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240134 RISK ANALYSIS MATRIX
OVERALL RISK ASSESSMENT – 7 MAY 2004

Done
1980, 90, 2002

MATTER: ADRIAN NISBETT

CLIENT: KNOX GRAMMAR SCHOOL

LIKELIHOOD	CONSEQUENCE				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	H	H	E	E	E
Likely	M	H	H	E	E
Moderate	L	M	H	E	E
Unlikely	L	L	M	H	E
Rare	L	L	M	H	H

KEY:

E – extreme risk (immediate action)

H – high risk (review daily)

M – moderate risk (monitor closely)

L - low risk (manage by routine procedures)

Risk to alleged victims:**Consequence:** Moderate**Likelihood:** Moderate**Risk rating and comment:** High

There is a pattern of alleged and some sustained behaviour from the 1980s and early 1990s. All alleged victims are no longer in the school. Any injury is likely to have already occurred. There is little the school can do to control any risk to these ex-students other than to provide a hearing to them if they do approach the school with concerns.

It is possible that any breach of confidentiality in relation to the current investigation and actions stemming from it could stimulate other ex-students or students to bring forward allegations.

Risk to other students:**Consequence:** Major**Likelihood:** Moderate**Risk rating and comment:** Extreme

The allegations from the 1980s and 1990s are indicative of grooming behaviours. The School has mitigated any risk to current students by placing Mr. Nisbett in alternative duties that reduce his contact with students and increasing supervision during the investigation. Mr. Nisbett at interview admitted to a number of behaviours that placed him in close contact with boys and are generally consistent with his role in a boarding house. He denied any inappropriate or sexual conduct. Findings of sustained allegations require appropriate action to control any risk to current students.

The risk to current students will need to be determined once the employer has determined what action if any will be taken following the investigation. Mr. Nisbett's explanation of his lapse of judgement in relation to ASA [redacted] (2003 investigation) is strongly tested by the evidence from the 2004 investigation.

Risk to PSOA:**Consequence:** Major**Likelihood:** Almost certain**Risk rating and comment:** Extreme

Mr. Nisbett's reputation and career are at risk.

There have been rumours regarding his alleged conduct in the Knox community for approximately twenty years. A number of current staff are aware of specific concerns that have been raised.

He claimed at interview that he had some awareness of an investigation in 1986 but was not informed of any of the allegations that have now been placed before him. He has now had the opportunity to become aware of all details currently known of these allegations and to respond.

He has indicated that he is being well supported by the Deputy Headmaster and does not require additional support. Mr. Nisbett may require additional support once he becomes aware of the preliminary findings and any subsequent employment action. He may also need to be given appropriate directions regarding his contact with students, ex-students, employees and ex-employees.

Risk to School:

Consequence: Major

Likelihood: Likely

Risk rating and comment: Extreme

The School's reputation is at risk. Issues have been raised or discussed in the Knox community for many years. Mr. Nisbett, despite issues being investigated in 1986 that led to him leaving his position as Head of Boarding at Ewan House in 1987, was approximately three years later placed in a position as a resident master at Kooyong House. He continued to hold other senior positions in the School, including the most recent position of Director of Students, that brought him into close contact with boys on a daily basis.

Action has been taken to limit Mr. Nisbett's contact with students during the current investigation. However the School is exposed because there is no strong sense of any action being taken to limit the risk to students after the 1986 investigation. This opinion is supported by Mr. Nisbett's evidence that he was not made aware in 1986 of the allegations that have been placed before him during this investigation.

Documentary evidence and evidence of witnesses during the investigation supports Mr. Nisbett's evidence and this risk rating.

The School may also be at risk from yet unmade claims of students or ex-students based on a perceived lack of duty of care. This risk will be controlled to a degree by clearly documented and detailed decisions at this point of time.


Grahame Wilson