



**Louise Coe - WWCC process issue**

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**From:** "Grant Marley (FACS)" <REDACTED>  
**To:** <kerryn.boland@REDACTED>  
**Date:** 8/08/2013 12:15 PM  
**Subject:** WWCC process issue  
**CC:** <Louise.coe@REDACTED>

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Hi Kerryn

As discussed earlier, the following is the information I am able to provide in relation to the Larkins matter.

- I do not recall the specific case
- The conduct of checks was at the instigation of employers as the legislation put the onus on them to identify child-related positions and request the check
- The CCYP therefore processed requests made by employers
- On occasion it was identified that a check had been requested by an employer for an employee who may not have been in child-related employment.
- If this was identified, a check would normally not be undertaken and the employer consulted.
- However, this was rare as we were provided limited information to verify before a check was requested
- On occasion we may have been made aware that a check had been requested for an employee who was not in child-related employment at the time that the name processed received a "hit" and we contacted the employee to verify identity, etc.
- If the employee claimed they were not the person identified a process of confirming identification was undertaken.
- If the employee claimed they were not in child-related employment it was usual practice to refer the employee back to their employer as they made the check request
- If the employer then decided that the employee was not in child-related employment, they would consult with CCYP and they had the option to withdraw the request as they no longer considered that they had the legal basis to request one.
- It was not normal practice for the CCYP to "withdraw" a check, as to do so on the basis that a person was not in child-related employment was the responsibility of the employer.
- If the employer notified that the employee was not in child-related employment, the CCYP would cease processing the check (not withdraw it).

As there is no other documentation to support Ms Teesdale's letter and the decision to "withdraw" the check is not related to the Briefing note, it is difficult to establish how Ms Teesdale came to the decision to withdraw the check. The email from Mr Zaniol indicates that Mr Larkins is not in child-related employment. I can only assume that Ms Teesdale's decision to not continue the checking process was based on this advice. The choice of the word "withdrawn" appears to be a poorly selected description. As the employer does not appear to have formally "withdrawn" the check request, the CCYP's position should have actually been that the check would not proceed (which was the practice at the time as I recall).

Sorry for being a vague on the actual case, I hope this helps.

Regards... Grant

**Grant Marley**

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