

Statutory Declaration
OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, ARH, do solemnly and sincerely declare that I am writing in relation to the background checks being conducted as part of my Working with Children application: application number APP0113398.

As a beginning, I would like to stress that at the time of the final findings, which were conveyed to me by phone on August 18th, 2010, it was my intention to appeal any adverse findings, as I believed I had not done anything illegal or improper. However, that was the same date that my wife, REDACTED REDACTED who had been suffering from a debilitating and extremely painful condition for several years, REDACTED and for some time after I was in a state of shock and depression. (I had already been placed on anti-depressants by my GP and remained on them for eight months). By the time I enquired as to whether it was still possible to appeal, I was informed by ASB, my then headmaster, that the appeal window had closed. At the time, I was still in a state of depression and it seemed easier to let the whole process go rather than deal with more stress. This attitude may well have been a mistake on my part, but it was exacerbated when in December of the same year my father contracted the illness which hospitalised him and then killed him eleven months later. My attention during that time was closely focused on caring for him and my mother. Through this traumatic time, the allegations found against me seemed trivial. In retrospect, I can see that this is not the case and I should have made more of an effort to address these findings.

During 2010 I attended counselling with Ruth Kirychenko, (M App Sc, AARC) provided by 1 School as a service it offered to all employees. I discussed both the proceedings of the initial investigation and later also the ramifications of my wife's death. I have resumed my consultations with her and asked her to submit a professional report to you on my behalf. My latest session with her was on September 10th, 2013. My last Child Protection seminar I attended was on Monday April 19th 2010, during a staff day at School 1 after I had returned to work there. I completed an on-line Child Protection Awareness course offered by the NSW Professional Learning and Leadership Directorate on September 10th, 2013. (Certificate attached).

My understanding of the accusations made against me are that firstly, I was accused of grooming a boy, REDACTED, because I had spent time with him even though he was not my student. My position was that I made myself available to many students whom I didn't teach, as that was part of any teacher's role, but particularly as I was the Head of Department. I regularly saw about a dozen students from classes other than my own at that time. In his case, I had been approached by his parents, whom I had met through coaching a school water polo team, who asked if I could monitor his homework. I agreed and the arrangement we made was that he would see me every second day for a brief check on his work. I discussed this arrangement with RED's English teacher and with his House Tutor, as was standard practice. After my suspension and return to work, the parents contacted me again and asked if I would continue to tutor him once I left School 1 I agreed and tutored him until the end of 2012 when he completed Year 12. My position is that our relationship, while friendly, was always conducted professionally. Part of the background of these accusations was that I had been having an ongoing dispute with some members of the department,



ARH

of which I was Head, and I felt at the time that these accusations were at least partially motivated by the bad feelings generated by that dispute. I have asked the parents to submit an assessment on my professional behaviour as they have had the opportunity to witness it over the period from 2010 until the end of 2012 and Mrs RED is a teacher with twenty year's experience and subsequent knowledge of Child Protection laws. They have informed me that they would also like to employ me to tutor their daughter when she starts Year 11 next year.

The other major allegation was that I took photographs of two boys from School 2 at soccer and water polo games, which had left traces on my school computer. The context of my connection to these families was that, after I left School 2, and at the parent's request, I tutored REDACT the elder brother of one boy, until he completed Year 12 in 2009. I was treated as a friend by his parents, REDACTED. For example, members of both families attended my wife's funeral, over the years, I had several meals at their house and RE DA and REDA following his completion of Year 12, had visited me for a few days in Queensland at my holiday house. Subsequently, I began jointly tutoring the younger brother, RED and his friend, then both in Year 10, at both sets of parents' request. I attended some of their soccer and water polo games at the explicit invitation of these parents, who were very welcoming. I admit taking photographs but maintain that I took them in the presence of the boys' parents, with their permission and encouragement and gave them all the photos afterwards, so there was nothing clandestine about the situation at all. At the time, I had known the families as a friend for more than three years and it was as a friend that I took the photos. As a result of the 2010 investigation, I am no longer in contact with either family, so am unable to provide corroboration for these statements.

As evidence of my current professional conduct, I submit that I have tutored upward of 50 students over the last three years. I do not advertise, so all of them were referred to me by word of mouth, which suggests that I am not only good at what I do, but also that I act professionally. In several cases, I am now tutoring a younger sibling once their elder sibling completed Year Twelve, suggesting again a record of professional conduct. All these private students are tutored by me in open spaces at the student's home, usually within clear eyesight of one or more parent. I would submit that this is evidence of my ongoing professional good conduct, as there has never been a complaint from any of them about my behaviour. Both Mrs RED and Ms Kirychenko have indicated to me that they will send their reports to you separately. I would be happy to provide more information on any of the above if required.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900.

Declared at: ... REDACTED on ... 12TH SEPTEMBER 2013
[place] [date] ARH

[signature of declarant]

in the presence of an authorised witness, who states:

I, JENNIFER KWARAR, a JUSTICE OF THE PEACE,

[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person

Fullagar

ARH

who made it: [* please cross out any text that does not apply]

1. *I saw the face of the person OR ~~*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and-~~

2. ~~*I have known the person for at least 12 months OR~~ *I have confirmed the person's identity using an

identification document and the document I relied on was DRIVER LICENCE NO 6819ZR
[describe identification document relied on]

..... J. Fullagar JP 12-9-13
Signature of authorised witness date

Jennifer Margaret Fullagar
Justice of the Peace
Reg. No. 116233

ARH