

CDN
REDACTED

Our ref: C/2013/6776
Contact: Steve Kinmond
Telephone: REDACTED

By email: REDACTED

CC: CDP

6 November 2013

Dear CDN

*original put in
mail on 6 Nov 2013
- also sent via email 2013/103302*

Our meeting of 1 November 2013

I refer to our meeting of Friday 1 November in which you raised concerns about the investigation of sexual abuse allegations about CDM and identified a number of significant systemic issues relating to the investigation of reportable conduct matters.

As discussed, we undertake to complete the following actions:

- 1) Write to the Royal Commission into Institutional Responses to Child Sexual Abuse highlighting your concerns about the limited information that victims and their families can be provided with regarding the outcome of a reportable conduct investigation under the current legislative scheme. We will seek your feedback on our draft letter in the coming weeks.
- 2) Make enquiries in relation to your advice that your correspondence of 24 October 2012 was not acknowledged or referred to the appropriate department, with a view to acknowledgment being provided regarding this poor response.
- 3) Review Ms Starling's investigation report in order to determine whether her decision not to interview any of the victims' parents was reasonable based upon the information she had at hand at the time. I will keep you apprised of my findings in this regard.
- 4) Provide information to the Office of the Children's Guardian relevant to the risks the involved individuals may pose to children. Information provided to the Children's Guardian by our office is used by the Children's Guardian to inform risk assessments conducted of people who are in, or are seeking, child related employment.
- 5) Make contact with the Early Childhood Education and Care Directorate of the Department of Education and Communities in relation to your advice that CDN REDACTED made telephone contact with the Directorate earlier in the year and was advised that they had no record of the matter relating to CDM. In this regard, it would assist our inquiries if you could provide the name of the officer CDN spoke with, and the approximate date of the phone call. (However, should you not be in a position to

provide this information, we will pursue with the Department of Education your concerns that records should exist).

- 6) We note your advice that you are in contact with an ex-employee of who can provide information as to the level of supervision provided at , and other information relevant to director's suitability to be a director of a child care centre. As advised, I am available to speak to this person, should they make contact with our office.

We will keep you updated on our progress in relation to the above actions.

Should you wish to discuss this matter, please do not hesitate to contact myself on or in my absence, Ms Bridey Maguire, Project Officer, on .

Yours sincerely



Steve Kinmond
Deputy Ombudsman,
Disability Services Commissioner