

Thursday 27th September 2012

Dear **REDACTED**,

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

I am again 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 a second time 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. Again, 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 were also informed of the same allegations by the family in our interview with them.

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.

The Disability Trust has again 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 has now also determined due to the nature of the allegations made to JIRT that Mr. Comber will not be employed to work in any child related service or with anyone under the age of 18 years of age. 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 again been flagged on our staff data base.

The Disability Trust would also like to reaffirm that 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