

**Summary of Report by Brian Hayes QC
into St Ann's Special School and the Catholic Church**

Background

On September 12, 2003, Brian Perkins, a former employee at St Ann's Special School for intellectually disabled children in Adelaide, was sentenced to ten years and six months jail, with a six year non-parole period, after pleading guilty to five offences involving unlawful sexual conduct with three students from the school.

Perkins was engaged at the school as a bus driver between 1986 and 1991, and also assisted in the woodwork section of the school from time to time. He also provided weekend respite care to parents, arranged independently from but with the knowledge of the school. At the time of his appointment, he was a convicted paedophile.

In August 1991, Perkins fled the school just prior to a visit by the police who had discovered evidence of his paedophile activity. After overtures by Archbishop Philip Wilson to police, Perkins was subsequently arrested interstate, on March 28, 2002, charged and convicted on his own admissions.

On August 17, 2002, Archbishop Wilson announced an inquiry into the allegations of sex abuse at St Ann's, to be conducted by Chris Kourakis QC. Mr Kourakis was later appointed South Australia Solicitor General and, subsequently, Mr Brian Hayes QC was appointed to conduct the inquiry.

The terms of the inquiry were to establish:

- how Perkins gained employment at the school
- whether there was any knowledge of his background or propensities
- when the allegations of sexual abuse were raised in 1991, how the matter was handled by those having responsibility to do so at the time.

Major findings

1. It appears that the Principal, the Chairman of the Board of Management of the school and the Catholic Education Office did little more between them than note that serious allegations of sexual abuse against students at the school had been made against one of the school's employees.
2. There were some attempts made to counsel the families of those students but no discussions took place with staff or the Board of Management with a view to determining how or why the situation that gave rise to the allegations occurred and what might be done in future to prevent what occurred.
3. That between 1986-1991, there were no procedures, policies or guidelines determined and provided by the Board of Management or the Governors for the employment of staff at the School.
4. At the time of Perkins' appointment to the school he was a convicted paedophile but that fact was not known to anyone at the school at the time.
5. As was the case with all employees at the time, no adequate or reasonable enquiry was made nor investigation undertaken as to the character or suitability of Perkins prior to his appointment to the staff. Responsibility for this lay primarily with the Principal, but was also with the Board of Management and the Board of Governors.

6. There were no protocols in place to address any of the issues which arose and, after the allegations against Perkins were brought to the attention of the Principal, no steps were taken to conduct any investigation into the extent of the allegations as they affected the staff and parents of children at the school.

7. The Chairman of the Board of Management at the time said, in his statement of evidence to the inquiry, that following his discussion with the Principal, he was satisfied that reports had been made to the Catholic Education Office and the police and he simply hoped that the matter would go away.

8. The Principal was of the view that since Perkins had disappeared he felt a responsibility to get matters back to normal and did not think specifically of reporting the issues to the Board although he said things would have been different if Perkins had been charged.

9. The allegations of sexual abuse were serious enough to warrant a police investigation at the time, yet it appears that neither the Principal, nor the Acting Principal, nor the Chairman of the Management Board saw fit to raise the matter for consideration by the Board or the governing body.

10. The allegations against Perkins were never discussed or considered in any way by the Board of Management, or the Board of Governors.

11. To the extent that individual members of the Board, being the Chairman, the Principal, the Acting Principal and the representative of the Catholic Education Office considered the allegations, such consideration was at best cursory and at worst no consideration at all.

12. There appeared also to be no policy in place by the Board of Management and the Governors about the provision of weekend respite services by Perkins to parents of school students, which was not sanctioned by the School but done with its knowledge and generally seen as a generous offer of support.

Further matters

Mr Hayes also referred to two matters about which he could not comment because they involved issues of credibility which he was not able to test.

They involved:

- a statement by a parent at the school that she had reported to both the Principal and her Parish priest in about 1990 that her daughter had complained of sexual abuse by Perkins. The Principal said he did not recall any complaint and would have dismissed Perkins immediately had such a complaint been made.
- the introduction to the Principal by Perkins of a man who was subsequently appointed as a volunteer at the school. A teacher reported suspicions about the man to the Principal who immediately asked him to leave. It later transpired the man was a convicted paedophile.