



Royal Commission
into Institutional Responses
to Child Sexual Abuse

Further Statement of 24 February 2014

Name Ian William Hunter
Address Known to the Royal Commission
Date 24 February 2014

Preliminary

1. This further statement is produced to the Royal Commission in compliance with the Notice to Produce dated 7 February 2014.
2. This statement is further to my statement dated 7 February 2014 (**my first statement**) and the addendum (to my first statement) dated 12 February 2014
3. The information in this further statement is true to the best of my knowledge and belief.
4. The terms used in this further statement have the same meaning as those defined and used in the first statement.

My copy of the student protection kit


5. Shown to me and marked "Annexure A2" is the original of a document entitled '*Student Protection and Risk Management Kit - ensuring all students are kept safe from harm in educational establishments - Catholic Education Diocese of Toowoomba*'.

Signature: Ian William Hunter

Witness: [Signature]

Statement of Ian William Hunter continued

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6. As I stated in my first statement, the Catholic Education Office of the Toowoomba Diocese terminated my employment on 10 December 2009.
 7. The document attached at 'Annexure A2' has either been in my possession or in the possession of my lawyers since the termination of my employment.
 8. I know that there were a number of different versions of the student protection kit in the Toowoomba Diocese at different times over the years between 2005 and 2009.
 9. The document attached at 'Annexure A2' to this statement is the version of the student protection kit that was current as at 10 December 2009, and it is also 'my' copy of that version of the student protection kit.
 10. When I say that it is 'my' copy, I mean that myself and the other Student Protection Officers (Mr Fry and Mr Lynam) - and all of the principals in the Toowoomba Diocese - were each issued with a current version of the student protection kit whenever it was changed or updated from time to time, and the attached document is the document that was issued to me.
 11. For ease of reference I will refer to 'Annexure A2' as 'my copy of the student protection kit' for the rest of this statement.

Signature:.....Witness:.....

Statement of Ian William Hunter continued

12. My copy of the student protection kit is the version that was current throughout the Toowoomba Diocese as at 10 December 2009.
13. My copy of the student protection kit is made up of two parts. Part A is entitled '*Student Protection Policies and Procedures Manual*'. Part B is entitled '*Risk Management for Student Protection*'.

The risk management kit and codes of conduct

14. Without having access to the records of the Catholic Education Office of the Toowoomba Diocese I cannot remember whether there was always a risk management kit during the time that I was employed as a Senior Education Officer between late 2004 and December 2009.
15. I can recall however that there were a number of different versions of a risk management kit in the Toowoomba Diocese at different times over the years between whenever the risk management kit was first published and December 2009.
16. Without having access to the records of the Catholic Education Office of the Toowoomba Diocese I also cannot remember whether there was always a 'code of conduct' during the time that I was employed as a Senior Education Officer between late 2004 and December 2009.

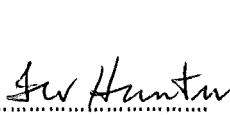
Signature:.....

Witness.....

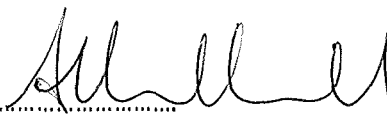
Statement of Ian William Hunter continued

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17. I refer to the document tendered in this proceeding (at Tab 40FA of the Tender Bundle) entitled '*Report Prepared by Thynne & Macartney Containing Legal Advice and Opinion for Bishop W Morris DD - The Corporation of the Roman Catholic Diocese of Toowoomba*'. On page 78 of 82 of that report at paragraph 11.1.1(f) there is a reference to '*the Code of Conduct published in April 2009*' which '*improves the Corporation's touching policy from that which existed in 2007 and 2008*'. I recall that a Code of Conduct was published in April 2009. Without access to the records held by the Toowoomba Catholic Education Office I cannot be certain, but my recollection is that the 'Code of Conduct' that appears in my copy of the student protection kit (as Appendix 2 to Part B) is the Code of Conduct that was published in April 2009.
18. I recall that there were a number of different documents that could have been referred to as a 'code of conduct' at different times between late 2004 and December 2009, including:
- a. a brochure entitled '*Integrity in Relationships*';
 - b. the Queensland College of Teachers Registration Code of Ethics (which is referred to as a 'code of conduct' in section 3.7.1 of the student protection kit); and
 - c. the Code of Conduct published in April 2009.
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Signature:.....



