

28th August 2015.

Purpose

The purpose of forwarding the addendum to the Royal Commission into institutional responses to Child sexual abuse is to draw attention to the Department of Education's ineptitude and unwillingness and active resistance to conduct a thorough investigation into the ethical suitability of, and, child protection risk attached to one of their teachers who is still in an active role. This teacher was named by myself, at the Royal Commission as my abuser.

Background

At my private session with the Royal Commission, I was asked for my consent to forward my statement to the police. Following this, I was contacted by the police who initiated an investigation. When they were unable to press charges they gave me the details for the Department of Education's Conduct and Ethics branch and encouraged me to alert the Department about the teacher who abused me, which I did in September 2014.

The police forwarded them my highly confidential and sensitive police statement and in a phone conversation with the manager of the branch, I was assured an investigation would ensue and I would be kept informed.

In the months between September 2014 and July 2015, in short, they did not make any attempt to keep me informed, they didn't invite me for a conference about this, they asked for no further information, they tried to put me off from pursuing it, they stonewalled my enquiries and ultimately failed to let me know that they closed the investigation which they seemingly closed after a conversation with the teacher without pressing any disciplinary actions. The handling of the matter has left me feeling like a fraud, extremely distressed that this man who is a sexual abuser by current standards is still teaching and in fact the enquiry by the Department of Education, as far as I can tell appears extremely covert.

The letter I received from the Department of Education see attachment marked "Department of Education and Training dated 3 July 2015" demonstrates that very few steps were taken to inquire about the teacher. The police collected a significant body of evidence from a number of witnesses that corroborated what is known by the law as acts of sexual abuse against myself or others. The acts he committed were at that time were not criminal but most certainly are regarded as such now. I find it shocking that the Department has turned its back on this evidence and has resolved to take no disciplinary actions based on the letter I received, simply by following the matter up with the teacher.

Recommendations

Ask for the Department to transparently provide details for this investigation process (open files) so the Royal Commission into Institutional Responses to Child Sexual Abuse can examine the efficacy and rigor of the process of investigation.

For the Royal Commission into Institutional Responses to Child Sexual Abuse to request a development of standards from the Department of Education that guide transparent process and inclusion of the complainant.

For the Royal Commission into Institutional Responses to Child Sexual Abuse to ask the Department of Education to outline its stance and definitive frameworks around sexual abuse .

For the Royal Commission into Institutional Responses to Child Sexual Abuse to ask the Department of Education to make public through its internal media, websites etcetera, its acknowledgement of the impact of historical sexual abuse and what it can provide for victims/survivors who come forward today.

For the Royal Commission into Institutional Responses to Child Sexual Abuse to ask the Department of Education to develop an education program for principals and teachers about child sexual assault that happens, what grooming is like and how families and school communities are groomed by the abuser as my concern is currently that this invisible within school cultures (as has been demonstrated with my complaint to the Department and its investigation. The Department has been groomed)

I thank you for consideration into this matter.

Ms Cassy Nunan

Dear Ms Nunan

I refer to issues you raised concerning the suitability of [REDACTED] to be an employee of the Department of Education and Training (the Department). I apologise for the delay in you being informed of the outcome of this matter.

The alleged conduct you raised is extremely serious and was treated as such by the Department. I note that it was initially brought to the attention of the Department by [REDACTED] Police but that criminal charges did not eventuate as a result of the police investigation. I acknowledge that you consented to the information you provided to Police being passed on to the Department to be used in its own consideration of the matter and I thank you for your cooperation in doing so.

Although the conduct is alleged to have taken place over 30 years ago at a time when [REDACTED] was not a member of the Government Teaching Service, you also referred to a more recent period of time when he was employed in [REDACTED] Government Schools.

Despite there being no criminal charges arising out of this matter it was still followed up with [REDACTED]. Clearly it is not simply criminal behaviour which draws into question a person's suitability to be an employee of the Department or, more specifically, a member of the Government Teaching Service. Both Ministerial Order 199 and the Code of Conduct for [REDACTED] Public Sector Employees outline requirements of behaviour which apply to teachers in [REDACTED] government schools. More broadly, the [REDACTED] Teaching Profession Code of Conduct outlines expectations concerning the relationship between teachers and students and in particular the need to maintain professional boundaries.

The community rightly expects that teachers understand and respect the boundaries between personal and professional relationships, particularly where these pertain to students, and that they do not indulge in behaviour that breaches those boundaries.

[REDACTED] acknowledged that during his early teaching career he engaged in relationships with students which were arguably outside of professional boundaries. This is not acceptable.

I note the circumstances in which [REDACTED] became involved with your family. I appreciate that teachers will invariably encounter students and their families in various social contexts outside of school through avenues such as social or recreational activities and that the likelihood of such contact increases in rural communities. However, this does not mean that relationships with students should be actively pursued outside of those circumstances.

After careful consideration the Department does not intend to take disciplinary action under the [REDACTED] Act [REDACTED] against [REDACTED]. A number of factors were taken into account in reaching this decision, including the lapse in time since the alleged conduct and the absence of any current concerns regarding how he undertakes his role as a teacher and in particular the nature of his relationships with students.

However, it was important that the Department take action to ensure [REDACTED] fully understands the requirements on him as a member of the Government Teaching service and the consequences of non-compliance with those requirements. I confirm this has occurred.

Thank you for bringing this matter to attention.

Yours sincerely

Executive Director
Human Resources

3/7/2015