



New Zealand kindergarten teachers and sexual abuse protection policies

Judith Duncan*

Education Department, University of Otago, PO Box 56, Dunedin, New Zealand

Received 2 January 1998; received in revised form 17 June 1998; accepted 21 July 1998

Abstract

Much media attention has focused on the risks for men from allegations of sexual abuse while working with young children, as teachers, health professionals and community workers. The focus of many of these accounts has been on the issues for men often ignoring the wider context for both men and women who work with children in this changing climate of increased suspicion and decreasing trust. This paper draws on life (his) her-story interview material from New Zealand kindergarten teachers to discuss the changing nature of protection for children and staff in New Zealand Free Kindergartens. Kindergarten association policies, designed for protecting children from abuse while attending kindergarten, and staff from allegations of abuse, are examined by drawing on Foucault's notion of surveillance. © 1999 Elsevier Science Ltd. All rights reserved.

1. Introduction

This paper begins a process of reflection on current policies and practices concerning issues of sexual abuse prevention and protection in New Zealand Free Kindergartens.¹ These policies have

developed in response to a need not only to protect children from abuse, but also to protect staff from allegations of child abuse.²

This study arises out of my doctoral life-history interviews with New Zealand kindergarten teachers. My research examines how eight kindergarten teachers experience their lives, both personally and professionally, as teachers in the New Zealand Free Kindergarten Service. The study has a particular focus on the 1980–1996's. The kindergarten teachers were interviewed over two time periods. Once

* Tel.: + 0643 471 0620; fax: + 0643 479 8349; e-mail: judith.duncan@stonebow.otago.ac.nz.

¹ The New Zealand Free Kindergarten Service, as discussed here, is the government-owned and operated early childhood education system for children from 2 to 5 yr of age. It offers voluntary attendance and runs on a sessional programme, separating the younger and the older age group children into two groups. Most kindergartens work on a 1:15 ratio, with either two teachers per 30 children, or three teachers per 45 children. All teachers in state kindergartens have a trained teacher's diploma or the equivalent.

² A version of this paper was presented at "Experimenting With Change: Global and Local Challenges". NZARE Annual Conference, University of Auckland, New Zealand, 4–7 December 1997.

in late 1994 and again in early 1996. The two interviews were carried out in different years to facilitate the teachers' own reflections on their interview content, as well as to capture the process of change which was occurring in the kindergarten service at that time. Examples of topics discussed were: family experiences, own education and background, the decision to teach and undertake kindergarten teacher training, satisfactions and dissatisfactions in teaching, career and future goals, specifics of the New Zealand educational reforms of the 1980's, and the balance between the public and the personal in their lives.

During these interviews the teachers raised concerns about child sexual abuse issues in response to my general questions in 1994 of:

How have the education reforms (1984–1994) affected your teaching?

and

Do you think that any of the education reforms have affected your personal life in any way?

In 1996 I returned to interview the same eight teachers. The consequences of the abuse prevention policies by this time were of increasing concern for teachers. The responses arose to my general question of:

What are issues for you since we talked last?

Child abuse protection and prevention were not topics I asked directly, but for five of the eight teachers it arose as part of their general responses. These comments are the substance of this paper and will be used to raise questions about the consequences of the current policies for kindergarten praxis.

2. Background

Preventing mistreatment of children who are in out-of-home care has always been of concern in New Zealand. From the outrage of baby farming scandals which prompted the 1896 Infant Life Protection Act (May, 1997, p. 44) to the current Education (Early Childhood Centres) Regulations (1990), requirements for the physical ar-

rangement and physical care of children have been legislated.³

The 1993 trial of Peter Ellis in Christchurch, and its resultant publicity, created a climate where staff and parents looked at their centres and each other in a whole new way. Peter Ellis, had been employed at the Civic Childcare Centre as an early childhood practitioner (operated by the Christchurch City Council) since 1986. On Saturday June 5th 1993 a jury returned 16 guilty verdicts against Ellis relating to alleged sexual abuse offences against children in his care at the centre and he was sentenced to ten years in prison (McLoughlin, 1996). The media interest in the case was considerable "because of the amount of alleged abused [sic], the large number of children involved, police suspect that women teachers at the centre were also involved in the abuse, and the high reputation for "quality" that the centre had in the Christchurch community" (Brett, 1993 cited in Farquhar, 1997, p. 9).

