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March 18, 2004

Child Protection Team
 OMBUDSMAN'S OFFICE
 Level 24
 580 George St.
 SYDNEY N.S.W. 2000



Attention: REDACTED

Relates to :
 C/2004/1245/notify
 REDACTED

Dear REDACTED

MLW
 Menden M
 22/3/04

Re. Australian Institute of Music and allegations against Professor Makarov

Further to our conversation this morning, this is to confirm in writing my complaint against Australian Institute of Music (AIM) and its inappropriate and scandalous handling of sexual allegations against the Head of Piano Department, Professor V. Makarov. Despite extremely serious nature of these allegations, the AIM has not suspended Professor Makarov who under these circumstances is exerting undue psychological pressure on some of the pupils of the Institute. This we find (my wife and I) extraordinary and untenable in the extreme and request your serious consideration of this matter.

An educational institution like AIM, is legally and morally obliged under its licence to provide environment that is conducive for the emotional and academic development of its students. According to our information this is not the case for number of students who are directly or indirectly involved in the current allegations against Professor Makarov. The AIM did not find it fit to stand down Professor from its staff while the investigation is under way, thus providing ample opportunity for Professor to intimidate and pressurises students under his care, should they in any way get in contact with the main protagonists of the allegations.

I do not intend to give details of this case, as you already have information from the reliable source, but would point out that three of the current students/teachers of the Institute have taken an AVO on the Professor as part of their main complaint. The nature of their activity within the Institute is such that is not possible to keep physical separation between the two parties in this matter and consequently this situation gives rise to all sorts of inappropriate behaviour. Few examples will to some extent illustrate this situation:

- ✓ Despite AVO, Professor tried to prevent them to perform their function as teachers of the Institute,
- ✓ Professor is refusing to teach or contact in any way number of students who are directly related to three boys (a flatmate, two girlfriends and some others),

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- ✓ Should he see anyone talking to the boys, he immediately demands the reasons for contact and its contents.
- ✓ The Institute refuses to communicate with mother of one of the girlfriends under an excuse that her daughter is of age and is capable to look after herself,
- ✓ At the last court hearing regarding AVO, Professor brought with him approximately 30 people, number of them being teachers and students of the Institute, presumably as character references. This is inappropriate and is a form of misuse of his position of authority.

We are aware that this case involves people of considerable standing and importance and needless to say that this investigation and the court case will adversely effect many. However, no person is above the law and we should do all that is in our power to see that its integrity is protected. It is our opinion that the situation in the AIM is beyond what a reasonable person would expect, and requires an urgent and swift intervention from those who are invested with appropriate statutory powers. After all we are talking here about well being of young people who are still developing and who need guidance, care and protection from those concerned. It is my impression that the Institute is protecting member of the staff at the expense of the wellbeing of its students.

The Institute has displayed blatant ignorance of the law and of its own moral obligation, and by its inaction put a tacit approval to Professor Makarov's actions. It is not a secret that two minors first raised these allegations and soon were followed by three others from the Institute, and naturally one wonders what number does the Institute needs to have, to do the only reasonable and necessary thing ie. suspend its staff member to provide unimpeded and safe environment for its students.

Should you need farther clarification please do not hesitate to contact me on REDACTED or my E-mail REDACTED. Needless to say that I expect utmost confidentiality in regard to this complaint.

Yours truly,

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