



LOBBAN MCNALLY & HARNEY
LAWYERS

23 Feb 2004

Our Ref: TJM:mr\3224\006

19 February 2004

The Ombudsman of NSW
580 George Street
SYDNEY NSW 2000

Dear Sir,

THE AUSTRALIAN INSTITUTE OF MUSIC

We act on behalf of the Sydney School of Guitar and The Australian Institute of Music Limited, who carry on the business known as The Australian Institute of Music. Our client is a designated non-government agency providing education for students in music and musical instruments.

Our client has been informed of an alleged child abuse allegation against an employee Professor Makarov, in accordance with Section 25C(2) of the Ombudsman Act, we notify you on behalf of our client of the subject allegation.

Our client is fully aware of its obligation under the Act to investigate the allegation and in this regard has sought the assistance of the NSW Police Service who have requested our client desist from its investigation for the present time pending finalisation of the police service investigation, we understand the police service is concerned our client's investigation could prejudice the police service inquiry.

We are instructed our client was initially informed of the allegation by the employee, there being immediate attempt by the client to contact the child's parents who have not responded. Contact has also been made with the NSW Department of Community Services who decline to provide any material or assistance in relation to the allegation.

The client wishes to comply with its statutory obligations, however at the same time does not wish to take any step that might prejudice the current police investigation. Accordingly, our client intends its investigation remain in abeyance pending authorisation from the police service it is in order for the client's investigation to proceed.

We shall keep you informed of the progress of our client's investigation.

Yours faithfully

Terence McNally

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