

ATTACHMENT "E" (4 pages)  
 Response by ARH [redacted] to the Risk Assessment

**School: Knox Grammar School (1992 – beginning of 2001)**

Allegations to do with REDACTED [redacted], made by an un-named staff member.

- > That I spent 40 minutes talking with him
- > That I wrestled him
- > That I gave him lifts in my car

**Response**

My contact with RE [redacted] was almost entirely at rugby training. I "packed down" as an opposing scrum against the forward pack, which I assume is the source of the wrestling allegation. He was having issues at home and his mother had asked me to speak to him about them as he trusted me. I don't believe I can have talked to him for "40 minutes" as I would have been coaching a team at the time. The lift back to school (on 2 occasions) was also at his mother's suggestion, so we could have time to talk. The matter was raised with me by Rex Ward (deputy headmaster at Knox) who told me a staff member was concerned. I told him about the context. He said I should stop driving him "for my own protection" but nothing further was said at the time. Mrs REDA [redacted] wrote me a note at the time granting her permission for this contact and I gave a copy of that letter to Knox.

Allegation regarding ASW [redacted] 2000.

**Response**

The accusation was that ASW [redacted] developed a dependent relationship, although there also seems to be a suggestion that I played sport with him or saw him outside school, which is not true.

I met him at the Year 7 camp. I did not "volunteer" for the camp: I was asked to help for two nights by the Year 7 Year Master ASW [redacted] was ill and I spent some time with him and another sick boy while they sat out various activities. He went home after the first night because of his illness. Subsequent to that ASW [redacted] realised that I was in the habit of working in my classroom before school, where it was quiet and I could do marking. He came to talk to me most mornings. I felt uncomfortable about this and discussed it with his Year Master (Mark McCrossin, who has written a professional reference for me) and I also initiated phone contact with ASW [redacted] parents. The claim that the father contacted the school is erroneous. I initially contacted him to express some concerns about ASW [redacted] behaviour. Although polite, he appeared somewhat defensive, saying "Are you saying that our marriage is in trouble?". We discussed how to limit the contact, without cutting off the boy, who was having troubles fitting in the school. I made a deal with ASW [redacted] via the parents and Mark that he could come and talk with me, but no more than five minutes, and only once a day. So I thought I'd set the boundaries and also given him what he was looking for, but not to the point of feeling in danger. The school (I believe Adrian Nisbett, then a Senior Master) made contact with the parents after I initiated some criticism of Peter Crawley (the Headmaster) during a Common Room meeting. A week later I was called into Peter Crawley's office, accused, and issued with the letter quoted in the Risk Assessment, which prohibited contact with ASW [redacted] after the IEU [Independent Education Union] intervention, which argued that no process had been followed and no opportunity for reply given, that letter was withdrawn (I was told destroyed) and a new letter eventually issued, also quoted in the risk assessment, acknowledging that I had done nothing inappropriate with ASW [redacted] though I note that the wording of the sentence in quotation marks in the Risk Assessment is not the same as the wording in the letter I received – dated 21 July 2000 and headed "Re: Letter of Reconciliation").

In relation to the allegation of sending AS in email and that his father raised concerns the contact did not reduce: ASW could be manipulative. After we reached a negotiated agreement between the parent AS and myself about limiting contact, he came to ask me to teach him squash (I was a regular player on the school courts). He claimed to have his parent's permission, but when I rang the parents, they said to me that they had told him no. I did send him an email saying he was a nice kid but that this sort of thing had to stop. Mark McCrossin can verify this as I discussed it with him at the time.

**The other allegation was that I took photographs that were inappropriate and continued to do so after being advised not to.**

I was editor of the Knox Grammarian for 3 years. Part of the job was taking photographs, for which the school provided film and a camera. They also developed the film, and the photos always went first to the Headmaster (Dr Paterson) so that he could select items for the quarterly magazine The Thistle, of which he was the editor. All these photos were then lodged in the archives. I stopped taking photos at Knox when I stopped editing the magazine. There were comments made about inappropriate photos included in The Thistle (which I had no control over), taken by John Hunt (the official school photographer) at swimming carnivals. These comments were passed on to me and I raised them with the Headmaster (by then Peter Crawley) not the other way around, because I found the comments distressing. His advice was to stop taking photographs, even though I hadn't taken the photos in question, but by then I already had, as I was no longer the editor of the magazine. I had resigned from that post at the beginning of 1999, after Peter Crawley refused to either increase the pay or reduce my load. He subsequently employed someone full time to do the job I had done part time and in addition to my other duties.

**An allegation was made that I am friends with parents of some of the children I taught at Knox, which could be considered evidence of grooming behaviour.**

In the case of REDACTED, who died in 1999, I am still friends with his parents, so it would seem that I am being accused of grooming a child who has been dead for 15 years. In the cases of other students from Knox, who are now in their early 30s and whose parents I still consider friends – again, it would appear that our "friendships" are based on friendship, rather than any sexual victimisation of their children.

School 2

**Beginning of 2001 – end of 2007**

**Allegations fall into two parts - Incidents alleged to have occurred while at School 2 and others with School 2 students after I left in 2007**

**Part One: Incidents alleged to have occurred while at School 2**

**An allegation was made that I caused students to feel uncomfortable with close physical contact**

No one has raised with me an actual incident or individual with whom this occurred, so it is hard to respond. I did not "tickle and cuddle younger children". I am unsure as to when this was supposed to have occurred. One boy in Year 8 did once attempt to take a lolly from my pocket and I was very angry with him and made it clear that his behaviour was inappropriate.

