

STATEMENT OF MEGAN WAGSTAFF

1. My name is Megan Wagstaff.
2. I give this statement in relation to matters arising from the allegations of sexual abuse against Gerard Byrnes, a former teacher of the primary school (the allegations).
3. This statement is based on my recollection of events related to the allegations. In this statement I have made full and frank disclosure of all relevant circumstances.
4. I acknowledge that this statement was prepared for and at the request of my employer's legal representatives for the purpose of providing confidential legal advice.
5. Other than the information contained in this statement I am not aware of:
 - (a) any oral or written reports received from a staff member of **REDACTED** the primary school about sexual abuse, or suspected sexual abuse of a student at the primary school by any staff member;
 - (b) any oral or written reports received from a staff member of **REDACTED** the primary school about any harm, or suspected harm, occasioned to a student at the primary school by any staff member.
6. I am a registered teacher and am employed on a full time basis as the Assistant Principal Religious Education (APRE) at the primary school **REDACTED**. I have been a registered teacher since 1998 and I have worked at **RED** the primary since January 2007. I have held the position of APRE since January 2007.
7. The principal of the primary is Terence Hayes (the principal).
8. On the morning of 7 September 2007 I took a telephone call from **REDA** **REDACTED**, the mother of a female year four student (**REDA** in Gerard Byrnes' (the defendant teacher) 4B class at the primary). I took the phone call as the principal was on leave attending an appointment in Brisbane.
9. During the telephone conversation **REDACTED** informed me as follows:
 - (a) on the way home from school yesterday her daughter **REDA** told her that she overheard her 4B classmate **KA** telling **KH** (another 4B classmate) during after school care that the defendant teacher had put his hands down **KA**'s pants. **REDA** told her mum that **KA** and **KH** were laughing about it as they spoke;
 - (b) **REDACTED** questioned **REDA** about this conversation and believed that the conversation **REDA** overheard between **KA** and **KH** was made up because **REDA** said they were laughing about it as they spoke;
 - (c) **REDACTED** believed that the two girls involved in the conversation, which **REDA** overheard, were **KA** and **KH**. She wasn't 100% sure that the second girl was **KH**.

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Deponent

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- (d) **REDACTED** expressed concern that the girls were giggling of such things. She was worried about the defendant teacher's reputation.
10. After my phone conversation with **REDACTED** ended I immediately spoke to Cathey Long, the primary's Student Protection Contact about the information to seek advice and guidance on how I should respond.
11. Cathey Long:
- (a) advised that we could not directly approach the student **KA** on third hand information;
- (b) suggested that I telephone the mother and explain our inability to act on third hand information and ask the mother to encourage the girls to talk to someone they trusted if they had any concerns about a teacher at the school;
- (c) advised that I ring Chris Fry (Senior Education Officer at the Catholic Education Office) to inform him of the phone conversation and that I ring the principal and inform him of the phone conversation.
12. I rang Chris Fry on 7 September to advise him of the information I received from **REDACTED**. Chris Fry also advised me that we could not directly approach the student **KA** on third hand information and that I should ring **REDACTED** to inform her of this. He also suggested that I ask **REDACTED** to encourage the girls to talk to someone they trusted if they had any concerns about a teacher at the school.
13. I telephoned **REDACTED** on 7 September 2007. I advised **REDACTED** that she could report the matter to the police or put the information in writing. **RED/REDACTED** informed me that she did not think the matter should be reported to the police. She said she thought it was just the girls giggling and being silly. **RED/REDACTED** seemed concerned for the implications to the defendant teachers career. At the time she appeared very happy with my response. I never spoke to **REDACTED** again about the matter.
14. I rang the principal on 7 September 2007 to advise him of the information I received from **REDACTED**. On 7 September 2007 I also prepared a typed file note with respect to my conversation with **REDACTED**, a copy of which is annexed hereto and marked "A". I provided my typed file note to the principal that same day by placing it in a sealed envelope and handing it to his wife at school (the principal's wife is also a teacher at **the primary**).
15. The information provided to me by **REDACTED**, including the manner in which the information was conveyed, did not raise in me a belief or suspicion of sexual abuse by the defendant teacher.
16. I am aware of one other matter involving the defendant teacher which occurred in 2008. From my limited understanding of the matter, it did not involve anything of a sexual nature. I understand that a parent complained to the principal that the defendant teacher's manner was quite gruff with the children in his class.

.....*Michelle*.....
Deponent

.....*M. H. H.*.....
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17. I have a very high regard for the principal and how he discharges his duties at **REI** the primary. I would describe the principal as being a "stickler" for protocol and procedure.
18. In my experience, since I started at the primary matters relevant to student protection are regularly emphasised by the principal. After each Principal's Day with the Catholic Education Office the principal presents to staff on student protection. At the commencement of each school year the principal also presents to staff on matters of student protection. I recall in 2007 attending an in-service with other the primary staff at the Cathedral Centre in Toowoomba on student protection.
19. The Student Protection and Risk Management Kit is readily accessible to staff at the primary school. There are three copies kept at the primary: one with the Principal and two with the primary Student Protection Contacts.
20. Every teacher at the primary school has a copy of the school's Staff Procedural Manual (developed by the principal in consultation with the primary staff). The Staff Procedural Manual has a number of documents relating to student protection and the day to day operation of the school. I will make a copy of the Staff Procedural Manual available to the Catholic Education Office. The Staff Procedural Manual has been in place since I started at the primary in January 2007.
21. The names of the Student Protection Contacts are on billboards around the school. This has been the case since I started at the primary in 2007.

All the facts and circumstances herein are within my own knowledge save such as are from information only and my means of knowledge and sources of information appear on the face of this my Statement.

Sworn by **MEGAN WAGSTAFF** on September 2009 at Toowoomba in the presence of:

mewagstaff
Deponent

[Signature]
Justice of the Peace
Anne Michele Bowen Acker