

**BRIEFING NOTE**

**ISSUE:** Mr Jeff Hunter MP Member for Lake Macquarie has written to the Minister on behalf of **EAN** who has expressed concern that her son, **DFB** has been asked to leave Trinity Grammar School, at the request of the Department of Community Services, pending the outcome of a Joint Investigation Team investigation into matters where **DFB** has been named as an alleged offender.

**CURRENT AS AT:** 25 October 2000

**BACKGROUND:**

- On The 5th October 2000, the Joint Investigation team at Ashfield received a notification from Strathfield Community Service Centre. The notification contained allegations of a number of physical and sexual/ indecent assault offences committed upon four victims, who are boarding students in Year 10 at Trinity Grammar School. The information contained in these notifications was supplied by the school in accordance with legal and policy requirements.
- **DFB** has been named by alleged victims as one of two alleged primary offenders.
- **DFB** together with the other primary offender, made partial admissions relating to the alleged offences to a School Counsellor in August 2000.
- On 6 October 2000 the investigation commenced. A recommendation was made to the Acting School Principal, by the Acting Assistant Manager JIT, that the alleged offenders be suspended from the school pending the outcome of investigations. The Acting School Principal then asked the parents of **DFB** to remove him from the school, which they did. **EAN** was advised that the allegation concerned physical and sexual abuse.

**KEY ISSUES:**

- **EAN** has requested that the Department advise her of the policies or powers supporting the Department's request to Trinity Grammar that they suspend her son from school.

- She has also asked why she has not been advised of the allegations concerning her son by the Joint Investigation team. EAN also appears to be of the opinion that the school was unaware of the allegations, and the reason why the request to suspend her son was made.
- The Department of Community Services has no legal or policy mandate to insist that students be removed from school.
- Following receipt of the allegations of abuse provided by Trinity Grammar School, Ms MacDuff, Acting Assistant Manager JIT, contacted Mr Peter Green, Acting Principal, and requested that the alleged offenders be suspended from school. This request was made in an effort to keep the alleged victims safe from further abuse or harassment and to assist the school in fulfilling its duty of care obligations, pending further investigations. The school did not suspend the boys but asked the parents to remove them to allow the investigation to continue.
- The school was advised to inform the parents of the alleged offenders, including DFB's parents, that allegations of physical and sexual abuse of a number of students were being investigated by the Joint Investigation Team.
- EAN has been advised by Ms Mac Duff of the general nature of the allegations. The specific details of the alleged offences cannot be discussed with her or her son until the investigative process of obtaining statements from the alleged victims and witnesses has been completed. This is standard practice for the Joint Investigation Teams.
- The investigation commenced on the 6 October with appointments being made to interview the alleged victims. During these interviews more victims and witnesses were identified. As soon as all victims and witnesses have been interviewed the alleged offenders will be interviewed.
- Apprehended Domestic Violence Orders have been sought on behalf of the alleged victims by the Police. An interim AVO was granted against DFB on 13 October 2000, and the matter has been adjourned for mention on 10 November 2000. \* SEE NOTE ON SUMMARY SHEET

#### ATTACHMENTS:

- Draft reply to Mr Jeff Hunter MP Member for Lake Macquarie (Tab A)