While the media and the trial focused on the personality and the homosexual life-style of Peter Ellis, most early childhood teachers felt exempt from the attention. But shock waves rolled through the early childhood sector when charges were also laid against the women staff members of the Civic creche. These charges, which were subsequently dropped, demonstrated to early childhood practitioners that, irrespective of gender or sexual identity, the allegations of abuse could still occur — based on truth or not! The loss of jobs and the long-term personal and professional harm that occurred for the staff from the Christchurch Civic Creche is something that the New Zealand early childhood sector has not forgotten.

Following on from the trial many of the day-to-day practices of staff working with children within the legislative requirements in centres suddenly began to be seen as "risky". For example, commentators were quick to point out that Peter

³ New Zealand legislation relevant to this discussion are: the Education (Early Childhood Centres) Regulations 1990 (with amendments); Statement of Desirable Objectives and Practices (1990); Children and Young Persons and Their Families Act (1989); the Education Act (1989); and the State Sector Act (1988), up until April 1997, which applied to kindergarten teachers.

Ellis had been alone when changing children's nappies and when taking children for a walk (McLoughlin, 1996, p. 59). Previously neither of these practices had been unusual in the day-to-day running of an early childhood centre.

In an immediate response to the Ellis case the early childhood sector moved quickly to address increasing public concerns. Individual centres developed policies to guide their day-to-day interactions with children. Early childhood umbrella and support organisations sent out guidelines and policy advice to support this development (Combined Early Childhood Union of Aotearoa, 1993; Ministry of Education, 1993).

While centres were implementing these new policies an Early Childhood Education Code of Ethics for Aotearoa/New Zealand was developed in a combined endeavour between early childhood practitioners, education researchers, and the Combined Early Childhood Union of Aotearoa, and only after extensive consultation with the early childhood sector (Early Childhood Education Code of Ethics National Working Group, 1995). Its development was to support early childhood practitioners both in their centres (day-to-day practice) and to challenge the increasing negative media and public perceptions of early childhood. The Code of Ethics is a public assertion that the early childhood sector stands for "FAR MORE than the media publicity [projects]" [emphasis in the original] (Dalli and Mitchell, 1995, p. 69).

In other words, at the same time as being valuable for practitioners a code is also a statement of value to society, it is one major way in which a profession can show it is worthy of being entrusted with the discretion to make professional judgements. A code of ethics is public evidence that a profession takes its responsibility to uphold ethical standards seriously. (Dalli & Mitchell, 1995, p. 70)

Recent research in the area of New Zealand early childhood education has found that teachers have been raising the issues surrounding child abuse more and more as an area of day-to-day concern. The tensions between the right for autonomy as a professional, balancing the needs and rights of

children with the wishes of parents, all the while keeping oneself as an early childhood practitioner safe, are the key issues, not only in this study, but in other recent research in New Zealand (see Dalli, 1994; Dalli, 1995; Farquhar, 1997; Mitchell, 1994).

In Sarah Farquhar's (1997) research report entitled *A Few Good Men or Few Too Many?* she argues that 70% of her respondents (14 men) had an ongoing fear of *being accused* of sexual abuse, and that this fear was greatest for men working in childcare in the South Island (compared with kindergarten and the North Island centres). The male teachers in early childhood centres Farquhar interviewed raised concerns that parents may misinterpret events, or take incidents or happenings out of context leaving a teacher open to an abuse accusation (Farquhar, 1997, p. 30). All the men in Farquhar's study (20 men) reported that concern about the potential risk of allegations of sexual abuse influenced their behaviour and how they interacted with the children (p. 31). While Farquhar argues that this is an issue for men working in early childhood in particular, as the teachers in my interviews indicate, these issues are not just for men but for all teachers and practitioners who work with young children.

