED TEACHER**

Susan Halliday

**per:
PAUL WILHELM, REGISTERED TEACHER**