

Statement of Brian John Fitzgerald

1. My name is Brian John Fitzgerald and I reside at an address which is known to the staff of the Royal Commission. I was born on the **REDACTED** 1944.
2. I worked with the then Department of Community Welfare Services Victoria ("Department") between 1970 and my retirement in July of 2014. I am currently the full time carer for my wife. Prior to working with the Department I worked as a wood machinist in Western Australia.

Departmental Background

3. My work history with the Department was as follows:

1970 – 1978	Child Care Officer Baltara Reception Centre (<i>Direct care</i>)
1979 – 1979	Welfare Officer (<i>regional case worker</i>) Inner Urban Metro Region South Melbourne office (<i>case worker</i>).
1979 – 1990	Welfare Officer Outer East Metro Region Lilydale office (<i>case worker</i> > <i>acting Team Leader</i>).
1990 – 1998	Team Leader > Unit Manager Western/Southern Metro region (<i>supervision of case workers</i> > <i>case planner</i>)
1998 – July 2014	Family Group Conference Facilitator Southern Metro Region
July 2014	Retired.
4. For my first eight years of employment with the Department I worked as a child care officer at Baltara. This was a direct care role involving 10 – 14 year old boys at Baltara. I worked in a unit of about 20 boys and I was involved in their day to day care and support. Before 1979 I had never dealt with any female clients.

Qualifications

5. I hold the following qualifications, relevant to my employment with the Department:

1977	Certificate of Child Care (Institute Social Welfare Victoria)
1982	Certificate in Welfare Work (Community Welfare Training Institute Victoria)
Other:	Critical Incident Stress Management Service Debriefing Training; Family Group Conferencing Training;
6. The Certificate of Child Care was internal training from the Department. The training lasted three months and was attended in 2 blocks. I would describe this as a short course about basic human development and working with children with behavioural issues. I do not recall receiving any training specific to dealing with allegations of sexual assault.

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7. In 1982 I studied Welfare Work part time and continued to work. Again this was a Departmental course. I completed the course part time over one full year. This was a general course about child development, case planning, the role of a social worker and other matters.

Systems, Policies and Procedures

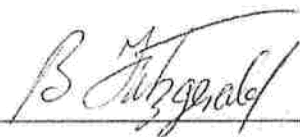
8. It is difficult for me to remember all of the systems, policies and procedures from the late 1970s. To the best of my knowledge the general guiding policies would have been as follows:
- i. The care and safety of the child/young person is paramount;
 - ii. The Child/young person needs to be in the care of a responsible adult(s);
 - iii. Police were to be informed of disclosures of alleged sexual abuse.
9. Whilst I believe that informing the police of allegations of sexual abuse would have been a guiding principle, I am not sure that there was a formal procedure for doing so at the time. I feel sure that this was the general expectation.
10. There was no case of disclosure of sexual assault or abuse to me directly that I can recall except that of Katherine which I refer to in paragraph 12 below.
11. In terms of procedures, the responsibility for case planning remained with the respective regional offices. Winlaton appeared to assume a primary role with the young women, who were under the care of the Department, once they were admitted to that facility. This was more so when a community placement was not an immediate option. Classification Action Sheet (18.4.79) would seem to reflect this in Staff Action 4.

Involvement with Katherine X

12. My memories of the events surrounding this case are very limited because of the passage of time, but to the best of my knowledge they are as follows:
- a) Katherine was allocated to me to assist in the facilitation of a community placement. I cannot remember the exact date but notes indicate it to be mid to late February 1979. When I had first contact with her, she was already a ward of the state. I remained the allocated regional caseworker until I transferred to the Outer East Region mid-1979. I believe that I began my role as a Welfare Officer at the Inner Urban Metro Region, South Melbourne office, in mid January 1979. I believe that I would have maintained contact with Katherine X during this time.
 - b) I have no clear recollection of the events mentioned in case notes (DHS.3002.323.0149_E). I am not able to comment with any certainty in relation to contact with Katherine's father.
 - c) I am not able to comment with any certainty in relation to contact with Katherine's mother and or other extended members of her family.
 - d) Being an inexperienced worker at the time, it was incumbent upon me to keep my supervisor, Senior Social Worker Ron Tiffin up-to-date with all my active cases. I believe that Katherine's case would have been discussed often with him.

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- e) When Katherine was in Winlaton I believe that I would have maintained contact with relevant staff regarding her progress and to seek any recommendations staff might have had regarding future planning.
- f) I have no clear recollection of the interview described in the case note of 20/3/79 (DHS.3002.323.0146_E). At this point I would have been in the particular job for five to eight weeks. I do not recall any specific training about sexual abuse allegations but I knew that what was being alleged was very wrong and I knew that child protection was paramount.
- g) I have no independent memory but I believe very strongly that I would have gone to my supervisor Ron Tiffen with any disclosure immediately after the meeting. If Ron was not available I would have spoken to a senior worker. I would have wanted to let some more senior people know about her disclosure and that something needed to be done. I believe I would have discussed the case in detail with my supervisor and/or other senior staff members i.e. Case Planner Cathy Burnett, to establish what action was required. Staff at Winlaton would have been briefed at the time of her admission. I believe that the "Plan" contained in the said case note would have been followed until further intervention was indicated.
- h) Again, the passage of time prevents me from commenting with any certainty in relation to contact with Katherine, her father, mother and or other extended members of her family, post disclosure. To the best of my recollection I believe the staff at Winlaton assumed a primary role regarding Katherine's physical and psychological needs following her admission. Additionally, I believe that, at the time, case planning would have been influenced a great deal by the recommendations of the relevant staff at Winlaton.
- i) The recommendation for Katherine's placement in Winlaton contained in file notes (DHS.3002.323.0144 & 0145_E) would have been arrived at only after consultation and the approval of my supervisor and/or senior staff. Again, the recommendation In Case Summary (DHS.3002.323.0129_E) for Katherine to continue to remain in Winlaton for further assessment, and ongoing therapy would have been arrived at only after consultation with senior Regional and Winlaton staff.
- j) I have no recollection of any involvement or knowledge of internal investigations or counselling regarding Katherine's father.
- k) Whilst I cannot recall with any certainty, I believe that I completed the "Hostels Referral Form" as a final task shortly after my transfer to Lilydale.



Statement made and signed by Brian Fitzgerald

on 6 August 2015