Witness:.....



Statement of Ian William Hunter continued

The 'bringing together' of the student protection kit and the risk management kit

19. I remember that the student protection kit and the risk management kit were brought together in the same overall kit at my suggestion.
20. I remember that the catalyst for my suggestion was an event which occurred where officers from the Commission for Children, Young People and Child Guardian (CCYPCG) conducted a random - or unannounced - inspection of one of the Catholic schools in Toowoomba in relation to student protection risk management strategy. Doing my best to recall that event, the inspection was not instigated by any complaint or report of sexual abuse at the school, but instead was part of a CCYPCG student protection risk management strategy under which they conducted 'snap audits' of student protection risk management policies and procedures in place in schools.
21. My recollection is that it was after that event that I suggested that the student protection kit and the risk management kit should be brought together in the one overall kit.

Publication of the version which is my copy of the kitSignature: Witness: 

Statement of Ian William Hunter continued

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22. I can't remember exactly when the version of the student protection kit that is my copy of the student protection kit was published, but I do know that it was published well after September 2007. I know that because:
- a. I was directly involved in drafting changes and updates to the student protection kit at different times between September 2007 and December 2009. I know that the student protection kit changed substantially between September 2007 and December 2009.
 - b. Part B of the kit is entitled '*Risk Management for Student Protection*'. The document which is Appendix 6 to Part B is a document entitled '*Student Protection Compliance Checklist 2008*'. Because of that title I believe that the checklist could not have been published prior to 2008.
 - c. Page 2 of Part B of the kit is entitled '*1. ANNUAL INTERNAL AUDIT Schedule*'. As that part of the document explains, the schedule was to be completed each year during the Annual School Visit by the relevant schools allocated Senior Education Officer who also of course was the schools allocated Student Protection Officer. The table underneath the heading is a table designed to record in each year from 2009 onwards the date on which that audit occurred each year, and there is provision in the table for the relevant school principal and the relevant SEO to
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Signature:.....Witness.....

Statement of Ian William Hunter continued

sign the schedule in order to verify the date that it occurred each year.

Because of the years listed in the table suggest that audit schedule could not have been published prior to 2008.

d. Appendix 2 to Part B of the kit is a document entitled '*Catholic Education Office Diocese of Toowoomba - Code of Conduct*'. I don't believe that Code of Conduct was published before September 2007 for these reasons:

i. The following words appear at the top of page 6 of the Code of Conduct:

In order to ensure the above, employees should refer to the Toowoomba Diocesan and Catholic Education Board Conflict of Interest Policy (to be issued 2009).

ii. The following words appear in the last sentence of the second paragraph of page 14 of the Code of Conduct:

Only such force as is reasonably necessary in the circumstances is permitted (Restraint Guidelines to be issued in 2009).

If the Code of Conduct had been published during or before September 2007 then it would not have referred to a policy and

Signature: Witness: 

Statement of Ian William Hunter continued

guidelines to be issued in 2009 (that is, at least 15 months after September 2007).

23. I believe that the 'Code of Conduct' which is Appendix 2 to Part B of the kit is the Code of Conduct that was published in April 2009.
24. Based on my recollection and the information set out above, I believe that the version of the kit which is my copy of the student protection kit was not published until some time in 2008 at the earliest, and probably not before April 2009.

