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7 May 2004

Our Ref: 240134
Investigator Grahame Wilson

Mr John Weeks
Headmaster
Knox Grammar School
Pacific Highway
WAHROONGA NSW 2076

HIGHLY CONFIDENTIAL

Dear Sir,

MATTER: ADRIAN NISBETT

SUPPLEMENTARY RISK ASSESSMENT REPORT

Thank you for your instructions of 25 February 2004.

Instructions were also received from your predecessor, Mr. Peter Crawley, to investigate certain allegations made against Mr. Adrian Nisbett in 2003. The investigation report for this matter was completed on 4 December, 2003 and is attached as an addendum to this report.

Re: Adrian Nisbett

RISK ASSESSMENT

Two allegations were investigated during the 2003 investigation. The first of these allegations was:

"In 2002 after the end of Business Week, you went to the home of a year 10 student, namely ASA [redacted], at 7.30 p.m. one evening. With his mother's permission you took him to your home. During the time ASA [redacted] was at your home you offered him alcohol, cigarettes and a hug."

The finding in relation to this allegation was – "I find that the allegation was not one of child abuse but might constitute a breach of professional behaviour or judgement which requires further professional disciplinary action."

At the time of the 2003 investigation I was not made aware of any earlier allegations, particularly those relating to the 1980s and 1990s that have been part of the 2004 investigation.

Had I been made aware of these previous allegations, I would have advised that these were matters that required reporting to the NSW Ombudsman and investigation.

I completed a risk assessment at the conclusion of the 2003 investigation. Had I been aware of the previous allegations and these had been investigated and the findings that I have reached in the 2004 investigation had been available, the risk assessment at the end of 2003 would have been considerably different.

In this supplementary report I have considered the allegations and findings from both the 2003 and the 2004 investigation to arrive at an overall risk assessment.

I note the similarity between the allegations from the 1980s and 1990s and the allegations relating to 2002. The elements of similarity are the offering of alcohol and cigarettes; physical contact and being alone with students in an isolated place, in the earlier allegations in Mr. Nisbett's living quarters and Ewan House and the latter allegation at Mr. Nisbett's home.

The similarity in the allegations, which are separated by a time period of some eighteen years, is striking and causes concern.

Other issues of concern are:

1. That Mr. Nisbett was not made fully aware of the allegations being made against him in 1986, the findings from that investigation and the reasons why he was "removed" from Ewan House.
2. That Mr. Nisbett being removed "from Ewan House" because of concerns about his behaviour towards students was, without any apparent direct action being taken to change his behaviour, allowed to resume a boarding position at Kooyong House with the same age group of boys who had been at Ewan House three years later.
3. That Mr. Nisbett has continued to hold senior positions within the Knox Grammar School where he has come into daily contact with students who may have been exposed to inappropriate behaviour on his part.
4. That no apparent action appears to have been taken in relation to the continuing damage to Mr. Nisbett's reputation and the reputation of the Knox Grammar School over a long period of time by untested rumours apparently continuing to circulate in the school community.

Re: **Adrian Nisbett**

5. I attach excerpts from interviews with Martin Gooding and Adrian Nisbett relating to ASA for your information and consideration.

Martin Gooding became particularly distressed when talking about this matter. His wife appears to have spoken to Mrs REDA and may have more detailed, relevant information. You may wish to consider giving instructions for Mrs. REDA to be interviewed.

I draw to your attention the evidence contained in interview transcripts relating to the highly questionable conduct of a small number of staff who appear to have left Knox overnight due to concerns about their behaviour. No risks have been assessed in relation to these people as they are no longer employees, however due to the concern expressed over missing records in relation to the current investigation, it is recommended that you take steps to adequately secure all records relating to this investigation, the previous investigation and matters relating to alleged improper conduct of any other employee.

The overall risk assessment is at FOLIO 1138.

It should be noted that the following legislation applies to the notification and investigation of allegations of child abuse:

- **Children and Young Persons (Care and Protection) Act 1998** (refer Chapter 3, Part 2, Section 27 Mandatory Reporting)
- **Ombudsman Act 1974** (refer Part 3A Child Protection, Section 25A Definitions)
- **Commission for Children and Young People Act 1998** (refer Part 7, Section 33 definitions – Relevant disciplinary proceedings and Section 39 Duties of employers with respect to disciplinary proceedings)

LKA Risk Services do not accept any responsibility in terms of the reporting obligations under this legislation but we will assist you where possible and appropriate.

QUALIFICATIONS

The comments made and conclusions drawn in this report are based on information obtained during the course of this investigation. We do not purport to advise you in any way, on liability or the future conduct of this matter.

We again thank you for your instructions and trust the information contained herein assists in the conduct of this matter.

Yours faithfully,
LKA RISK SERVICES PTY LTD


Grahame Wilson
 Investigator