3. Surveillance in early childhood education

The theoretical tools used here are drawn from the work of the French philosopher and historian Michel Foucault. His use of the notions of surveillance (the "all-seeing gaze") in the construction of ourselves as subjects and as a form of normalising power (Foucault, 1961; Foucault, 1980a; Foucault, 1980b; Gordon, 1980) are useful when looking at the issue of protection policies and practices in early childhood centres.

Foucault uses the example of the Panopticon, Bentham's nineteenth century prison model, designed for constant visual monitoring of prisoners, to describe how people turn themselves into self-observing subjects who are controlled inwardly by their own constraints and actions (Foucault, 1980a). He discusses how surveillance replaced other forms of social control at the end of the eighteenth century. In contrast to feudal times

where control of populations was based on force and overt demonstrations of disciplinary power, effective power became institutionalised by ongoing surveillance of the person. This in turn, Foucault (1980a) argues, becomes internalised and individuals become constrained and careful in their behaviour.

There is no need for arms, physical violence, material constraints. Just a gaze. An inspecting gaze, a gaze which each individual under its weight will end by internalising to the point that he [sic] is his own overseer, each individual thus exercising this surveillance over, and against, himself. A superb formula: power exercised continuously and for what turns out to be a minimal cost. (Foucault, 1980a, p. 155)

The usefulness of Foucault's ideas in this context is in the production of "safe and controlled" teachers who are "producing themselves" and each other through implementation of the protection policies – watching each other and watching themselves. These teachers then become "safe" teachers constantly being monitored – at any time someone can or could be (and is) watching them. While the legislation sets out the requirements for the safe care of children and identifies penalties for the neglect, ill-treatment of children, etc., the teaching profession and early childhood organisations themselves have developed policies and practices which, while protecting themselves within the legislation, also work to continue the surveillance and construction of these "docile bodies" (Sawicki, 1991) that Foucault discusses.

The control of sexuality is implicitly behind this surveillance and Foucault highlights how this has become inscribed in architecture (Foucault, 1980a, p. 150). He discusses the way educational institutions are designed to allow students and their teachers to be constantly under the gaze. In the context of schools Middleton (1996) uses the idea of surveillance to discuss the disciplining of sexuality in the school environment. She identifies how the bodies of individuals are subjected to the "all-seeing gaze" (Middleton, 1996, p. 11) which becomes central to the lives of students. She argues that this process involves the spatial location of

where students can be and who they can mix with, their bodily movements in space and their positioning, ie, seated in rows, groups, etc., and uniform dress standards and codes (Middleton, 1996, p. 11). Early childhood centres are particularly designed with open spaces, large windows, and good viewing for many safety and educational reasons. At the same time these wide open spaces allow for constant surveillance from not only other staff and adults present, but in some cases passers-by on the street, and residents in neighbouring properties.

Policies addressing sexual abuse prevention and protection make explicit this control of sexuality. As Farquhar (1997) observes, men in early childhood education, in particular, suffer from the perception of others that they must have deviant sexual inclinations to work with young children, so are "seen" to need additional monitoring and control. But all those working in early childhood have a new sense that this monitoring is not for men alone but for all who work outside of the home with other people's children. This power of public opinion expressed in the media, and by communities on these matters cannot be underestimated. Foucault (1980a) discusses how "opinion" was used as a source of much power in the era of the French Revolution. This power of "opinion" was seen as a controlling measure, which coupled with surveillance would maintain a "good" population of citizens without having to resort to violent force.

The new aspect of the problem of justice, for the Revolution, was not so much to punish wrongdoers as to prevent even the possibility of wrong-doing, but immersing people in a field of total visibility where the opinion, observation and discourse of others would restrain them from harmful acts. (Foucault, 1980a, p. 153).

Foucault reminds us that this principle of visibility and surveillance is not the only technology of power that has been used since the nineteenth century. He argues that in modern societies the procedures of power "are much more numerous, diverse and rich" (Foucault, 1980a, p. 148) but this process of surveillance and internalisation cannot be ignored in its place in effecting relationships and day-to-day practices in kindergartens and childcare

centres. Examining the policies and listening to the teachers highlight these issues of surveillance and control in early childhood education.

