

CEG

REDACTED

RECEIVED

22 APR 2013

EARLY CHILDHOOD EDUCATION
& CARE DIRECTORATE

Carolyn Strange
 Director
 Central Licensing and Regulatory Support
 Childrens Services Directorate
 Community Services
 Department of Human Services
 Locked Bag 4028
 Ashfield NSW 2131

15 April 2013

RE# Reference Number CSD 10 129037
File No: 08/9063

Dear Carolyn

I am just writing to update you and your office on our case regarding Mr ^{CDM} [REDACTED] (our volunteer Cook and Maintenance Officer from 1st October 2008 to 11 November 2010.)

^{CDM} [REDACTED] was arrested at ^{CEG} [REDACTED] on 11 November 2010.

We received a **NOTICE OF INTENTION TO IMPOSE CONDITIONS ON CHILDRENS SERVICVE LICENSE** from Jennifer Mason. This was dated 15/11/2010 and it was due to criminal allegations against ^{CDM} [REDACTED]

Since this time ^{CDM} [REDACTED] obeyed all of his bail conditions, all of our licensing conditions and he appeared in court every time he was requested to. The allegations were thoroughly investigated by the JIRT Team, NSW Police and the Department of Public Prosecutions.

In May 2012 we were notified by the DPP that they were no longer pursuing the matter. Please see the attached copy of their fax to us.

I notified Jan Coughlan from the Ombudsmans Office about these events. Jan requested that I contract an external investigator to go over the evidence again. Jan supplied me with the names of several reputable investigators and I decided on Kylie Starling from Starling Investigations.

Kylie reviewed the entire case and composed a massive report.

In regard to the above mentioned report by Kylie Starling, I am satisfied that Kylie was thorough in her investigations and I do not wish to dispute any of her findings at this time.

Taking into account:

- My knowledge of [CDM] s character
- My knowledge of the children and families involved in the accusations
- My discussions with officers from Kogarah JIRT.
- My discussions with [CEG] staff and families after the accusations were made
- [CEG] Policies and Procedures at the time of the accusations
- Information surrounding the allegations as gathered by Kylie Starling
- Kylie Starlings November 2012 Report

I find:

- On the balance of probabilities the allegation that [CDM] engaged in sexual misconduct with [CEW] is: **not-sustained- insufficient evidence.**
- On the balance of probabilities the allegation that [CDM] engaged in sexual misconduct with [CEY] is: **not-sustained- lack of evidence of weight.**
- On the balance of probabilities the allegation that [CDM] engaged in sexual misconduct with [CDO] is: **not-sustained- lack of evidence of weight.**
- On the balance of probabilities the allegation that [CDM] engaged in sexual misconduct with [CDQ] is: **not-sustained- lack of evidence of weight.**

After forwarding a copy of Starling Investigations complete report to the Ombudsmans Office in December 2012, we received confirmation that they were satisfied with Kylies investigation and with our handling of the situation. Jan Coughlan suggested that I contact the Working with Children Office and include them on our process.

After speaking with Vanessa Zanotti from Working with Children, and forwarding her sections of Starling Investigations report, I received verbal confirmation from Vanessa that she too was satisfied with Kylie Starlings investigation and our handling of the situation. On 5 April 2013 I made a Category 2 notification to Working with Children regarding [CDM]

Another suggestion from Jan Coughlan was to contact you once again and inform you of our process and outcomes.

[CDM] turned 70 years of age in December 2012 and has officially retired from the workforce having never returned to [CEG] since 11 November 2010. He will not be seeking to return to [CEG] in any role.

I am hoping that your office can now remove any conditions regarding [CDM] from Service Approval and reissue us with an up to date Service Approval for display at our centre?

Please let me know if there is any further information needed from me by yourself or your office. Can you also advise me if any other person or department needs to be informed of this matter?

Yours sincerely,

CHD
[Redacted Signature]

Director

[CEG]A pathway of learning.