

Teachers say greedy lawyers promote false abuse claims

Alexandra Freaan, Education Editor

Lawyers who encourage parents and pupils to make speculative allegations of abuse against teachers in the hope of winning financial compensation risk are destroying the reputation of thousands of teachers, a teaching union has said.

The National Association of Head Teachers (NAHT) said that lawyers working on a “no win, no fee” basis were fuelling a rise in malicious allegations against teachers, made in the knowledge that local authorities would often pay complainants without even investigating their allegations.

Mick Brookes, the union’s general secretary, said that “a lottery mentality” prompted children and parents to try their luck by levelling spurious allegations to get a payout.

“If it is thought that by using a ‘no win, no fee’ solicitor some payout can be got from the local authority, parents at times don’t hesitate to go there,” he said at the union’s annual conference in Bournemouth.

Another head teacher said that she had been astonished to learn that a parent at her school had been paid compensation by the local authority after complaining that teachers had been negligent in caring for her daughter after an accident during a PE lesson.

The head, who asked to remain anonymous for fear of reprisals from the parent concerned, said that the local authority had handed over the money without informing the school or even bothering to find out whether it was true. The school’s own investigation later concluded that the accusation was unfounded.

Dame Mary MacDonald, the head teacher of the Riverside Community Primary School in North Shields, Tyneside, who has been the victim of a false allegation, said that she knew of an insurance company that advised local education authorities to settle claims that might exceed £12,000 if they were to reach court.

“Parents know they can put in a claim for anything up to £12,000 and it will never go to court,” she said.

Dame Mary said that nothing in her three decades as a teacher prepared her for the day the mother of a 3-year-old girl nearly destroyed her career by accusing her of slapping the child.

Even though both the police and the local authority — who were called in by Dame Mary that same day to investigate — completely exonerated her, a story soon began circulating on the local housing estate that Dame Mary had kicked the child all around the school hall.

This was overheard by a social worker and reported to another branch of the police. Soon calls for Dame Mary’s resignation were being made.

“No matter what kind of reputation you have, mud sticks. The problem is that the minute you are accused you are assumed guilty,” she said.

Dame Mary said that schools should have the right to sue parents who make false allegations against head teachers and their staff and to exclude pupils who do the same.

The NAHT wants teachers who are accused of harming a child to be given anonymity while their cases

are investigated — a position that has been rejected by the Government, but that is supported by the Conservatives.

The union also wants accused teachers who are cleared to have the right to make a public statement clearing their names.

Research conducted by the union among 25 local authorities suggested that the problem of false allegations was not as rare as the Government has indicated.

One local authority had suspended 50 teachers in the past five years. But the survey also found that, in some areas, in nearly four cases in ten involving a teacher who had been suspended following an allegation, the accused was later exonerated.

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Author repeats Mr Brookes of NAHT nonsense without questioning a word.

"local authorities would often pay complainants without even investigating their allegations." - May I ask for a single PROOF?

Unlike here in the USA, in UK plaintiff who lost, must by default be ordered to pay winning defendant. That makes baseless lawsuit all too risky. Remember, that contingency fee lawyer has to advance thousands out of his/her own pocket for a client. Do Mr. Brookes really think, that we, the readers, are so stupid to believe him.

Here in the US, we have safeguards. Most of the complaints are dismissed after only initial part, where opposing party has a right to ask for it. All they have to do, is to demonstrate that documents produced up to date clearly make the case too weak to go to trial.

Ansreas, New York City, US of A

I ask that all teachers who find themselves falsely accused of abuse of children whether they are exonerated or not by local authority investigation, prosecuted or not, acquitted or found guilty, supply details to FACT (UK) - Falsely Accused Carers and Teachers -www.factuk.org. FACT are campaigning on behalf of an estimated 120 people who have been imprisoned as a result of false allegation but equally importantly, they are campaigning for a reversal of the changes in the law that have made false allegations a profitable activity for children, parents and lawyers. Only if FACT are able to collate all such cases and show the government the full scale of the injustices resulting from false allegations can there be any hope for future justice. You should also challenge your MP: did he/she accept the findings of the Fourth Report of the Home Affairs Committee, Session 2001-2 which concluded that significant miscarriages of justice had and were continuing to occur as a result of false allegations of historic sexual abuse.

Robert Napier, Sutton Coldfield,

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THE DEVIL IS MISS JONES!

"Now, Miss Jones...MISS JONES! PLEASE tell the court what other subjects you subjected those poor, innocent children to on the day in question...besides multiplication, conjugation and... reproduction!"

"Well...I didn't...I mean...I just gave them some homework on Shakespeare...Romeo and Juliet. Look, I'm really sorry...I didn't mean any harm. I swear I won't do it again!"

"You slapped those young children with homework? How much homework?"

"It was just an essay, about two..three hours."

"Do you provide any compensation for their labor?"

"Compensation? It was homew.."

"M'lord, the Plaintiffs rest their their case! By her own admission, this wanton woman has abused her position as a teacher by subjecting the tender children in her care to a sexually charged environment, slapping them, and forcing them to work without adequate compensation! This is OUTRAGEOUS..in Britain.. in 2007!"

Garth Rex, Glendale Heights, USA/ II