



## Office of the Children's Guardian

Statement in the matter of: Royal Commission into Institutional Responses to Child Sexual Abuse

Place: Surry Hills, NSW

Date: 22 August 2013

Name: Sarah MADDOX

### STATES:-

1. This statement made by me accurately sets out the evidence which has been prepared at the request of Counsel assisting the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). 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 shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
2. I am over 16 years of age.
3. I have been employed by the Office of the Children's Guardian (OCG), and formerly the Commission for Children and Young People (CCYP), since about June 2006. I have held a number of roles, in the organisation, including Risk Assessor and Team Leader in the Working With Children Check Division. I also acted as the Manager – Working With Children Check between about July 2011 – June 2013.
4. I hold a Bachelor of Arts (Sociology & Communications) and a Graduate Diploma in Criminology.
5. In my role as acting Manager, I was responsible for approving all new relevant employment proceedings (REPs) notifications to the CCYP, as well as Working With Children Check (WWCC) risk assessment outcomes. Therefore, I would have had knowledge of any new notifications or risk assessments based on a previous REP notification from Scouts Australia.
6. About 31 August 2011, I recall having a conversation with one of the Records Review Officers about a number of WWCC applications received from Scouts Australia. Scouts Australia had

Witness:

JP, 140877

Signature:

Statement (continued) of: Sarah MADDOX  
 In the matter of: Royal Commission into Institutional Responses to Child Sexual Abuse

requested WWCCs for a number of administrative officers and the Records Review Officer had sent an email to Scouts Australia from the common email address, check@kids.nsw.gov.au. A copy of the email response was sent to me for advice about CCYPs response.

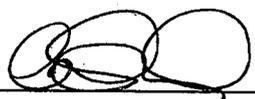
**EXHIBIT I PRODUCE A COPY OF THAT EMAIL WHICH IS ATTACHED AND MARKED SM1.**

7. I noted that the Records Review Officer had queried by email whether the WWCCs requested were for employees who were engaged primarily in child-related positions. The response from Scouts Australia came from Tracey Hansford, an Administration Officer, and indicated that "all staff employed by Scouts NSW work in child related roles, regardless of the title of their position." After reviewing the response from Scouts Australia, I subsequently instructed the Team Leader that the WWCCs should be progressed, as I was of the belief, based on the information provided in response to our enquiries, that the staff were engaged in child-related employment.
8. In about May 2012, I recall having a telephone conversation with David Gosling, the Casework Manager at the Katoomba office of Department of Community Services about an unrelated matter. During the conversation I recall David saying words to the following or similar effect: "Scouts are not mandatory reporters. They also appear to be of the belief that they are not required to report to CCYP."
9. I could not recall seeing any REP notifications from Scouts Australia since I had been employed with CCYP, which I believed was unusual given the size of the organisation. I requested that a report be produced from the database that we used to record REPs, known as ESS.
10. On 15 May 2012, I received an email with the report I had requested attached. I noted that Scouts Australia had only 1 REP recorded in ESS.

**EXHIBIT I PRODUCE A COPY OF THAT EMAIL WHICH IS ATTACHED AND MARKED SM2.**

11. Shortly after, I made enquiries of our Compliance and Education Unit. I cannot now recall whether I had any subsequent meetings with the Compliance and Education Unit about Scouts

Witness:

  
 JP, 140877

Signature:



Statement (continued) of: Sarah MADDIX

In the matter of: Royal Commission into Institutional Responses to Child Sexual Abuse

---

Australia, however emails I received between May and November 2012 tend to suggest that I did.

12. On 18 October 2012, CCYP received a REP notification from Scouts Australia. I have been unable to find any record of prior contact in relation to the notification, however I do recall that there was a disagreement with Scouts Australia management about whether they were required to make the notification. I believe that the details of the conduct were obtained either from a direct report by NSW Police, or as a result of an article published in a newspaper.
13. The total number of REP notifications received from Scouts Australia by October 2012 was 2.
14. I recall raising the non-reporting issue of Scouts Australia at an executive meeting on about 23 October 2012 with the then Commissioner for Children and Young People, Megan Mitchell. Ms Mitchell stated that she would arrange a meeting with board members of Scouts Australia, to put our concerns to the organisation.
15. On 29 October 2013, I received an email from Lisa Purves, the Manager – Compliance and Education Unit, about a proposed meeting with Scouts Australia on 8 November 2012. Attached to the email were a number of documents, including the meeting agenda.