4. Listening to the teachers

Each kindergarten association and childcare centre has written their own abuse prevention policies. The sample titles include “Child Abuse Policy”; “Staff Protection Policy Against Allegations of Child Abuse”, to “Child Abuse Prevention Policy”. This paper draws on my reading of three kindergarten association policies (which represent kindergartens in four geographical areas in the South Island of New Zealand), and published Combined Early Childhood Union of Aotearoa (CECUA) recommendations.

The key recommendations concentrate around the following principles:

- Increased visibility – it protects both children and staff;
- Adults must never be alone with a child or children;
- Caregiving routines, such as toileting, bathing etc., should always be done by the centre staff (staff who must never be alone or out-of-sight);
- Good record keeping and communication with parents is essential.

4.1. Increased visibility – it protects both children and staff

In practical terms this has meant physical changes to many buildings, despite the fact that the centres had already met recent legislative standards which had often already been at great cost to the kindergartens.

LYNNE: But a lot of people are having trouble with those [showers and sinks] now because they are too out of the way. Doors are coming off and new windows are going in because they're not in view. Ours is at one end of the building. You go through the nappy changing shower area to get to the adult toilet. So yeah, you basically got to have a staff member up in that end of the kindergarten to supervise you showering a child ...

it makes life very difficult I mean you do get used to those sorts of things but you are constantly thinking...it's just keeping yourself safe really which is the other reason why you know it becomes a lot more difficult.

Windows into toileting and nappy changing areas have been installed, mirrors hung in some of the more secluded places so they would be visible from other areas, and doors have been removed from offices, toilet areas and other “closed spaces”. Implicit in this increased visibility is that adults must always be in view of another adult.

LYNNE: We've got a large convex mirror like the sort they use in dairies to deter shop lifters which is now erected in the children's bathroom so the whole of the children's bathroom can be seen from the play area ... if you have a toileting accident you can't – in days gone by you would have perhaps taken the child into the office and changed them there for the child's own privacy. You would never do that now.

Hence the importance of visibility by another adult or adults at all times. This constant visibility also changes how teachers feel they should react in general situations.

MAGGIE: The child abuse – this is very far reaching and you can see how easy it is for things to get out of hand so I suppose it just makes me think of things, delving into things more than perhaps I would've, ah. You know like a child, if you saw a child upset your first instinct is to go up and put your arm around them and you know “can I help?” But you've almost got to take a step back and look around the child, look around the situation to see what's going on you know what I mean? You've almost got to protect yourself first. But I don't know that you really do but that's the theory behind it.

It has become an issue for both genders of teachers in early childhood, not only for men, although there is a general understanding that men have additional issues to deal with.

JOSIE: Well... women dominated I mean I also thought that um you'd like to see more men (pause). It's not so much that it's not considered masculine. I think a lot of men are now put off because people, you know, are immediately going to think "ooow they're going to abuse children". And there's some really excellent men teachers out there so that's tough for them (pause). Yeah, see there could be a woman who could be abusing children in exactly the same way.

This leads to the next principle.

4.2. *Adults must never be alone with a child or children*

This includes taking children on walks, outings or spontaneous trips such as to the dairy.

LYNNE: You don't leave the gate by yourself with any other children. You have to have another adult with you. Well, occasionally we're inclined still to run down to the dairy with two children. But that's because it's direct eye. You can view it from the kindergarten.

Similarly, at the end of a day or a session a staff member cannot be left with a child or children where the parent or caregiver may be late in collecting them. This is particularly an issue for kindergarten staff who may in fact get no lunch break as two staff, at least, must always remain while children are present.

LYNNE: Little things like, now, you know, you wouldn't dream of – it's five past twelve you've got one child left you've got two staff in the kindergarten. One staff stays with the child while the other one goes off to do her banking or get her lunch or whatever. You would never consider doing that now... in fact that's policy. You can't leave the kindergarten until the last child's been picked up because you've got to have another adult witness. You can't be left alone in the kindergarten with a child (pause). So again, you know, you get really fed up with those parents who don't come and pick their children up because now you've both got to stay.