Mr Borserio's version of the student protection kit

25. Shown to me now is a copy of the Tender Bundle Index for this proceeding.
26. Shown to me now is the document which is Tab 2 of the Tender Bundle and is described in the Tender Bundle as '*Student Protection and Risk Management Kit – 2007*'.
27. In the Tender Bundle Index under the column headed 'Main Date' the entry that corresponds to Tab 2 states the following words:

Applicable as at September 2007

Signature:.....Witness.....

Statement of Ian William Hunter continued

28. I take that to mean that the document which appears at Tab 2 of the Tender Bundle is alleged to be the version of the student protection kit that was in force in the Toowoomba Diocese in September 2007.
29. I have also heard Mr John Borserio, the Director of the Toowoomba Catholic Education Office, give evidence to the Royal Commission that the document which appears at Tab 2 of the Tender Bundle is the version of the student protection kit that was in force in the Toowoomba Diocese in September 2007.
30. For ease of reference I will refer to the document at Tab 2 of the Tender Bundle as 'Mr Borserio's version of the kit'.
31. I believe that Mr Borserio's version of the kit is not the version that was in force in the Toowoomba Diocese in September 2007 for these reasons:
- a. I have carefully examined and compared Mr Borserio's version of the kit and my copy of the student protection kit. Those two documents are identical but for the following differences:
- i. My copy of the student protection kit has a title page – Mr Borserio's version does not.

Signature: 

Witness: 

Statement of Ian William Hunter continued

- ii. On the title page of my copy of the student protection kit there is a white sticker with the following letters and numbers: 'CGL:1:09:0002'. That is simply a reference number used to identify the document by my former lawyers while the document was in their possession.
- iii. There are a number of hand written notations on my copy of the student protection kit. Those notations were made by me.
- iv. The version of the kit which appears at Tab 2 of the Tender Bundle has two different sets of 'Contents'. The first set of 'Contents' appears on the first two pages of Tab 2 being page references CTJH.161.03059.0261 and CTJH.161.03059.0262. The second set of 'Contents' appears several pages later at page references CTJH.161.03059.0265 and CTJH.161.03059.0266. I note that the second set is substantially different from the first set. The first set of 'Contents' is identical to the 'Contents' that appear in my copy of the student protection kit. The second set of 'Contents' are substantially different and some of the contents listed do not correspond with the actual contents in the rest of the document. I don't

Signature:.....Witness.....

Statement of Ian William Hunter continued


know where the second set of 'Contents' has come from, or why that set appears in Mr Borserio's version of the kit.

- v. Page 13 of the document entitled '*Student Protection Risk Management Strategy*' which appears at Part B appears twice in Mr Borserio's version - once at page reference CTJH.161.03059.0399 and then again at CTJH.161.03059.0401.

32. So, apart from those differences, Mr Borserio's version of the student protection kit is identical to my version of the student protection kit. They are simply separate copies of the same version of the student protection. For the reasons that I have already explained above, it is my belief that that version of the kit - constituted by my copy and by Mr Borserio's version - could not have been published until some time in 2008 at the earliest, and probably was not published before April 2009.

Annexures to my first statement

33. Annexure C and Annexure J to my first statement (of 7 February 2014) were extracts of the student protection kit copied from the version which is 'Annexure A2' to this statement. Although (as stated above) I believe that the version of the student protection kit constituted by my copy of the kit was not the version in force in September 2007 I believe that the relevant parts of the

Signature: Witness: 

Statement of Ian William Hunter continued

kit which are extracted in Annexures C and J to my first statement are exactly the same as they were in September 2007.

- 34. I also note that the documents that appear in the Tender Bundle Index as Annexures C and J to my first statement are not the documents that I filed. My solicitor has informed me and I believe that my solicitor has drawn that to the attention of Counsel assisting the Royal Commission, and that discrepancy will be fixed before the hearing is complete.

Signed: *Ian Hunter*

Date: 24.2.14

Witness: *[Signature]*

Date: 24.2.14



Signature: *Ian Hunter* Witness: *[Signature]*