

the black hole of supervision

School toilets are a locus of misbehaviour and bullying and yet remain drastically under-supervised. The reasons for this and possible solutions are considered.



Dr. Keith Tronc is a Barrister-at-law, PO Box 48 Roma Street Brisbane Qld 4003 **PHONE** 07 3236 2770 **FAX** 07 3236 1998.

The pre-school situation

The predominant pattern in all States and Territories of Australia, in relation to pre-schools, is that an open and unisex environment is the norm for very young infant children. Toilets usually consist of a row of pedestals unscreened from each other and unprotected by doors. Usually infant boys and girls use the same toilet facilities and often at the same time. Large glass viewing windows allow the pre-school supervisor or parent aides to maintain constant, ongoing, informal supervision of behaviour in the toilets.

Primary school toilets

With the transition to the primary school proper, modesty is enforced by a very different design of architecture, plant and equipment. There are segregated toilets – some for boys and others for girls. These are usually further subdivided, with

separate sections, or whole blocks, for "junior" boys and "senior" boys etc. There are no viewing windows for supervision purposes and the boys' toilets are usually equipped with urinals and separate cubicles with lockable doors. Hand-washing facilities may be either inside or outside the toilet.

Toilets as the locus for misbehaviour

There is massive anecdotal evidence that school toilets are often the place for misbehaviour, particularly by boy students.

A great deal of bullying takes place in school toilets, which are often the location also of smoking, horseplay, graffiti, vandalism and pornography-viewing. This is a well-known and accepted fact evident to most school administrators and yet the supervision of



school toilets rates little more than a passing mention (if mentioned at all), in the managerial policies of educational authorities as a whole, or of individual schools. Where playground duty rosters refer to toilets at all, they are usually just one of a number of buildings on the perambulation map of a teacher assigned to playground supervision duties. It is almost unknown for playground duty job descriptions to lay down express requirements that teachers must inspect the inside of toilets during intermission and lunch periods, or to specify any exact form of inspection.

"A great deal of bullying takes place in school toilets, which are often the location also of smoking, horseplay, graffiti, vandalism and pornography-viewing."

The feminisation of the Australian primary teaching workforce

A continued trend is for primary schools to be staffed by women. Very few men are to be found in the primary schools of

Australia today. Not only the teachers, but also the administrators are likely to be women. Women teachers, unless they happen to be the type renowned in stories of the pre-1950s, do not venture into boys' toilets at schools. It is culturally disapproved of in an era of privacy protection and feminism.

Fear of paedophilia allegations

Any male teacher in an Australian primary school today would have major reservations about going into a boys' school toilet for inspection or supervision purposes at a time when students are likely to be inside. Male teachers do not want to run the risk of being labelled as "voyeurs" and they are also painfully aware of the possibilities of false and malicious allegations of paedophilia or sexual misconduct. Male teachers avoid going into boys' toilets at school. They are afraid to. Fears of accidents or injury to students are displaced by fears for their own legal safety.

Which adults do go into boys' toilets at school?

Usually it is only the cleaners, normally adult females, who go into boys' toilets and then only before or after the school day when the cleaning is performed. A male principal may occasionally make a supervisory inspection visit to the boys' toilet but that is usually before or after school also, when it is legally safer with less risk of malicious allegations, as it is unlikely that any students will be encountered.

Student monitors?

If any supervision of behaviour in school toilets exists at all, it is usually through inspections by prefects or monitors. Sometimes prefects are invested with autonomous powers to impose penalties on malefactors whom they catch in the act of misbehaviour, but normally primary school prefects merely have reporting powers, where they inform teaching staff of any misbehaviours perpetrated in the toilets by their peers. This form of toilet supervision is not popular, nor common in Australian primary schools, because it undermines the mythical Australian ethos of opposition to informers and dobbers and puts the informant in a very difficult and unpopular position. In the current Australian situation,

Find out what's <u>REALLY</u> going on inside your client's head...

CLINICAL NEUROPSYCHOLOGIST James Drury M.Sc., M.A.P.S.

- Expert Medico-Legal assessments - adults & children
- Experienced in Court appearances
- Balanced Plaintiff/ Defendant practice since 1988
- Personal Injury, WorkCover, Medical Negligence, Chemical Sensitivity



Tel: (03) 9650 1122

Fax: (03) 9650 8639 Email: jdrury@bigpond.net.au 15 Collins Street, Melbourne 3000

Practices in Melbourne, Hobart, Launceston, Devonport (Interstate and regional areas by arrangement) student monitors are also likely to face the same legal risk or false complaint as male teachers.

School toilets - the "black hole" of supervision

Although school and system administrators are generally aware of the potential for boys' toilets to be trouble spots, the toilets almost invariably miss out on supervision because of the reasons cited above.

"The relevant education authority will be at fault for not sufficiently emphasising the need for such supervision"



Toilets are the "black hole" of school supervision, with obvious needs for regular inspection either ignored completely, or given cursory and infrequent attention at best. Unless a child tells a teacher about misbehaviour in a toilet, or the condition of the facilities, the school administration almost never hears about it until a cleaner complains. Unless the misbehaviour involves damage of some sort to the premises, the school administration will probably not hear about it at all, because the cleaner may not have observed any significant outcome of the misbehaviour. It would be most unusual for a school to have any sort of formal reporting process in place as a standard procedure.

Summary

The overall summary position is that in most primary schools:

There should be a supervision and inspection program in place, given the known propensity of little boys for mischief,

wilfulness and curiosity. Their inexperience, lack of awareness of potential danger and the attractiveness of the toilets as a place for committing mischief are further reasons for concern.

There almost always is no such supervision and inspection system in place.

Whose breach?

The relevant education authority will be at fault for not sufficiently emphasising the need for such supervision, and in not devising specific policy initiatives designed to overcome the problems of too few male teachers and too much fear on the part of those male teachers, of false allegations of sexual impropriety.

The individual school principal will be at fault if there is no proper school-day inspection and system of supervision of toilets in place.

No easy solution?

Given the current social climate of unreasonable public fear and mistrust of male teachers generally, because of widespread negative media publicity of paedophilic male teachers, particularly in church-governed institutions, the only appropriate legal answer may be the uneconomic one of requiring pairs of male teachers to make a team inspection of the boys' toilets. But that presupposes the availability of sufficient male teachers, a prospect that is not likely to be achieved by education authorities in the foreseeable future.

PROFESSIONAL MEDICAL NEGLIGENCE REPORTS

Susan Welling & Associates



acting as independent intermediatory between specialist doctors and solicitors.

We have a wide range of specialists available to provide expert medical negligence reports.

- Anaesthetist
- Cardiologist
- Chiropractor & Osteopath
- Dentist
- Dermatologist
- Ear, Nose & Throat Specialist
- General Practitioner
- General Surgeon
- Gynaecologist/ Obstetrician

- Hand, Plastic & Reconstructive Surgeon
- Neurologist
- Neurosurgeon
- Oncologist
- Ophthalmologist
- Orthopaedic Surgeon
- Pharmacologist
- Physician
- · Psychiatrist
- Radiologist
- Urologist

PO Box 1353, Neutral Bay, NSW 2089 DX 21727, Neutral Bay

Tel: 02 9929 2921 Fax: 02 9929 9218 Email: susanw@smartchat.net.au