TEACHERS REGISTRATION BOARD OF SOUTH AUSTRALIA
Independent Statutory Authority

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SUBMISSION – MUTUAL RECOGNITION AGREEMENT (MRA) AND TRANS TASMAN MUTUAL RECOGNITION AGREEMENT (TTMRA)

The Teachers Registration Board of South Australia supports the principle of mutual recognition and appreciates the opportunity to respond to the Review of Mutual Recognition (MRA) between Australian States and Territories and the Trans Tasman Mutual Recognition Agreement (TTMRA).

For a variety of reasons there are differences between legislative requirements and policy provisions in states, territories and New Zealand and those relating to Mutual Recognition Agreements. Whilst much work has been done between individual jurisdictions in an attempt to reach common ground in applying principles of mutual recognition there are some areas where state legislative requirements are clearly in conflict with MRA/TTMRA.

The most significant area relates to the protection of children. In relation to the initial registration process in all jurisdictions, the *minimum* requirement is to assess an applicant's teaching qualifications and determine whether or not an applicant is a "fit and proper person" to be admitted to the Register of Teachers. This assessment involves a character and person history information check (police check).

Although all jurisdictions now have these fitness and propriety requirements in place in relation to admitting teachers to the Register, this is a relatively recent practice. There is a significant cohort of teachers who have never been subject to a police check. In addition, legislative reporting requirements and the range of penalties imposed in relation to matters of fitness and propriety are vastly different. Therefore, until there is consistency in legislative requirements in these areas, it is clearly in the public interest, that all persons undergo a police check and that other appropriate checks are made with the previous jurisdiction, *before* a person is permitted to teach.

To support teacher registration granted under MRA, TTMRA and state legislation, all jurisdictions need a reliable system for recording fitness and propriety issues and an agreed, fair and reasonable procedure for notifying other jurisdictions. There are certain matters which need to be known in another jurisdiction including any conditions imposed which may impact on the type of registration granted.

The differences in legislative requirements will cause additional pressures as new and emerging jurisdictions require applicants to demonstrate continuing competence/professional development as a pre-requisite for re-registration. In addition, inconsistencies regarding levels of English Language competence, citizenship and/or work visa status requirements to gain registration will also need to be addressed.

Jurisdictions will need to establish overarching processes and procedures to reach common understandings and attempt to achieve “harmonisation”.

Inconsistencies have the potential to erode standards and provide an avenue for persons to “shop around” to gain registration in one jurisdiction so they can be automatically accepted in another. For example, there is a perception, persons could be granted registration in New Zealand to enable them to gain registration “through the back door” in Australia. In this context, citizenship of Australia or New Zealand could be considered as a pre-requisite for TTMRA applications.

The Teachers Registration Board of South Australia and other teacher registration authorities will continue to work collaboratively to support the portability of appropriately qualified and competent teachers while ensuring professional standards are enhanced rather than diminished.

The Board supports the Review and looks forward with interest to participating in the next stage of the consultation process.

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