**An allegation was made that I rewarded boys in my water polo teams with confectionary.**

This is true. The season was winter, the training pool was outdoors and they were reluctant to start training. I made a deal that if they got in without fuss, they could have small chocolate bar when they got out. I stopped doing this when the Headmaster advised me not to continue with that practice in case it was misinterpreted.

**An allegation was made that I took photos of "athletic boys" not "chubby" ones.**

I was given the job of photographer at several sports and swimming carnivals. It was my allocated task – as clearly indicated in the reference written by the Headmaster (REDACTED), dated 8 April 2008. The swimming carnivals were single sex but the athletics carnivals were co-ed. As part of that task, I took photographs, and did my best to photograph every competitor, male and female, all of which was then given to the school to select which photographs were used. They chose which photos to publish, not me, so if they only selected "athletic" students, that was an editorial choice, not my choice. Furthermore, by its nature, if kids have made the finals of events, they are more likely to be "athletic" looking. I received a commendation for my photography in my reference that I received from the headmaster after I left School 2. The editors of the school newsletter habitually published photos of kids at surf life saving dressed only in Speedos standing on the beach. I was not involved with the sport or those photos in any way, but I wonder if similar concerns were raised about that photographer.

**An allegation was made that I said, "I could listen to that wonderful Canadian accent for hours".**

I don't recall saying this. I am unsure how to respond to it. If I had said something like that, I fail to see how that could be reasonably construed as sexual misconduct.

**An allegation was made that I made "repeated visits to one boy's house."**

The only student to whom this applies would have been REDACTED, who was in Year 12 in 2003. He was doing Extension Two and at his parent's request, I – along with a mentor I had organised - went to work with him on his Major Work (which eventually topped the state in the HSC). His parents were always present during this process. I am still in regular contact with RE, now 27, although he currently lives in London. Again, I fail to understand how this could reasonably be interpreted as "sexual misconduct".

**Part Two - Allegations concerning School 2 students after I ceased working there.**

**An allegation was made that I visited students' houses after I left the school to tutor them.**

The assessment acknowledges that this was by parents' request and in their presence.

**An allegation was made that I had approximately 150 photographs on my computer of predominantly one boy.**

I tutored two boys from School 2 after I left the school in 2007 until they completed Year 12 in 2009. I had already been friendly with both sets of parents before I left but the relationship was extended with one family in particular, who invited me to have meals with them after tutoring. They also invited me to watch their kids play soccer and water polo. Subsequently I tutored the younger brother of one of these initial boys and his friend, then in Year 10. I was also invited to watch them play soccer and water polo. It is these boys (not "one boy") whom I photographed over several years at their parent's invitation and while their parents were standing next to me. The images were downloaded and then given to them via thumb drive and deleted from my computer. I gather the school examined the hard drive to find the electronic fingerprint of these photos.

School 1 : **Beginning of 2008 – September 2010**

Allegations at School 1

The OCG does not appear to have read the information in the six letters sent from School 1 to me, as they seem confused about my references to the allegations made about REDACT, which were the source of my suspension in 2009. They seem to believe I am confessing to an improper relationship in my Statutory Declarations, when I am actually referring to the allegations I thought were the source of their concern. There is a *suggestion* in the Risk Assessment that I took photos of students at School 1 while I was employed there. No such allegation was ever made, nor did I take a photograph of any student there.

**There was an allegation that I was with a student in a room with a closed door.**

I know the people who made the allegation and I remember them putting their heads around the door frame to look at me working with a student one lunch time. The door was open. I was in a dispute with both these people, a dispute that was never resolved. At the time, ASB accepted that it was true that the door was open, and the boy concerned was interviewed by the original investigator (Kylie Starling, Senior Investigator, WISE Workplace Investigation) and confirmed that I had never been in a room with him with the door closed. Ironically, my accusers were regularly in rooms with the door closed with students, one on one. When I raised this with ASB, he told me it would be "inappropriate" to take action against them.

**The allegation that was made in September 2009 (but apparently overlooked or misunderstood by the OCG) was that I had been engaged in grooming behaviour with REDACT, then in Year 9 (aged 15), who was the boy in question in the closed-door accusation.**

I maintain that I had been seeing RED regularly at his parent's request, and as was my general habit with other students, in order to track his homework. His mother is REDACT, who wrote a professional report for me, in 2013, for the OCG, which the OCG dismissed because she described herself as a "friend" (I have never been in her home except for tutoring and she has never been in mine) and they assumed she was unaware of the allegations made against me. Given that she had been interviewed by the original investigator (Kylie Starling), and that the subject of the investigation was allegations concerning her son, this seems an erroneous conclusion to draw. The OCG Risk Assessor made minimal efforts to validate her account – "After unsuccessful attempts to contact this referee on the phone, the reference could not be verified". In a phone conversation, the OCG assessor, Andrew Mills, told me he had made one attempt to contact her and then gave up. I subsequently got her to ring them. She told me that she had rung them and verified her statement. The OCG made minimal effort to speak to the woman who knew most of the situation at School 1. I was subsequently employed by her to tutor her son from 2010 until he finished Year 12 in 2012. The woman quote her as saying I was "unsupervised"; but she was always in the house during tutoring, and the tutoring took place in their dining room, right next to the front door, where I was on constant view for anybody walking past. I believe that by "unsupervised" she meant that she wasn't sitting in the room with us. I currently tutor Mrs RE's daughter and niece.

ASB is quoted as saying that I "have a history of not taking direction". There is no support provided for that statement. There is evidence to the contrary in various references. ASB is also quoted as saying I had committed "inappropriate attention that extended beyond our own school" at School 1 although no finding of sexual misconduct at School 1 was sustained. So his conclusion that this extends across three schools is false.