**EXHIBIT I PRODUCE A COPY OF THAT EMAIL WHICH IS ATTACHED AND MARKED SM3.**

16. About 3pm on 8 November 2012, I attended a meeting with Megan Mitchell, Lisa Purves (Manager, Compliance and Education Unit), Pheona Twist (Director, WWCC Strategy & Services), Graeme Bargwana (CEO, Scouts Australia), and Buffy Gilbert (HR Advisor, Scouts Australia). The meeting was about 1 hour long.
17. I do not have detailed notes about the meeting, so I cannot recall the entire meeting. I believe Megan Mitchell opened the meeting, and provided some background to the reason we had sought the discussion with Scouts Australia. I cannot recall the entire conversation during the meeting, I do recall the following exchanges, with words to the effect:

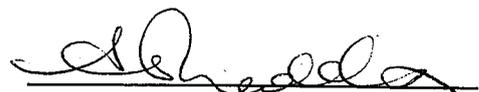
Megan said: "Scouts NSW are required to submit REPs to the Commission."

Witness:



JP, 140877

Signature:



Statement (continued) of: Sarah MADDUX  
 In the matter of: Royal Commission into Institutional Responses to Child Sexual Abuse

---

Graeme said: "We were not aware that we had to report, which is why we haven't reported until recently."

I said: "There was a notification received from Scouts Australia in 2005. Why would you have reported in 2005, but not subsequently?"

Graeme said: "I don't know why you would have received that notification. Can you find out who from Scouts submitted it and let me know?"

Buffy said: "I'm in charge of the investigations area. When we receive any allegations of misconduct by Scout Leaders we have a complaints handling process to address it."

[I cannot now remember what Buffy said, but I do recall that she outlined the Scouts Australia complaints handling process.]

Graeme said: "We also report matters to the Police or Community Services, where appropriate."

Megan said: "Here is a copy of the section of our Working with Children Employer Guidelines that describes the kind of conduct that you are required to report to the CCYP. Can you recall any previous cases where you have investigated and made a finding about conduct of this kind?"

I said: "If Scouts have historical matters where you have investigated and made a finding, that should have been reported to us as an REP. That requirement commenced in July 2000, and covered findings going back to 1995. You will need to go back to your records and report all of those matters to us."

Graeme said: "OK, we can do that."

18. I recall calling Scouts Australia shortly after the meeting, and speaking with either Mr Bargwana or Ms Gilbert saying words to the following effect "you were the signatory on the REP we received in 2005."

Witness:



JP, 140877

Signature:



Statement (continued) of: Sarah MADDUX

In the matter of: Royal Commission into Institutional Responses to Child Sexual Abuse

---

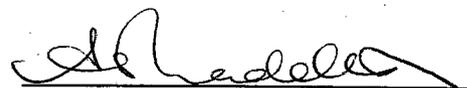
19. In about December 2012, I recall receiving a number of REP notifications from Scouts Australia. I have reviewed each of the REPs recorded in ESS as received from Scouts Australia in 2012. I note each of those notifications made in 2012 related to employment proceedings finalised prior to 2012.
20. I also recall receiving phone calls from Ms Gilbert around this time, however I cannot now remember the conversations.
21. I have recently reviewed the ESS database for REP or misconduct notifications, and have only been able to identify 9 records in relation to Scouts Australia, Scouts Australian (NSW) or Baden-Powell Scouts Australian (NSW) Inc. I note that there is no record of a notification from Scouts Australia in relation to Steven Larkins.
22. I am unable to provide comment about the average number of expected notifications from each agency, as the factors affecting the number of reports vary in each organisation.

Witness:

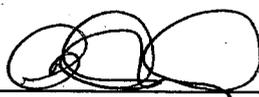


JP, 140877

Signature:



Witness:



JP, 140877

Signature:

