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From: Raffaele Marcellino [REDACTED]
Sent: Wednesday, 24 March 2004 12:46
To: [REDACTED]
Subject: C/2004/1245

RISK ASSESSMENT AND RISK MANAGEMENT REPORT
AUSTRALIAN INSTITUTE OF MUSIC (AIM)
NSW Ombudsman reference C/2004/1245

AIM assessed the risk of having the staff member in question continue his teaching duties subsequent to being accused of committing offences against persons under the age of 16.

The staff member has been charged and is under bail conditions that require him to be supervised by an adult present when this staff member is in the company of a person under the age of 16.

AIM decided to allow the staff member in question to continue his teaching duties because:

- Legal officers advised that there was no legal basis for suspending the staff member,
- The staff member is so prominent as a teacher in his field that suspension could be perceived as AIM making a finding on the charges against the staff member
- The consequence of suspending this staff member, given his prominence, would likely lead to students attending the staff member's private residence for lessons in spite of a suspension.

AIM has requested that the staff member only teach students at the AIM campus. The staff member has agreed to this request. AIM has informed all of the parents of students under the age of 16 of the charges against the staff member and requested that the parents attend the lessons of their respective children. AIM has advised the parents that they must remain in the room for the duration of the lesson.

Three current students of AIM have taken out an AVO against the staff member. I have met with the students and their legal advisor. Of these three students, 1 student is considering suspending his candidature until the conclusion of the trial and the other two have been advised of the subjects required for the completion of their undergraduate degrees. This completion can be undertaken without contact with the charged staff member. Two of these students also teach in the pre-tertiary program. AIM has designated separate buildings for these students and the staff member so there is no reason for the two parties to come into contact.

Dr Raffaele Marcellino
Principal
AIM

24/03/2004