

BRAVE HEARTS



'Breaking the Silence on Child Sexual Assault'

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21st October 2002

Strictly Confidential

Mr. John Armstrong
 Manager-Coach and Sport Education
 Australian Swimming Corporation

Without Prejudice

Dear Mr John Armstrong,

Re: Allegations against Mr Scott Volkens

As everyone is aware, Mr. Volkens is an elite technical swimming coach who has achieved great success and in so doing, has won the respect and admiration of the Australian public and the friendship of many powerful and influential identifies. As you are also no doubt aware, Mr. Volkens was recently charged with seven (7) counts of inappropriately dealing with minors in Queensland but these charges were later dropped.

Recently, when looking at Swimming Australia's website I happened to come across your sports Code of Conduct for coaches and I take this opportunity to applaud your organisation for this progressive initiative. www.swimming.org.au/services/upload/p0050200.pdf-28/09/02

It is our view, and we are sure it would be supported by the parents of young swimming athletes everywhere, and the athletes themselves, that the mere fact a serious complaint was made should be a matter of utmost concern for the Australian Swimming Corporation, so much so in fact, that they would automatically investigate such matters further, regardless of the personalities involved. This process would be in the best interests of the child and, in our view, would go to satisfy ASC's duty of care obligations.

At the very least, as the employer of Mr Scott Volkens, the ASC should request the Queensland Commission for Children and Young People undergo a reassessment of Mr Volkens' eligibility to hold a 'Blue Card' (issued to appropriate persons in Queensland under the working with children legislation).

This would require Queensland Police to make a recommendation as to the suitability of Mr Volkens to work with children in Queensland and would provide a clear indication of any potential identifiable risk of which ASC should reasonably be aware.

We request that the Australian Swimming Corporation convene an investigation into the alleged behaviours of Mr. Volkens with particular reference to the requirements of the Coaches Code of Ethics to determine if any breaches have occurred and to ensure that if so, these breaches are never repeated.

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We understand that such an investigation would define Australian Swimming's position so as to ensure that Mr Volk's capacity to continue to hold coaching accreditation within Australia has not been compromised and that the ASC Duty of Care obligations are satisfied.

Please be reminded that the original charges against Mr Volk were strong enough to be supported by the Queensland Department of Public Prosecutions (DPP) and laid by police only after a thorough six month investigation. A Magistrate at a Committal Hearing then tested the charges and subsequently ordered Mr Scott Volk to stand trial. It was not until later that the charges were dropped, after the legal team representing Volk presented material to the DPP which led the Prosecution to alter their belief that they remained able to convince a jury **beyond reasonable doubt** as to guilt.

It should be noted, that it has not been proven that the incidents did or did not occur nor has a finding of guilty or not guilty been reached. At this point in time, the situation is that the charges have been dropped **but** importantly, it is our understanding that there remains the potential for them to be revisited / re-laid at any time in the future.

Mr. Volk's alleged actions, in my opinion, represent a potentially disturbing risk especially given that he still works with young girls under the age of 16. Accordingly, we write to you on this occasion to ask that you ensure this potential risk is properly assessed.

This correspondence should only be circulated amongst those at the ASC charged with the duty of making a decision whether or not to investigate and/or whether or not to request a Queensland 'Blue Card' - Suitability to work with children' assessment. Release of this letter for any other purpose is not authorised.

Kind Regards.



Hetty Johnston
Executive Director