

BS"D



# Yeshiva College Cheder Chabad

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 Executive Director: Rabbi Dovid Slavin

5 December 2016

Dear Commissioner,

As a parent and as an educator, I applaud and thank you and the Royal Commission for your efforts to protect child welfare in Australia. Bringing these issues to light has heightened awareness, made the topic a matter that is discussed openly, informed policies and protocols in all venues which service children and has played a huge role in protecting our children. In addition, the historical victims of abuse have had a chance to be acknowledged, validated and be given some solace.

I have, however noticed some inaccuracies in the recent Report of Case Study No. 22 (the "Report"), which I wish to bring to your attention, so they can be remedied. In this letter, I am referring exclusively to Yeshiva College Bondi, Ltd as separate from any other Yeshiva entities.

I have had a number of enquiries as a result of press reports on the Report:

- Parents, who have had confidence in our protection of their children, have now expressed doubts due to media coverage;
- Staff who have given their Sundays to be trained annually and have spent hours fine-tuning the protocols at our school are dismayed that their efforts have gone unrecognized;
- The general public, who are reading the media reports on this Report, take the quotes at face value, and they are damaging to our reputation, giving no indication that anything has changed since the allegations in the Report; and
- Prospective parents could well be influenced to reconsider enrolling their children in our school in the coming year.

There are four areas of inaccuracy to which I want to draw your attention.

1. No proof of significant changes

Your Report states on page 11, "*The evidence as to any steps Yeshiva Bondi has taken in implementing child protection measures is unclear.*" This sentence was quoted in the Australian Jewish News article on your Report on 1 December 2016.

- The Report does not reflect changes for which we presented evidence at the time of the hearings in February 2015. We sent Child Protection Policies of the school to the Commission as at the 2014 Staff Handbook and the Abridged Staff Handbook. We also provided our Mandatory Reporting Policy as at 2014. Surely these documents showed that our school was complying with legislation.
- The Report does not acknowledge our most recent submission to your office on 17 November 2016 which contains 32 attached documents of proof of our improvements and compliance with current legislation. It also notes the standing down of Rabbi Pinchus Feldman and Rabbi Yosef Feldman from any roles at the College.

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2. Misuse of the name of our school

Our school is the legal entity called "Yeshiva College Bondi, Ltd." However, the Report uses the name "Yeshiva Bondi" to refer to all Yeshiva institutions in NSW (presumably to differentiate between us and Yeshivah College Melbourne). This is inaccurate.

See Report pages (in many instances several mentions per page): 1, 3, 5, 8 (where Yeshiva Bondi is defined incorrectly as all Yeshiva institutions in NSW!), 9, 10, 11, 12, 14, 17, 25, 26, 27, 28, 35, 61, 62, 66, 68, 75, 78, 80, 81, 82, 83, 84, 92 and 94.

As a result of having our school name used generically to represent all the Yeshiva institutions, confusion has been created. In our submission to the Commission in November 2016, we clarify the distinctions between the various organisations, but this essential information is not reflected in the Report.

We also pointed out in our November submission that our school was established in 2008, long after the last of the allegations examined in Case 22, allegations which are not associated with Yeshiva College Bondi Ltd. This is not clear in the Report.

Yeshiva College Bondi has, and has had since 2008, all policies up to date and they are being used in daily practice. The confusion regarding the names of the entities has been quoted in the media, reflecting badly on our school.

3. Misrepresenting the current authority of Rabbi Pinchus Feldman at the school

Rabbi Pinchus Feldman had the honorary title of Principal of Yeshiva College Bondi at the time of the hearings in Melbourne, February 2015. As such, he is represented as an authority at the school in your Report.

- On page 25, *"Under the leadership of Rabbi Pinchus Feldman, the Yeshiva Bondi established the Yeshiva College Bondi."*
- On page 26, *"Rabbi Feldman's role at Yeshiva Bondi has altered over time. Before 2003, he was the dean and spiritual head of the gender-segregated day schools operated by Yeshiva College Ltd and Yeshiva Jewish Day School Ltd. In or about late 2003, the schools came to be operated by Kesser Torah College Ltd and Rabbi Feldman ceased to have any role in those schools. Since 2008, Rabbi Feldman has been a director of Yeshiva College Bondi Ltd and dean and spiritual leader (or authority) of the gender-segregated school created by Yeshiva College Bondi Ltd."*
- On page 82, *"Camps and courses that are operated under the aegis of Rabbi Pinchus Feldman, whether they are operated through the Yeshiva Centre Bondi, Yeshiva College Bondi, Chabad Youth or otherwise, are conducted under the umbrella of Yeshiva College Bondi."*
- On page 82, *"Rabbi Pinchus Feldman said that, while the guidelines of the New South Wales Department of Education and Communities call for biennial 'in service' staff training on the topic of child sexual abuse, the Yeshiva College Bondi has opted to undertake annual training."*

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However, as a result of the Royal Commission hearings in February 2015, the NSW Board of Studies, Teaching and Educational Standards (BOSTES) visited the school and strongly recommended that Rabbi Pinchus Feldman be asked to stand down as Principal, which was done immediately. The fact that he appears in your Report to still have any current affiliation with our school leadership almost two years later is confusing and detrimental to our reputation.

In addition, three of the above four statements were never or are no longer true.

- The school Yeshiva College Bondi, Ltd was actually established by Rabbi Yosef Feldman.
- Rabbi Pinchus Feldman stood down as Principal of Yeshiva College Bondi and has had no role in the school since February 2015.
- Yeshiva College Bondi Ltd has never been the umbrella entity for the other organisations at Yeshiva.
- Camps and courses of Yeshiva Centre and Chabad Youth ceased being run through Yeshiva College Bondi in December 2015.

#### 4. Our Staff Handbook

Your Report states on page 82, *"On 1 November 2014 the Yeshiva College Bondi published its Staff Handbook for full-time employees. The Staff Handbook outlines the school's formal child protection policies of the school and the procedures for staff to report serious incidents.*

*The Yeshiva College Bondi also has published an abridged version that is provided to all non-permanent staff undertaking supervision of children."*

When we applied for Registration as a NSW school we were required to produce our Staff Handbook and to include policies on child protection. Our first Staff Handbook was written in 2008. It has been upgraded regularly to comply with new legislation in all areas.

Your statement in the report gives the incorrect impression that our first version of the Staff Handbook (and thus our first policy on Child Protection) was dated 1 November 2014.

We turn to the authors of the Report who are the Crown-appointed, impartial commissioners on this matter. At Yeshiva College Bondi Ltd we are a complying entity working tirelessly to keep our students safe.

Our school is suffering damage from the inaccuracies in the Report, damage in confidence from our community and to our reputation. We would be very grateful if you could set this matter straight by clarifying the points I have raised above. We realise that our recent submission (in November) will come to light in March 2017, however any delay in clarifying these matters could cost us loyalty, support and students for the coming school year.

I look forward to your early reply.

Sincerely,

Gavriella Aber  
Educational Policies  
Yeshiva College Bondi Ltd.