



19 August 1998

Ms Anna Kalmins
 Manager
 Disability Services Program
 Aging and Disability Department
 Level 13
 83 Clarence Street
 SYDNEY NSW 2000

**PRIVATE AND
 CONFIDENTIAL**

Attention: Paul Heath

Dear Ms Kalmins

Re: ^{CIC} Complaint

Your letter dated 4 August 1998 has been referred to me as Congregational Leader of the Sisters of the Good Samaritan.

At the time of the alleged episode involving ^{CIB}, Mater Dei was not incorporated and was therefore under the direct jurisdiction of the Provincial Council and the Trustees of the Sisters of the Good Samaritan. Moreover, the Principal, Ms Sue Dixon, is currently on leave. Accordingly, I am writing to you to convey the following information in response to your letter:

- ^{CIB} was a resident at Mater Dei at the time of the alleged assault in May 1991. Sister Marie Casamento was, on the day in question, in charge of residential care and was approached by the alleged perpetrator with an indication that ^{CIB} required medical attention. She was complaining of pain in the abdomen. Sister Marie recalls that she spoke to ^{CIC} by telephone and then took ^{CIB} to see a general practitioner in the area who undertook some form of examination in relation to ^{CIB}'s abdomen and then prescribed medication on the basis that the problem was a constipation type issue. ^{CIC} then collected ^{CIB} from the sick bay and took her home for the weekend.
- Over the weekend ^{CIC} noticed bleeding, it would seem, and took ^{CIB} to Westmead Hospital where further investigations were undertaken and Mrs

Good Samaritan Offices
 Toxteth House
 2 Avenue Road
 Glebe Point NSW 2037
 Tel: (61 2) 9566 2188
 Accounts Tel: (61 2) 9692 0094
 Fax: (61 2) 9692 8701
 Email: gsoffices@goodsams.org.au

^{CIC} was informed by a doctor and/or social worker that it appeared that ^{CIB} had been the subject of some form of serious sexual assault.

- ^{CIC} spoke to the Principal, Ms Dixon, on the evening of 4 June 1991 and informed her of the advice that she had received at the hospital.
- The following morning Ms Dixon took advice and then approached the alleged perpetrator who tendered his resignation. We understand that there was no detailed discussion in relation to the ^{CIC} allegation nor was any admission made in relation to that matter. Ms Dixon also reported the matter in writing to the local police.
- It would seem from the file that the following day the matter was reported to the Department of Family and Community Services.
- The case was the subject of discussion at a board of management meeting at the school on 13 June 1991.
- A team meeting, involving a representative of the Department of Family and Community Services, took place on 23 July 1991 in relation to ^{CIB} 's case. The documents note that the Department was still then awaiting the receipt of a report from the doctor and that ^{CIC} would still need to sign some form of release before that report would issue. It was also noted that Detective Warren Shields was investigating the matter and that the Principal was waiting for him to return a call.
- The matter was therefore in the hands of the police and the Department of Family and Community Services and no doubt there was ongoing communication with ^{CIC}. It would seem that ^{CIB}, when interviewed, may have implicated another student rather than the alleged offender. ^{CIB} returned to Mater Dei but I believe was either placed in another cottage or the other student was placed in a different cottage. ^{CIB} then completed her schooling at Mater Dei. The police and/or Department of Family & Community Services determined not to pursue legal action in relation to the matter.
- On 12 March 1997 we were informed that a complaint had been registered on the 'hot line' set up under the auspices of the Wood Royal Commission. A series of meetings took place and all files in relation to the matter were reviewed by Inspector Jenny Davidson from the NSW Police Department. The inquiry then focussed on the response at Mater Dei and the steps taken by the local police and the Department of Family and Community Services in relation to the matter. Whilst this inquiry was taking place the authorities required that we treat the matter with confidentiality and not seek to make contact with ^{CIC} or ^{CIB}.
- At the completion of the police review I requested Sister Jeanie Heininger to make contact with ^{CIC} as I was concerned that ^{CIB} and ^{CIC} may have been

further traumatised by the investigation that took place in 1997. We met with Mrs ^{CIC} on 11 November 1997 and suggested that perhaps some respite care for ^{CIC} and ^{CIB} could be arranged. I enclose a copy of our letter dated 24 October 1997 and our letter dated 25 November 1997 and a file note in relation to a conversation on 28 November 1997 as well as a copy of our letter dated 3 February 1998 to Mrs ^{CIC}

So far as general policy is concerned, the safety and protection of young children in our care is our overwhelming priority and concern. There can never be any complacency in relation to this issue. We have been anxious to ensure that all possible learning from the problems which have emerged in recent years and with the aftermath of the Royal Commission are acted upon.

I enclose copies of the following policy documents:

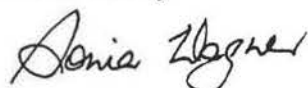
- a Interim Code of Practice for responsible intervention in relation to the care and protection of students - Good Samaritan Schools
- b Mater Dei Limited - Family Resource Program current policy document.

In relation to this episode in 1991, we feel that the problem was handled as well as it could have been. Clearly, the issues were conveyed to local authorities by the Principal and, of course, decisions in relation to the prosecution of action against the alleged offender must be made at that level.

I would, personally, be very concerned if justice in a particular situation was not achieved because of the difficulty that a young person such as ^{CIB} might have in dealing with legal procedures, but decisions about those types of concerns are made of necessity by the authorities.

In any event, we remain concerned to provide any counselling or support that might be of assistance to ^{CIB} and ^{CIC} and I would be happy to meet with you and/or ^{CIC} to discuss these matters further, if that would be of any assistance.

Yours sincerely



Sister Sonia Wagner, sgs
Congregational Leader