

Tuesday 18th September 2012

Dear **REDACTED**,

RE: OMBUDSMAN NOTIFICATION CONCERNING ROYCE COMBER – C/2012/2731

I am writing in regards to The Disability Trust's review of our decision regarding the employment of Royce Comber.

I have attached the information provided by the Joint Investigation Response Team as requested under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*.

After reviewing the information The Disability Trust has determined that the Police informed Mr. Comber of the allegations made by the client and family. Police also stated that there was insufficient evidence to proceed criminally. It is noted that Mr. Comber is a "person causing harm" on the FaCS database.

The Disability Trust also disclosed the allegations made to them by the family at their formal interview with Mr. Comber. At this time Mr. Comber denied the allegations. The Organisation has since conducted a Working with Children Check and Criminal Record Check regarding employment in child related services in which Mr. Comber agreed to do in his interview. This returned with no reportable conduct after the allegations were made.

Due to the above points and as indicated on the Part B Notification under "Not sustained – lack of evidence of weight" no notification to the Commission for Children and Young People has been made.

The Disability Trust has reviewed its decision regarding the risk to future employment of Mr. Comber. At the time we informed him that we could no longer employ him in a situation where he could potentially come in contact with the client and family but that he was technically still employed by The Disability Trust on a casual basis. Mr. Comber agreed to this decision due to the high risk of further allegations against him or the organisation. The Disability Trust does not have extensive services in the Shoalhaven area and therefore would not have any suitable shifts where potential contact could be guaranteed not to occur. This decision has been flagged on our staff data base and Mr. Comber has received no employment since the allegations were brought to our attention. The Disability Trust chose to cease his employment in this manner rather than formally dismiss him due to the fact that the investigation did not show sufficient evidence to proceed criminally and we had concerns of a potential unfair dismissal case being brought against us.

If you have any questions I am happy to be contacted during business hours on **4255 8000** or **REDACTED**

Yours faithfully,

Ryan Kiddle
Manager
Sport & Recreation Services
The Disability Trust