

"P" This is attachment "P" to the statement of AT

[Redacted]

From: [Redacted] AT [Redacted]
Sent: Wednesday, October 02, 2013 9:52 PM
To: [Redacted]
Subject: Munro email stream as at 23.11.11

From: [Redacted]
To: [Redacted]
CC: [Redacted]
Subject: RE: Outcome of Report to EPAC (DEC)
Date: Wed, 23 Nov 2011 05:31:24 +0000

Dear [Redacted] and AT

All agencies in NSW must complete a working with children check on all employees that they employ to work with children and young people, therefore any person that is employed by an agency such as the YMCA would have had these checks completed.

If there is an incident on school grounds involving an employee of the YMCA, then it is that agency that has responsibility to ensure that the matter is appropriately dealt with. I refer you to the letter that was sent to all parents of the after school care program by Liam Whitely General Manager Children's Services YMCA dated 13 October 2011 which outlines the actions taken by YMCA and the status of the matter. This letter includes advice that the YMCA suspended the worker.

DEC has also taken all appropriate risk management action, including ensuring that the worker is not further employed by DEC in any school. An officer from EPAC with DEC is monitoring this matter while it proceeds through the court system.

If you have any other incident that has occurred at a public school involving one of these types of workers then you should report the matter to the school principal and to the agency so that appropriate action / risk management can be undertaken.

As previously advised if you have raised your general concerns about YMCA child protection policies or processes with the YMCA and you are unhappy with their response then you should discuss this with the NSW Ombudsman's office.

I have forwarded all correspondence in relation to your comments / enquiries today to the Case Officer Elise Genford. If you want to clarify anything about how the DEC has responded to this issue please contact Ms Genford on the number below.

Your Sincerely

[Redacted]

Principal Investigator | Employee Performance and Conduct Directorate | Child Protection Investigation Team | Level 8 1 Oxford Street DARLINGHURST NSW 2010 | Mail: Locked Bag 53 Darlinghurst NSW 1300 | Ph: [Redacted] | Fax: [Redacted] | Email: [Redacted]



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From: [REDACTED]
Sent: Wednesday, 23 November 2011 12:48 PM
To: AT
Cc: Munro, Elizabeth
Subject: Re: Outcome of Report to EPAC (DEC)

The problem is that the department of education is allowing the YMCA onto school grounds and in direct contact with school children.

Surely there is a duty of care to the children, that who ever is aloud on school grounds and in the care of school children, are properly assessed and background checked.

Do you find this acceptable, when you are directly exposing the kids to these people's care and granting them leased facilities on school grounds?

And then who do we as parents go to to report an incident when something like this occurs on school grounds, while in the care of YMCA.

Docs don't want to know, Department of education don't want to know,

Principle of the schools don't want to know.

And we are told to report it to the company themselves who are self regulated, receiving government grants.

Very frustrating as a parent to feel like somebody is caring about our kids safety.

Maybe Ray Hadley will lend me an ear?

[REDACTED] iPhone

On 23/11/2011, at 11:31 AM, " AT [REDACTED] wrote:

Darl,

after I sent my letter to Mr Tant, he sent it to his boss and his boss (of southern area) indicated that she thought that the POI should come under the umbrella of the department of education's Investigations unit-EPAC so i sent them the letter and another email. They said they would look into it. Then I got this disappointing respnse 1-2hours later!

Now I'm really angry-I will not pull my head in- which I think is the tone of this 'outcome'

Our son was in a car in the direct provision of care for 5 hours with this man, with no other workers present, at vacation care which left from **our school grounds!** And EPAC don't want to know about it! Who does?

Is there anything else i could have said to them? This person arranged a movie night (separate to his capacity as YMCA employee as I understand it) on school grounds-how would those parents feel knowing that they won't investigate

She has only had my letter for 2 hours!

I will be responding when I calm down!

love you

From: [REDACTED]

To: [REDACTED]

CC: [REDACTED]

Subject: Outcome of Report to EPAC (DEC)

Date: Tue, 22 Nov 2011 23:53:42 +0000

Dear AT

I have been forwarded information and documents which were provided by you to Renee Carruthers of this office which, as the Duty Principal Investigator, I have read and assessed.

The issues you raise appear to fall into 2 categories:

1. The charges and pending court process for the YMCA worker (who worked on a YMCA program at a public school)
2. Systemic concerns you have in relation to child protection procedures within the YMCA.

In relation to the first issue, the advice that you appear to have been given from other sources is accurate. The matter is before the courts and the risks to children has been managed in the interim by the YMCA in that the worker has been suspended. Once the outcome of the court matter is known, and as you have been advised by YMCA, the YMCA would investigate the matter further as an industrial issue where decisions about the workers employment and future employment in child related industries would be made. Systemic issues that are identified as part of the court matter can be addressed by the YMCA provided that it does not interfere with the court processes, otherwise it would have to wait until after the court matter has concluded.

In relation to the other systemic issues you have raised, these need to be addressed directly to the YMCA for their consideration. I am not aware of their processes for dealing with these types of issues but they might have a complaints policy / procedure that they can provide to you. If you are not happy with the response of the YMCA to your concerns, once they have had a chance to remedy the issues and/or respond to your concerns, then you could contact the NSW Ombudsman.

The issues you have raised are not matters for the Department of Education and Communities as the worker is employed by the YMCA and they appear to have take all necessary steps given the charges and the court proceedings. The other issues are separate to the charges against the YMCA worker, are related to YMCA procedures and therefore cannot be addressed by this Department.

I realise that this may not be the response you were hoping for however we cannot intervene with the employee of another agency or procedures of another agency. Our only involvement in this matter would be to ensure that the worker was no longer working on any programs in DEC schools. YMCA appear to have ensured that this has occurred and therefore this Department has no further role in the matter.

Your sincerely



Principal Investigator | Employee Performance and Conduct Directorate | Child Protection
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Darlinghurst NSW 1300 | Ph: [REDACTED] | Fax: [REDACTED] | Email: [E \[REDACTED\]](#)

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