



NSW Ombudsman

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Our reference: C/2004/1245

11 May 2004

Dr Raffaele Marcellino
Principal
Australian Institute of Music
1-51 Foveaux Street
Central Sydney NSW 2010

Dear Mr Marcellino

Ombudsman investigation concerning the Australian Institute of Music's (the institute) response and handling of child abuse allegations against Professor Victor Makarov

I refer to the attached copy of the notice of investigation pursuant to s.16 of *the Ombudsman Act 1974* dated 30 March 2004 that we sent to Dr Calvo previously. We are now advising you of amendments to that notice which specify conduct by you and Dr Calvo as conduct that is the subject of investigation, and which identify you and Dr Calvo as public authorities whose conduct is the subject of investigation.

We are sending a similar notice to Dr Calvo for his information.

AMENDED NOTICE OF INVESTIGATION

You have been provided with a copy of the previous notice of our decision to conduct an investigation under section 25G of the *Ombudsman Act 1974*. I am formally notifying you of amendments to the previous notice of my decision to conduct an investigation as required by section 16 of the *Ombudsman Act 1974*.

The conduct which is the subject of the investigation is that set out in the previous notice, namely:

- the institute's response to and handling of child abuse allegations (now termed 'reportable allegations') involving CAA [redacted] and possibly other children, against Professor Makarov, and
- the systems that the institute has in place to report and respond to child abuse allegations against employees.

In addition to the above conduct, the following conduct is now also the subject of the investigation:

- the action taken by Dr Peter Calvo to assess and manage the risk posed to students of the Australian Institute of Music in the course of the institute's response to and handling of reportable allegations against Professor Makarov, and
- the action taken by Raffaele Marcellino to assess and manage the risk posed to students of the Australian Institute of Music in the course of the institute's response to and handling of reportable allegations against Professor Makarov

The public authorities whose conduct is the subject of the investigation are:

1. The Australian Institute of Music
2. Dr Peter Calvo - Director, Australian Institute of Music
3. Dr Raffaele Marcellino - Principal, Australian Institute of Music

REQUIREMENT TO PRODUCE DOCUMENTS AND PROVIDE A STATEMENT OF INFORMATION

The previous requirement made under section 18 of the *Ombudsman Act 1974* remains in effect and no additional requirement to produce documents or provide a statement of information is made at this time.

REQUIREMENT FOR CONTACT OFFICER

The previous requirement to provide the details of a contact officer remains in effect.

Yours sincerely

REDACTED

Assistant Ombudsman (Children and Young People)