



STATEMENT OF A WITNESS

In the matter of:	CDM
Place:	Engadine Police Station
Date:	16 November 2010

Name:	REDACTED
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STATES:

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 23 years of age.
3. I have known CDM ever since I started working at CEG on REDACTED. I have worked there since 2007 its close to home as I live in the same street. I started in the nursery at first and then when CHD took over the centre in October 2008 I stayed on there. I moved upstairs to the preschool in February 2009 and that is where I work now. I do 8 hour shifts five days a week with one RDO off a month; I work one of two shifts which are 7 to 3:30pm or 8:30am to 5pm. The rosters can change from time to time.
4. I am doing a Certificate 3 in Children's' Services and I have nine children in my focus group. My role includes looking after the kids, setting up beds, sitting with them at rest time, changing toileting issues. REDACTED and REDACTED work closest with me upstairs. CDM works at the centre as the chef in the kitchen. He prepares the meals. He also sometimes supervisors outside play with the kids.

Witness:

REDACTED

Kelly DONAGHY
Detective Senior Constable
16/11/2010

Signature:

REDACTED

REDACTED
16/11/2010

Statement of REDACTED
In the matter of CDM

5. I would describe CDM as a happy man that will help anyone. He is great with the kids, the staff and the parents. CDM does not have much to do with the kids upstairs as it is fairly structured. At sleep-time he will tell the kids to get back on their mats but that is about it. He does not have a role at sleep-time he is mostly washing up in the kitchen. Sometimes CDM will sit with the kids while they lie on their mats and I've seen him pat them but only on their heads or back never anywhere else. I have never seen anything strange about this and no one has ever complained about CDM at all under any circumstances.
6. I am aware that the child that made the complaint about CDM was CEW. I was more upset than the others and I spent most time with her and her parents so I was really shocked as CEW is in my focus group. CEW is a very verbal child and I know that this is not true because I feel I would have seen some signs. The last day I saw her was last Tuesday she actually ran up to CDM to avoid putting her shoes on rather than me because she knew I wanted her to try first. The only behaviour that CEW has ever had that comes to memory is a long goodbye time when saying goodbye to her mother, CEX. She loves pre-school and there has never been any problem. If there was I believe that she would have told me. I get on quite well with CEX as I have forced myself to engage her as she is quite difficult to talk too.
7. I have never heard or seen about the girls including CEW lifting their dresses and showing CDM there vaginas at all, inside or outside the centre building. If it happened I would have heard of it and dealt with the behaviour. I've seen the kids lift there shirts sometimes to show their singlets but that is about it. I've never heard CDM talk about private parts with the kids at all. I have never seen CDM do or say anything inappropriate. I am not aware of anything at all negative about CDM. I have never seen CDM kiss a child at all.

Witness

REDACTED

Kelly DONAGHY
Detective Senior Constable
16/11/2010

Signature:

REDACTED

REDACTED

16/11/2010

Statement of [REDACTED]
In the matter of [CEG]

8. At sleep time the room is set up by me, [REDACTED] and [REDACTED]. We do put [CEW] over near the kitchen at the top of the stairs to the right which is our eating area. It stops her from interrupting the other kids as she does not sleep. There is no way that [CDM] could have touched [CEW] vagina and any staff not to have seen it as in that room at any one time there is a minimum of two staff members. I have noticed that [CEW] uses the word "massage" for what we call "pat". I have seen [CDM] outside rubbing [CEW]'s shoulders that looks like a massage then other kids run up and all want a turn but there is nothing wrong with that. I have no idea where this allegation has come from at all and I do not believe that this has happened.
9. A few weeks ago I was getting assessed by my Tafe teacher, [REDACTED] from Loftus Tafe. During the assessment [CEX] drove into the centre. [CEW] was sitting in the front seat and I noted it down on my notebook. I have never spoken to [CEX] about it as I feel uncomfortable about it. I am aware that my boss [CHD] and [REDACTED] that used to work there have spoken to [CEX] about leaving the other girls in the car when she drops [CEW] but I never said anything.

Witness: _____
 Kelly DONAGHY
 Detective Senior Constable
 16/11/2010

Signature: _____
 [REDACTED]
 16/11/2010

Witness: [REDACTED]
 Kelly DONAGHY
 Detective Senior Constable
 16/11/2010

Signature: [REDACTED]
 [REDACTED]
 16/11/2010