Making sure an adult is never alone with a child applies in all settings, including caregiving routines.

LYNNE: Ultimately the idea is that you never put yourself in a position where you're in a secluded area with one child. Must be always two adults around or close at hand so you have a witness. It's very sad you know. There are definite aspects of your programme that it cuts out altogether and that's all since the Civic Childcare Centre case in Christchurch these things have been put in place.

This leads to the next principle.

4.3. *Caregiving routines, such as toileting, bathing, etc., should always be done by the centre staff (staff who must never be alone or out-of-sight)*

The caregiving routines must be done by the regular staff of the centre; that is, the "known" adults responsible for the care of the children.

LYNNE: if you've got, say, an education support worker with a child who's getting hours from SES [Special Education Service]. SES have toileting contracts that you have to sign at your IEP [Individual Education Plan] meetings listing, you know, what staff from the centre have permission to remove child's clothing for any reason whatsoever. Like for a toileting accident or something or other else. And they have particular forms within the contract that they have to fill in every time they change a child or shower a child. I mean you'd only shower a child under absolute emergency case really, that's if you can't get a parent to come and pick them up and take them home.

The importance of having a witness to protect both the child and staff member in a vulnerable situation is emphasised in all the policies and felt strongly about by the teachers.

LYNNE: Yes, that's a bit of worrying change... I mean the whole issue of staff protection and thinking really carefully about what you say, where you're seen. Having witnesses (laugh).

The policies also set out very clear guidelines on the appropriate amount of physical contact and level of caregiving that is recommended in toileting and changing children.

MAGGIE: Things like the child abuse thing makes you very, um, try to be wary. I still find it hard to be wary 'cause it just seems to be silly. Like changing children's nappies. You've got to have two people to go, or you've got to have an adult, another, either another teacher or another parent, to go with you if you're going to change a child's nappies. Which is just charming, you know. Everybody wants to go and watch somebody else change somebody's nappies. We had a situation where a parent hadn't toilet trained their child at all, and we had to say "well our facilities are totally inadequate for a start". I mean they're about 2 by 4 ft (pause). Wouldn't even trust a baby up there let alone a kid... also our ratios don't allow for two people to be taken out of the programme. Certainly in a two teacher [kindergarten] what would you do? Bring everybody inside so you can change the kid's nappy? And the theory is, you're not s'posed to take them out of the play room. It's s'posed to be done in a public place. Well that's charming again really. On the play dough table? Be nice, science table would be lovely! So, you know, things that you'd normally, you'd do automatically, you've got to think again.

The emphasis is very much on assisting children to do as much for themselves as is possible.

LYNNE: And you would certainly be encouraging the child to change as much of their clothing as possible themselves with as little intervention from you as possible.

4.4. Good record keeping and communication with parents is essential

This includes keeping records of when a child has had assistance with changing clothes, bathing, etc. The records include the name of the staff member responsible and the other adult who checked or

watched the procedure, and the time that it took.

LYNNE: If a child say has a toileting accident or for any other reason needs to be changed we have to – record the staff member who carries that task out, the name of the staff member that you've told before you go to do that task, the child, what articles of clothing were removed and for what reason, and the time that you did it, and how long the task took to perform. All has to go in a book.

All the policies stress the importance of keeping parents informed over any intervention or physical contact a staff member may have had with a child – especially if it has involved changing of clothes. The concern is to avoid potential misunderstandings or misinterpretations of usual or unusual events that occurred for the children through the session.

MAGGIE: You could, almost look at parents sometimes (pause) unknown quantity parents, as the enemy... that has happened in [name of town] where false accusations have been made against teachers based on absolutely air and nothing. But they followed the system 'cause it takes on a life of it's own. Like the Peter Ellis business... So things like that have changed the way you react to situations perhaps and to parents... [I'm a] wee bit more wary of parents because of the power that's there now, you know. These false accusations have really put the wind up people. I mean people can come in, size up a situation in two minutes, put something down on paper and send it off (pause). If you're lucky to the association and it can be handled there. If you're unlucky, as has happened, it will go straight to social welfare and away they go. And they're such excitable little people in there aren't they? And yes, I guess, those little reforms have changed how you deal with parents and with children.

