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APPENDIX A**

St Ann's Special School

Constitutional Arrangements

The governance of St Ann's Special School was pursuant to the 1975 Constitution during 1986 to 1991 the relevant period of employment of paedophile Brian Perkins in St Ann's Special School. The object of the Constitution at that time was,

- To provide special education or training for children who, due to physical or intellectual disability, were unable to attend mainstream educational settings
- Children irrespective of creed or denomination and either gratuitously or in return for such payments as may be determined by the Board of Management.

The management and reporting arrangements of the Constitution were:

- 'supreme control and government of the property and affairs of the association shall be vested in a governing body the members of which are called Governors'
- Governors membership comprised of the Roman Catholic Archbishop of Adelaide, the Director of Catholic Education, the Director of the Catholic Family Welfare Bureau, the Treasurer of the Association and every principle of schools established in furtherance of the objects of the association for the time being shall all be ex officio governors
- chaired by the Roman Catholic Archbishop of Adelaide, the Governors would meet annually, although provisions for special meetings to occur when required, this did not occur during the relevant period
- a Board of Management was also established consisting of the Treasurer and the principles of schools and not less than four members elected by the Governing body, two of which were parent nominations of the school
- the Board of Management was to meet monthly and required to prepare a report for the Annual meeting of Governors
- the principle of the school was given sole right to engage teaching staff and other school employees and assistants but was to exercise this right in accordance to the policies determined by the Board of Management

The employment of Brian Perkins to St Ann's Special School

Brian Perkins was employed as a voluntary bus driver for the school in 1986 and remained employed until August 1991. Brian Perkins was appointed by the then Principal of the school, Claude Hamam. At the time of his employment Mr Perkins was a convicted paedophile.

Mr Hamam in his initial statement to police described contacting the local police station and Mitchell Park and obtained the 'all clear' from them when providing Mr Perkins details. The Principal stated he had adopted a pro forma

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APPENDIX A

document, which was in nature a rating system that included police checks. He stated that he had developed this pro forma in consultation with the Board of Management and the Board of Governors, to ensure the safety of the children at all times.

In subsequent interviews the Principal resiled from this statement and indicated that no contact with the police had been made at the time or following Mr Perkins employment, or that he had used a pro forma document and he had fabricated this evidence because he was under pressure at the time, including at the time of the interview.

The details of Mr Perkins employment relies solely on the recollection of the Principle Mr Hamam. The facts regarding the process of employment include:

- the Principal placed an advertisement in the paper and shortlisted two applicants of the five responses received
- the Principal appointed Mr Perkins after an interview he alone conducted
- the Principle thinks he contacted two referees provided by Mr Perkins, but cannot recall who they were or what type of employers they were, his recollection is that the reports were favourable but he does not recall specific details
- the Principle acted without reference to, or consultation with, any other members of staff, the Board of Management or the Board of Governors.

Significant issues and events that occurred during Mr Perkins employment at St Ann's Special School include,

- the sole responsibility for the employment of staff rested with the Principal
- there is no evidence that the governing body, Board of Management or the Catholic Education Office determined any policies in relation to the selection and engagement of teaching staff and other school employees and assistants
- the Governors at the time maintained limited contact, met only one a year when they received a report from the Principal together with financial and other capital improvement reports
- a parent at the school between 1983 to 1993, said that she spoke to the Principal in 1990 (one year prior to police notifying the school) that her daughter had complained that Mr Perkins had touched her breasts during woodwork shed, the parent could not recall the specifics of the conversation with the Principal but stated that no notes were taken and that she left feeling that her child had misinterpreted Mr Perkins action. The Principal indicated that he had no recollection of the parent raising the complaint with him, further the Principal stated that if any complaint of a sexual nature had been made, he would have dismissed Mr Perkins and notified the Catholic Education office immediately
- Mr Perkins introduced another volunteer, namely Robert Hawkes to the Principle, of which Mr Hawkes then became engaged into the school.

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APPENDIX A

A teacher of the school became suspicious of him and reported her concerns in relation to his behaviour to the Principal. The Principal immediately asked him to leave. Mr Hawkes was also a convicted paedophile. There is no information as to the process of his employment by the Principle, nor any follow up with Mr Perkins after the dismissal of Mr Hawkes from the Principal

- Mr Perkins also established respite support weekends with the children; the Principal indicated that he did not sanction the respite weekends that included camps with the children and Mr Perkins alone. The Principal stated that he had become aware of them after a parent called the Principal to indicate that they had been approached by Mr Perkins and offered the service, the Principle stated that he told the parent it was their choice as to whether or not they let Mr Perkins take their children
- The Principle states that he approached Mr Perkins and told him that it was not the policy of the school to be involved with children alone, he did not recall saying anything to Mr Perkins about ceasing the respite weekends, in fact inference is made that it was perceived at the time as a generous gesture on behalf of Mr Perkins
- Police approached the Principal regarding the allegations in August 1991; Mr Perkins left the school just prior to the police having contacted the school.
- The Principal states that he contacted the Catholic Education Office and upon advice from them opened a 'Red file' in which he placed all his notes in relation to interviews with children, telephone discussions he initiated with parents, conversations with other staff members including the Principle of St Patrick's Special School (Sister Loretta) and personnel documentation regarding Mr Perkins employment. The Red file has never been found although other personnel files dating back 20 years have been. In the Principals hand over upon his retirement to acting Principal no mention of the Red file was made. No other staff member reports seeing the Red file or knowing of its existence. Sister Loretta indicated that she had become aware of the allegations in April 2001, not by the then Principal in 1991.
- The allegations of abuse regarding Mr Perkins was not reported by the Principal to the Board of Management or the Board of Governors, or discussed with staff at the time
- The Principal approached FAYS after the police visit in 1991, this was considered to be part of the mandated notifiers process
- The report does not specify the working relationship between the FAYS staff and the police
- Staff at the school indicate that there was no FAYS support offered to the school staff
- The report indicates that there was a case conference held by FAYS to determine support to the families, there is no information as to the outcomes of the case conference