



Our reference: C/2003/8367

8 January 2004

Mr Peter Crawley
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Dear Mr Crawley

Allegation involving Adrian Nisbett and ASA

Thank you for your final report about this matter.

Section 25F of the *Ombudsman Act 1974* requires us to determine whether the child abuse allegations against Mr Nisbett were properly investigated and whether appropriate action was taken by Knox Grammar School (the school) as a result of the investigation. I noted that the school engaged an independent investigator, Mr Grahame Wilson to conduct the child abuse investigation on behalf of the school.

I have assessed the information you have provided and have determined that the investigation of this matter was properly investigated. I was impressed that the school's investigation was conducted in a timely manner and that Mr Nisbett was kept informed at each stage of the investigation process.

I noted that due to the wishes of ASA and his family, ASA did not participate in an interview with Mr Wilson about this matter. Despite this, and the length of time since the alleged incident, I support the school's findings and the action taken by the school to formally warn-reprimand Mr Nisbett about his breach of professional behaviour in inviting ASA to his home.

I would like to make one comment about the school's handling of this matter which may assist you in future investigations of child abuse allegations against employees. You indicated that you accepted Mr Wilson's preliminary findings and informed Mr Nisbett (letter dated 8 December 2003) that 'I am prepared to endorse the preliminary findings as my findings...'. You also informed Mr Nisbett in that letter of what disciplinary action the school had decided as a result of its findings. In future matters, and to ensure procedural fairness to the person subject of the child abuse allegation we consider it is appropriate to inform the person subject of the allegation of the school's preliminary findings, what action the school is considering and then give the person the subject of the allegation the opportunity to make any further comments and/or submission about the school's intended actions prior to the school making its final decision/s. This is a step in the investigation process prior to the school making its final findings and making a final determination about the action it will or will not take.

As stated above, I was impressed by the timeliness of the school's investigation, actions and handling of this matter. I do not require the school to take any further action.

If you wish to discuss the comments I have made in this letter or speak to me about any other child protection matter, please contact me on REDACTED

Yours sincerely



Kylie Symons
Principal Investigator
For the Ombudsman