The increased communication and reporting to parents about events can be seen, on the one hand, as a good thing, but also as a symptom of having to go to greater lengths to protect oneself from parental mistrust and misunderstanding.

MARGARET: Your head's on the chopping block a bit more isn't it? We probably take a bit more on board by informing the parents. Like regardless of, whether it's a fall and, you know, the child's fallen over and bumped her knee. Or has fallen off the swing and all those sorts of minor things that once we would have never probably even thought about informing the parents. Today we do.

Also:

LYNNE: To start with you just think it's paranoid rubbish but an allegation can be made so easily and you see the wide spreading effects of that. It's interesting, because kindergarten people seem to have taken that on board much faster than anyone else – probably after the fear of seeing what did happen in Christchurch. But, you look at all the situations where other teachers put themselves at risk. There're probably more allegations made against teachers than any[one] else. I think it's just because preschoolers – people have that sort of idea about them being so much more helpless than children say at high school or primary school. I don't know. But they don't seem to be hit upon to quite the same extent ... But it's not a matter of being involved sometimes it's just a matter of having an allegation made against you. There seems to be very little protection for primary school teachers. I don't think they've had enough shocks to make them think about it when they really are just still blissfully unaware ... and I don't know whether the incidences have changed. I think it's just that there's so much more publicity when something happens. It's a tricky one.

5. Discussion and conclusion

The macroregulations and legislation, the state controls and punitive laws for ill-treatment of children pale into insignificance when constant surveillance of teachers and adults in the programme become the focus. It is timely to reintroduce Foucault's notions of surveillance here.

Constant surveillance is possible by the very nature of the openness of kindergartens and child care centres, both with architecture and in the "open door" policies that centres maintain. As described by the teachers this openness has been expanded through the physical alterations to kindergarten buildings. Staff work together in the same buildings and outdoor environments, indeed in the same rooms, parents flow in and out all day, and for many centres the community and general public walk or drive past the centres with open viewing of the grounds and building. This has historically been one of the positive features of early childhood education, but when the surveillance is introduced for "sexuality control" and out of a climate of mistrust then other processes come into play.

As Foucault (1980b) argues in his discussion of surveillance, power and subjectivity, the control and power shifts from "outside" of the kindergarten to the "inside". This "inside" is not only the inside of the centre but is internalised by the adults in the setting so their behaviours and views of daily events begin to change. As the teachers have identified, behaviours and reactions to situations that have always been the norm are now being questioned, rethought and replaced with new behaviours and new expectations of what is and is not appropriate. While the policies and practices inherent in them have been created to support safe practices for children, teachers have internalised the risks and concerns that accompany these policies.

It is interesting that the focus or concern expressed by teachers has not been on child abuse per se or concerns about adult sexuality. Teachers had no concerns about their colleagues or other staff members, in this regard. The concerns were about the threat of an allegation of child abuse (particularly sexual). The consequences of these allegations were very real to the teachers. Working in early childhood was felt to be a more vulnerable sector for allegations than the primary or secondary schools sectors. Comments were despairing of procedures once an allegation had been made and the devastating consequences for a teacher's life even when the allegation had been disproved. The harm is truly in the allegation itself. In this way the power of surveillance, the potential for harm from public opinion and the damage from false

claims, become internalised into changed behaviours and reactions for the individual teachers and the early childhood profession itself. The potential risk of an allegation makes teachers monitor their own and each other's behaviours. Early childhood staff with their own centre policies have created a surveillance regime that almost replaces the law in effectiveness.

The tension between the teachers' own sense of professionalism and the perceived lack of trust from parents and the community, contributes to a general climate of mistrust that surrounds the service. The teachers' wariness of parents and parents' reactions is a major concern. As Foucault (1980) identifies, this climate of mistrust arises out of constant surveillance. Discussing the Panopticon, Foucault explains that this physical position of being watched by all and aware of all others at the same time leads to "...an apparatus of total and circulating mistrust, because there is no absolute point" (Foucault 1980a, p.158). While teachers are seeing their community and the parents as a point of mistrust, they are avoiding seeing their own complicity with and the multiplicity of regimes of surveillance which are at work; for example, the media and wider cultural constructions outside of their immediate environments and their own constructed policies. No one particular place or person can be the "absolute point" from where this mistrust is originating or from where the power is emanating.

