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19 February 2014

Gail Furness SC

Counsel Assisting the Royal Commission into
Institutional Responses to Child Sexual Abuse

Dear Ms Furness

Employment of Terence Hayes by the Brisbane Catholic Education Office

Terence Hayes is currently employed by The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane also known as Brisbane Catholic Education (BCE) as a teacher at St Eugene Catholic College, Burpengary (**St Eugene's**).

Mr Hayes began working as a relief teacher at St Eugene's in August 2010. In this role he taught the classes of teachers who were away for a short time, such as one or two days.

Mr Hayes was appointed to this role by the Principal of St Eugene's, Denis Anthonisz (**Principal**), in accordance with the BCE procedure for appointing relief teachers. The process for appointing relief teachers does not require a selection process, although before a relief teacher is placed on BCE's payroll, checks are made to ensure that the relief teacher has a current registration with the Queensland College of Teachers (**QCT**). This check was conducted when Mr Hayes was appointed as a relief teacher.

Later in September 2010 the Principal appointed Mr Hayes to a 3 days per week fixed term contract teaching role to last one month at St Eugene's. In accordance with BCE procedure, there was no formal selection process for this appointment although as with the appointment to the relief teaching role a check was conducted to ensure that Mr Hayes held a current registration with QCT.

BCE staff identified that Mr Hayes had been employed at St Eugene's and notified the then Executive Director, David Hutton. Mr Hutton was comfortable with Mr Hayes' appointment because he held a current registration with the QCT. However, Mr Hutton instructed the Principal that Mr Hayes not be appointed to any Administration role at the school.

From October 2010 Mr Hayes again worked in a relief capacity at the school until July 2012 when he was appointed to a fixed term contract for one month. From August 2012 until January 2013 Mr Hayes again worked in a relief teaching capacity.

On 26 January 2013 Mr Hayes was appointed to a fulltime continuing teaching position at St Eugene's. This appointment was made in accordance with BCE policy for the placement of teachers into fulltime continuing roles. Mr Hayes applied for the position, was shortlisted and interviewed by a panel. The panel, comprised of the Principal, the parish priest and two school administrators, were unanimous in their decision that Mr Hayes be appointed to the role. Mr Hayes' referees were checked and he was subsequently appointed to the role by the Principal. Mr Hayes' appointment to this role was in accordance with BCE policy for such appointments.

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Prior to Mr Hayes being employed at St Eugene's the Principal and Senior Staff at BCE were aware that Mr Hayes had been dismissed from his principal position by the Bishop of Toowoomba. This case was widely publicised in the Queensland media.

The Principal is professionally and personally acquainted with Mr Hayes and has twice been a panellist on appraisal panels for Mr Hayes during Mr Hayes' teaching career. At the time Mr Hayes joined the teaching staff at St Eugene's, the Principal was aware of Mr Hayes' involvement in responding to offences committed by Gerard Byrnes at Mr Hayes' former school in Toowoomba.

Mr Hayes is currently teaching a year 7 class at St Eugene's on a full time basis.

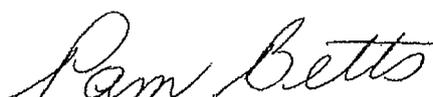
I was appointed to the position of Executive Director, Catholic Education Archdiocese of Brisbane on 1 February 2013. I was aware that Mr Hayes was employed at St Eugene's as a year 7 teacher. During the course of 2013 John Ryan, Executive Director of QCT was in contact with me regarding the process that QCT were undertaking in regard to Mr Hayes' teacher registration. I was assured that Mr Hayes remained a registered teacher and could continue in a teaching position in a school.

When the Queensland Civil and Administrative Tribunal (**QCAT**) made orders in Mr Hayes' disciplinary matter in November 2013 (**Orders**), Mr Ryan sent me a copy of the Orders for my records. I read the Orders carefully and again sought assurance from Mr Ryan that there was no impediment to Mr Hayes continuing as a teacher at St Eugene's. Mr Ryan confirmed this to be the case and confirmed that while Mr Hayes remains a registered teacher, he is prohibited from working in a position as principal or acting principal or as a child protection contact (or any similar role).

I understand that following their publication, Mr Hayes provided the Principal with a copy of the Orders. The Principal then provided the Orders to the leadership team at the BCE. All relevant people at BCE are aware of the Orders and their effect that Mr Hayes may be employed as a teacher, but is prohibited from working as a principal or acting principal or as a child protection contact (or any similar role).

BCE is monitoring Mr Hayes' employment through the Principal and the Principal understands that Mr Hayes is not to take on roles prohibited by the Orders. The Principal is also aware that the additional restriction imposed by David Hutton, that Mr Hayes not be appointed to any administrative role in school, stands.

Yours sincerely



Pam Betts
Executive Director of Catholic Education
Archdiocese of Brisbane