

Mr Gerry Byrnes

REDACTED

20 September 2007

Mr Terry Hayes
Principal

the primary school

REDACTED

Toowoomba. Qld 4350

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- 4 DEC 2008

BY:

Dear Terry,

I'm replying to the two conversations you've had with me, the first on Wednesday 5 September and the second on Wednesday 12 September. The second conversation was accompanied by a written letter addressed to me concerning recent allegations of unprofessional conduct; I understand that these concerns have allegedly emanated from both staff and parents of children in my current Year 4 class and more recently from parents of two girls in my class.

These concerns were written in dot form. I will address each one in turn.

Referring to the **first** dot point - I have distributed lollies not only to girls but to all the boys and girls in my class as a reward system mainly at the end of the week. This practice is not unusual amongst teachers. I assure you that there is no inappropriate intention in the distribution of these items whatsoever. I have also distributed lollies not only to girls, but to both boys and girls in the other Year 4 class as well as to both boys and girls in the Years 5, 6 and 7 classes who chose to visit me before or after school. This was just a way of keeping in contact with the children I have taught and their classmates over the previous years.

Concerning the placement of the chocolate bar on the desk of a Year 7 girl, this was in response to the particular girl giving me a chocolate bar because I had been generous in giving out lollies to her and the others. I was just repaying her generosity and thoughtfulness this way. Again, there was no inappropriate intent behind it.

I realise in hindsight that it is possible for this practice to be misinterpreted. I will reconsider this practice and put limitations around it in future. You may consider it necessary for me to cease altogether in order to avoid any future misunderstandings and I am happy to comply with this directive should I be given it.

Referring to the **second** dot point - The frequent visits were made by both boys and girls in the other Year 4 class, and the Years 5,6 and 7 classes and this relates to my response to the first dot point above. The children were sometimes given lollies, but the main purpose was just to keep in friendly contact with me. Again, I may need to review this practice to avoid misunderstandings in future.

Referring to the **third** dot point - It is true that some girls in my class have placed

themselves on my knees. I now realise in hindsight I shouldn't have allowed this to happen. However I assure you that my intentions were of a friendly and innocuous nature only and there was absolutely no inappropriate intention behind this. I do realise that such contact with students is ill advised in this day and age, and I will be careful not to do this in future.

Referring to the **fourth** dot point – It is difficult to respond to this as it is not clear what exactly is being alleged.

It is correct that a lot of both girls and boys also have wanted to talk to me whilst I am performing my playground duty. It may be correct that more girls than boys have done this, but we do have more girls than boys in the school. Also, the boys tend to want to play active games on the oval more. Once again, my intention in talking to them is just to keep up the friendly contact with the children who have passed through my grade. Also, the children choose to approach me, I do not approach them.

Referring to the **fifth** dot point. I don't recall kissing any girl on the cheek. I would not do this. I am interested to know which girl this allegation relates to.

Referring to the **sixth** dot point - I have placed my hand around a girl's shoulders when giving a brief hug in response to a hug from the girl initially. I don't recall putting my hand through the buttoned part of the sports uniform shirt, nor would I ever do this intentionally as it is clearly inappropriate. I realise that hugging students is not advisable and I will need to review my practices in this area also.

Referring to the **seventh** dot point - I don't recall placing my hand on the upper leg of this or any girl. I would not intentionally make contact with a student in this way.

Referring to the **eighth** dot point - I am not really sure what "being on the verge" of using inappropriate language means. What type of comments are being referred to? It is hard for me to respond without some further details being given here. I can confirm however that I do not use language that is inappropriate and unacceptable. I have always prided myself on being very careful about using proper and acceptable language in front of children.

Final Comments

This is my 38th year of teaching in Catholic schools. I have never had any allegations of this nature (or for any other matter) made against me prior to this. My intentions during my interactions with students are always of a friendly and innocuous nature. I would never intentionally make any student (male or female) feel uncomfortable by my actions, and I have certainly never engaged with any student with inappropriate intent, nor would I ever do this. I am a professional and competent teacher and I find these allegations very distressing.

I am one of two Student Protection Officers in the school, and I would not deliberately or intentionally carry out inappropriate actions. If any students have felt uncomfortable by anything I have said or done, I am truly sorry and am very keen to review my practices so that this does not occur again.

I have, since the first conversation with you Terry, limited my contact with students and maintained strict confidentiality about this matter. I have always and will continue to carry out my duties professionally.

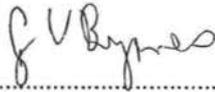
I have reviewed the "Integrity in Relationships" document carefully and believe that I have at all times complied with the expectations set out in it. I strongly maintain that I have upheld appropriate professional standards at all times.

It is correct that my teaching style does include occasional and brief supportive or friendly pats on students' arms, upper backs or shoulders; and I have in the past allowed students to sit on my knee and have briefly returned a hug if I have received one. My limited contact with students in certain circumstances has never been inappropriate, nor to my knowledge unwelcome.

However, I am now aware that such contact can be misinterpreted by students and/or parents, and I appreciate the need to exercise an abundance of caution and adopt protective behaviours and I will certainly do this in future.

I would be happy to accept any training or other support that may be offered by you in reviewing some of the practices that have resulted in these misunderstandings.

Yours sincerely



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Gerry Byrnes