I suggest that it is time to re-examine and question the processes and policies of surveillance in our kindergartens. The tensions arising from balancing the conflicting needs and requirements, of the children, families and the nature of the job itself, have become enormous for teachers. On the one hand the legislative requirement must be met, and as the teachers have identified they, by themselves, do not provide protection for staff. On the other hand centres' own policies which are designed to protect staff and children may ignore the need of the child for security, privacy, and the emotional and physical comfort, as well as for the teacher to have "time out". While many teachers are putting the individual needs of a child or a group of children first, for example for privacy and reassurance, the staff are the ones who put themselves at risk. It can be

argued that it is they who stand to be abused. While the interests of the child must always be paramount we need to start looking at whether constant surveillance of children and staff achieves this. While the policies have arisen out of a real need for safety for staff and children alike, it is time to question the consequences of these for the day-to-day practices and teaching beliefs in early childhood education.

Acknowledgements

I wish to thank Dr Peter Rich and Dr Mark Olssen of the University of Otago for their support in my doctoral studies and their comments on this paper.

References

- Code of Ethics National Working Group. (1995). *Between a rock and a hard place: Working with the code of ethics*. Paper presented at the Sixth Early Childhood Convention: Auckland.
- Combined Early Childhood Union of Aotearoa. (1993). *Preventing the sexual abuse of children within early childhood services*. Wellington: Combined Early Childhood Union of Aotearoa.
- Dalli, C., & Cherrington, S. (1994). *Survey of ethical concerns faced by early childhood educators in Aotearoa/New Zealand: Preliminary results*. Paper presented at the New Zealand Association for Research in Education Conference, Christchurch.
- Dalli, C., & Mitchell, L. (1995). *The early childhood code of ethics or how you can prise yourself from between a rock and a hard place*. Paper presented at the Sixth Early Childhood Convention, Auckland.
- Early Childhood Education Code of Ethics National Working Group. (1995). *Early childhood education code of ethics for Aotearoa/New Zealand*. Wellington: Early Childhood Education Code of Ethics National Working Group.
- Farquhar, S.-E. (1997). *A few good men or a few too many?* Palmerston North: Department of Educational Psychology, Massey University.
- Foucault, M. (1961). *Madness and civilization: A history of insanity in the age of reason*. London: Tavistock Publications.
- Foucault, M. (1980a). The eye of power. In C. Gordon (Ed.), *Power/knowledge: Selected interviews and other writings, 1972–1977: Michel Foucault* (pp. 146–165). Hemel Hempstead: The Harvester Press.
- Foucault, M. (1980b). *The history of sexuality* (Vol. 1: *An Introduction*). New York: Pantheon Books.

- Gordon, C. (1980). *Power/knowledge: Selected interviews and other writings, 1972–1977: Michel Foucault*. Hemel Hempstead: The Harvester Press.
- May, H. (1997). *The discovery of early childhood*. Auckland: Auckland University Press with Bridget Williams Books.
- McLoughlin, D. (1996). Second Thoughts on the Christchurch civic creche case. Has justice failed Peter Ellis? *North and South*, (August), 55–69.
- Middleton, S. (1996). Uniform bodies? disciplining sexuality in school 1968–1995. *Women's Studies Journal (NZ)*, 12(2), 9–36.
- Ministry of Education. (1993). *Prevent child abuse: Guidelines for early childhood education services*. Wellington: Learning Media.
- Mitchell, L., & Dalli, C. (1994). *Early childhood educators discuss ethical dilemmas: An exercise in community consultation*. Paper presented at the New Zealand Association for Research in Education Conference, Christchurch.
- Sawicki, J. (1991). *Disciplining Foucault: Feminism, power and the body*. New York: Routledge.