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FILE NOTE – RISK ASSESSMENT**Background**

The Working With Children Check (WWCC) was requested for Mr Steven Andrew Larkins, date of birth 05/05/1966, by the Hunter Aboriginal Children's Services 12/02/2003.

The WWCC revealed a criminal record for a person with the same details as Mr Larkins. When contacted to verify the criminal record, Mr Larkins disputed that he had been charged with "Agg Indecent Assault – Victim under that age of 16 years", claiming that his name had been used by a person who lived in the same area and had the same name and date of birth as his.

Mr Larkins did not provide any documents to confirm that the criminal record did not belong to him nor was it possible for him to have comparison finger prints taken as no finger prints were taken by the police at the time he was charged with the offence. Mr Larkins approached the New South Wales Police with the possibility of having his name expunged from their records, however, he was told that this was not possible given the nature of the offence and that they were unable to prove his identity given in the absence of finger prints.

A risk assessment, with an outcome of "medium", was conducted for Mr Larkins by Ms Jan Rasmussen. Mr Larkins was given a number of opportunities to provide documents. However, as he did not provide any, a reassessment was not conducted.

On 11/02/2004, correspondence was received by the former Screening Unit, Department of Community Services, from Mr Larkins requesting a review of the outcome of medium of his risk assessment. Refer TAB A.

Contact with Applicant

Mr Larkins was contacted by this officer on 04/03/2004. The outcome of his risk assessment was discussed and Mr Larkins was again invited to provide documents that might enable a reassessment to be conducted. Mr Larkins was adamant about the fact that the criminal record did not belong to him. He stated that he had contacted the Records Section, New South Wales Police Service and had been successful in having his name removed from their database as he did not have proof of identity. From the discussion, it appeared that Mr Larkins has had assistance from the Newcastle police but they have been unable to assist him although it appears that the Newcastle police believe that the criminal record does not belong to him.

Review of Risk Assessment

Mr Larkins has requested a review of the risk assessment conducted for him in November 2003. His request is based on the following:

- Sergeant Denham, Newcastle Police, conversations, discussions and investigations – convinced that the criminal record does not belong to him. However, Criminal Record Section requires definite evidence such as finger prints to clear a record.
- He had a lot of personal information was displayed for a number of years on a his personal website and it would have been easy for anyone to use his name and details.
- When he commenced working with the Hunter-Aboriginal Children's Services in November 2000, DoCS conducted a check for him and no record was found.
- He was working a House Parent at the Yirara College in Alice Springs in 1999 when the allegations and court matter are alleged to have occurred.
- He completed the Graduate Diploma in Social Welfare in 2001 and a Certificate in Community Management in 2002.
- He has sat on a number of boards including the Aboriginal Child Family and Community Care State Secretariat and has been a member of the ACWA board.

Comment

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In discussion with Mr Larkins on 04/03/2004, he was given the opportunity to provide documents to verify statements he has made in his request to have his risk assessment reviewed. However, to date these have not been received.

Mr Larkins request to have his risk assessment reviewed was discussed with Mr Grant Marley, Manager, Working With Children, and Ms Judi Teesdale, Coordinator, Working With Children.

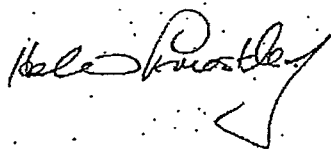
It was determined that a reassessment could not be conducted without documents verifying Mr Larkins statements of his achievements, nor could the Commission for Children and Young People assist him with having his name removed from the police records. Mr Larkins would need to continue to follow up this matter with the New South Wales Police Service.

A response is to be prepared by this officer for signature.

Recommendation:

That the attached correspondence to Mr Larkins advising him that a review of is risk assessment is unable to be undertaken without supporting documents

and advising him that the Commission is unable to assist him with his quest to have his name removed from the police records.



Helen Priestley
Risk Assessment & Project Officer Working With Children
05-04-07

Judi Teesdale
Co-ordinator Working With Children

Grant Marley
Manager Working With Children