

Glick

Case Reference No: 3229

**POST INVESTIGATION REPORT
OWN MOTION**

TO: Disciplinary Proceedings Committee
FROM: Inquiries & Litigation

NAME OF REGISTERED TEACHER: Rabbi Avrohom GLICK
DATE OF BIRTH: 13 July 1946
REGISTRATION NUMBER: 181963
DATE OF FULL REGISTRATION: 31 December 2002
REGISTRATION STATUS: Registered

Context of Decision

1. The Disciplinary Proceedings Committee ("the Committee") was established under section 2.6.66 of the Education and Training Reform Act 2006 ("the Act").
2. The Victorian Institute of Teaching ("the Institute") may investigate a matter relating to a registered teacher without a complaint or being notified by an employer that they have taken action against a registered teacher. The Committee decided to investigate into the matter of Glick on 23 October 2013. The investigation was completed on 5 March 2014

Background

3. The background to this matter is contained in the report to the Committee dated 26 September 2013 and attached (Annexure 1).

The Investigation

4. Documents were obtained from the Victorian Director of Public Prosecutions (the 'DPP') in relation to the evidence given in a case against a David Cyprys.
5. The following documents received from the DPP were reviewed:
 - a. Statement made by Rabbi Glick to the Victoria Police dated 8 December 2011
 - b. Transcript of Rabbi Glick's evidence at the committal hearing dated 14 May 2012.
 - c. Transcript of Rabbi Glick's *Voir Dire* and trial evidence in the County Court of Victoria on 14 August 2013.
6. Nothing was recorded in the transcripts dated 14 August 2013 that would indicate that Rabbi Glick knew anything of substance in relation to child molestation.
7. In the statement made to Victoria Police, dated 11 December 2011, the Rabbi specifically denied any knowledge of any information at the time the offences were alleged to have occurred.

Glick

"Recently I became aware of accusations that have been made against David. The accusations were that David molested a number of children. At the time the offences were alleged to have occurred, I had no knowledge of these accusation.....Rabbi Groner never divulged to me the names of individuals that brought complaints to him"

8. The transcript of the committal hearing, dated 14 May 2012, contained evidence that a Rabbi Groner disclosed to Rabbi Glick the name of a student or student's parent making a complaint but states that *"I wasn't sure at that time that it was David Cyprys"*. It wasn't until 2011 that he became aware of accusations against Mr Cyprys.

In answer to a further question in his evidence that if a parent had complained to him that Mr Cyprys was a paedophile he would have done something differently... he said *"I'm sure I would have done something different, yes"*.

The Rabbi further clarifies in his evidence why he said he suspected that Rabbi Groner was talking about David Cyprys when he discussed the complaint with him he stated the following

"Why do you have suspicions?.. People put suspicions based upon the fact that people confuse the issue of homosexuality with child molestation. There were rumours. Now when I say I became aware, there were rumours unsubstantiated in our community. It's a small community. You can hardly sneeze without everybody knowing about it. There were all sorts of rumours flying around, so I suspected at the time that it was David Cyprys."

9. The Solicitors acting for Rabbi Glick wrote to the Institute on 5 March after the Institute requested information from Rabbi Glick that would help clarify any of the statements that had been made.

10. In that letter, the Solicitor acting for Rabbi Glick declares he was instructed that Rabbi Glick:

"became aware of rumours which he might have suspected related to David Cyprys ('Cyprys'). The rumours were that Cyprys may have molested children. He believed these rumours related to conduct by Cyprys many years before (i.e around 20 years before). He understood Cyprys had faced charges in court in the early 1990's and the rumours related to earlier conduct. We understand Cyprys was fined without conviction in the early 1990's"

"In the early 2000's, Rabbi Glick was aware of an alleged victim (referred to as RE DA in the transcript dated 14 May 2013). RE was around 28 years old at the time Rabbi Glick became aware of the rumours of molestation of RE when he was a child."

Therefore in the early 2000's, Rabbi Glick was not aware of any rumours of alleged molestation by Cyprys committed after the early 1990's. Cyprys was not employed in any capacity by the school when Rabbi Glick became aware of the rumours".

The Issue

11. Whether the teacher has or has not got a case to answer in reference to allegations of misconduct or serious misconduct?

Glick

The Law

12. Section 2.6.34 (2) provides that:

“the Institute must determine whether or not to act on the recommendations of any person conducting the investigation”

Advice and Recommendations

13. There seems to be very little to support the assertion that Rabbi Glick had any firm knowledge to found a reasonable belief in order to come within the mandatory reporting obligations of a teacher.

14. Reasonable belief cannot be founded on mere suspicion.

15. Absent any evidence to indicate that Rabbi Groner, now deceased, disclosed material facts to Rabbi Glick and neither Rabbi Groner or Rabbi Glick did anything about those factual allegations there is very little for the Institute to investigate further.

16. The recommendation therefore is to take no further action into this matter.

Future Conduct

17. The Committee must decide whether:

- a. To take no further action; or
- b. To conduct a formal hearing.

R Hepburn
Senior legal Officer

5 March 2013