



STATEMENT OF A WITNESS

In the matter of:	CDM
Place:	Kogarah JIRT Office
Date:	18 November 2010

Name:	CDN
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STATES:

- This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
- I am 28 years of age.
- I am married to REDACTED (dob: REDACTED30) and we have two children namely CDO (dob: REDACTED07) and REDACTED (dob: REDACTED99). We all live together at REDACTED REDACTED.
- REDACTED goes to REDACTED at REDACTED and he is in Year 5. CDO goes to Footprints Childcare Centre at REDACTED. CDO attends the childcare centre on Mondays, Tuesdays and Wednesdays. CDO has attended the centre over two and a half years and we were there when the centre was taken over by CHD.
- CDO has REDACTED, REDACTED, REDACTED and REDACTED as her school teachers in her room upstairs which is the 3 – 5 year old room. CDO has been up in that room since she was about 2 ½ years of age. I have never had cause to complain to the centre about any of those staff.
- The only person that I ever made a complaint about in the centre was CDM. To be honest I thought CDM seemed lovely and very very friendly but I witnessed some behaviour that I thought warranted my concerns being raised with the owner CHD.

Witness: REDACTED
 Kelly DONAGHY
 Detective Senior Constable
 Kogarah JIRT 18/11/2010

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7. Until the arrest of CDM I had no idea that he was CHD's father nor that he was part-owner of the child care centre. My knowledge of his roles included cooking, ground-care and OHS but this was after CHD took over late 2008 and his presence at the centre steadily increased to him being there everyday I was there.
8. Behaviour I witnessed prior to making a formal complaint included me seeing CDM having little girls sitting on his lap which I did not think was appropriate but I didn't say anything.
9. Around the date 13th May 2009 (I know this date as I have copied the email which is signed and attached to this statement) I attended the centre with CDO as per usual. As we entered the babies area of the centre CDM came up to CDO bent down and put his hands on each of her shoulders and kissed her on the forehead. I was shocked and concerned and when I looked at CDO she looked uncomfortable and she pulled away. She squirmed and wiped her forehead and said, "Yuk."
10. I didn't know what to do so I just said, "Good morning" and we went outside. I then went home and spoke to my husband and my friend, REDACTED, who works in childcare. I expressed to them what happened and my feelings so I asked them what I should do. I decided that I should raise it with the owner so I emailed the owner CHD with my concerns (I attached this email I wrote and her response.)
11. The next time I attended the centre and saw CDM his behaviour was completely different than it was usually and we were quite uncomfortable. This included CDM having no contact on arrival to myself, my husband or CDO. I noticed he was still greeting the other children though, they were sitting on his lap and I saw him putting sun-cream on them as he usually did. To be honest I was happy that he was not hugging CDO but I was concerned that this behaviour was continuing with the other children. I knew but his behaviour change to me and CDO I assumed that CHD had raised the issue with him. After this there was no further issues raised by me about this. An unusual thing that CDO would say about CDM on a regular basis was that he was "spicy". I didn't understand it until one day when she said it she was rubbing her face and saying "CDM is spicy." I said, "Do mean spiky?" CDO said, "Yes spiky." I thought it was strange but I just let it go as I didn't really understand what she meant by it.

Witness:

REDACTED

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Detective Senior Constable
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12. On Friday morning the 12th November 2010 it was about 7am when my friend, REDACTED another parent of the centre called me. She asked if I heard the news and we then had a conversation where she told me that CDM had been arrested for indecent assault. I felt horrified and my heart sunk. I then phoned my husband and I told him what I had heard. He said, "I knew it, I fucking knew it." He was very upset as was I. He returned from Orange that day. I made further calls to work to find out further information (I am youth worker.) I eventually was given a phone number for JIRT and phoned to find out the process. I did not raise anything with CDO about what I had heard.
13. I took CDO at 2:30pm Friday the 12th November 2010 to Sutherland Community Services Centre (CSC) where she was interviewed by Daniel ROMIREZ and another lady. After the interview they told me that they raised some issues and she didn't really have anything to say that would raise concerns at all. The only thing she said that CDO didn't like was "bee stings". I decided to tell CDO she was having a holiday from school to spend with Nanna as I did not want to raise anything about the matter with her. I felt better after the interview that nothing had happened to CDO.
14. I went home and spent the weekend at home with the family. During the weekend on the Saturday night at about 8pm I was sitting in the lounge-room with my husband and CDO came up to me and open mouth kissed me. I said, "CDO where did you learn to kiss like that?" She said, "At school." I said, "Who kisses you like that at school?" She said, "REDACTED (CDO has done this before and said that she learnt the kiss from the Avatars.) I reported this to community services as I know that sometimes kids will say it is someone else and combined with her saying CDM was spiky I called DoCS and reported it to them. Since that nothing else has been said and I have asked DoCS to have CDO re-interviewed as I am worried that something else may have happened.

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REDACTED

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15. I don't really know anything else except for the fact that I am not happy with the email response or my request about a meeting with the centre owner [CHD] about what has happened. I feel that they are not being objective and now I know he is her father I can see why. I have attached the emails that I have corresponded with her about and they seem to be blaming the victims' family which is unprofessional and not how I think this matter should be dealt with at all.

Witness: _____
Kelly DONAGHY
Detective Senior Constable
Kogarah JIRT 18/11/2010

Signature: _____
[CDN]
18/11/2010

Witness: [REDACTED]
Kelly DONAGHY
Detective Senior Constable
Kogarah JIRT 18/11/2010

Signature: _____
[CDN]
[CDN]
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