



**Board of Inquiry** into historical child  
sexual abuse in Beaumaris Primary School  
and certain other government schools

---

## TRANSCRIPT OF PROCEEDINGS

---

### **BOARD OF INQUIRY INTO HISTORICAL CHILD SEXUAL ABUSE IN BEAUMARIS PRIMARY SCHOOL AND CERTAIN OTHER GOVERNMENT SCHOOLS**

#### **PUBLIC HEARING MELBOURNE**

**FRIDAY, 17 NOVEMBER 2023  
AT 10AM**

#### **HEARING DAY 5 (PUBLIC VERSION)**

#### **APPEARANCES**

**MS F. RYAN SC – COUNSEL ASSISTING  
MS K. STOWELL – COUNSEL ASSISTING  
MS JENNY FIRKIN KC – STATE OF VICTORIA  
MS CATHY DOWSETT – STATE OF VICTORIA**

*Any person who publishes any part of this transcript in any way and to any person contrary to a direction against publication commits an offence against section 88 of the Inquiries Act 2014 (Vic).*

**<THE HEARING RESUMED AT 10.04 AM**

**CHAIRPERSON:** Morning, everyone. The Board of Inquiry is conscious of the need to ensure that victim-survivors are able to choose whether and how their  
5 information and identity are used. The next session will involve Counsel Assisting sharing the experience of a victim-survivor who has engaged with the Board of Inquiry. To protect the identity of this person and other people, the Board of Inquiry has decided to make a restricted publication order.

10 In the context of the scope of this inquiry, the Board of Inquiry has made this order because it is satisfied that prejudice or hardship may otherwise be caused to a person, the nature and subject matter of the information is sensitive, there is a possibility of prejudice to legal proceedings and the prohibition or restriction is appropriate. I will now briefly explain how the order will work.

15 The order requires the use of pseudonyms in relation to two people. The order requires that any information in relation to the identity of these people be kept confidential. This means that anyone who watches or reads the information presented by Counsel Assisting must not share any information which may  
20 identify the people who will be referred to by the following pseudonyms: Christie and Cody. The information which must not be shared is not limited to their real names and may include other information which may identify them, such as where they live or work.

25 A copy of the order has been placed outside the hearing room and is available to anyone who needs a copy. A copy will also be made available on the Board of Inquiry's website. I encourage any journalists wishing to report on this evidence to discuss the scope of the order with the Board of Inquiry's communications and engagement manager. Yes, Ms Stowell.

30 **MS STOWELL:** Thank you, Chair. Earlier this week it was my privilege to share the experiences of three victim-survivors: Hank, Samuel and Grant. We thank each of them for their willingness to share their experiences in these hearings and for all their assistance to this Board of Inquiry. Today, we wish to share the  
35 experiences of another victim-survivor who we will refer to as Christie. As the Chair has explained, a restricted publication order will apply in relation to her experiences.

40 We want to acknowledge and thank Christie for her generous permission to share her experiences and for all that she has done to assist this Board of Inquiry.

Christie's story. Christie has told us that she was sexually abused in the 1970s at Beaumaris Primary School. While at the school, Christie's parents arranged for her to take extracurricular lessons after school with one of the teachers, who we will  
45 refer to as Cody. Christie told us that at the first few after-school lessons, Cody was okay. But then he started acting differently. He started coming up behind her

and pressing himself against her back. Eventually, this progressed to Cody leaning over her and putting his hand down Christie's top.

5 Christie still recalls the feeling of Cody's hands touching her. Even at the time, this made her feel uncomfortable. But she was frozen and she felt helpless. She doesn't recall how many times Cody abused her. Christie told her mum that she didn't want to have the after-school lessons anymore, but never told her parents when she was a child about the abuse. She recalls hiding under her bed and in her wardrobe to feel safer, especially when Cody would visit their home.

10 For many years, Christie suppressed the memories of the abuse. She did not remember details until she was an adult. In recent years, after an article about the abuse suffered by another child at her school was published, she has been able to recall and describe more details of the abuse. Christie says that the impact of the abuse has been lifelong. She remembers her time at Beaumaris Primary School as traumatic, that there was a sense that no one felt safe. She told us that she feels ashamed that she didn't try to stop Cody's abuse. As an adult, she has had relationship issues which she links to the abuse.

20 When she eventually told her father about her experiences, he was horrified and full of guilt. Christie thought that she might be the only female from Beaumaris Primary School to come forward about the abuse that they suffered. However, she doesn't think it would make sense that she was the only one. She has made it her mission to get in contact with other people who may have been abused by Cody. 25 Even though talking about her abuse makes her anxious and panicky, she told us that she came forward to the Board of Inquiry because the abuse she suffered cannot happen to another child.

Christie told us there was a need for specialised mental health support for 30 victim-survivors delivered by people who understand what happens in the brains of victim-survivors and knows why the pain just doesn't go away. She said that many of her classmates who disclosed similar abuse are still in the process of recovering their own memories. Christie told us that she couldn't bear to lose another primary school friend based on their horrific childhood abuse experiences. 35 It was abuse that should have been stopped by the teachers who knew what was going on, and by an Education Department that just moved the problem on to other schools and other children.

40 **CHAIRPERSON:** Thank you Ms Stowell. Ms Ryan.

**MS RYAN:** Chair, I call Jenny Atta, the Secretary of the Department of Education.

45 **<WITNESS JENNY ATTA, AFFIRMED**

**<EXAMINATION BY MS RYAN:**

**MS RYAN:** Thank you, Ms Atta. Before we commence, can I just remind you to speak into the microphone and when you're responding to a question, to respond verbally for the transcript. Thank you.

5 **MS ATTA:** Yes, I will.

**CHAIRPERSON:** But I'll also let you know, Ms Atta, feel free, if you need to take a break at any point, just let us know. And you've got some water there if you want to pour a glass, and go from there. Thank you, Ms Ryan.

10

**MS ATTA:** Thank you, Chair.

**MS RYAN:** Ms Atta, can you tell the court your full name?

15 **MS ATTA:** Jennifer Atta.

**MS RYAN:** And you are currently the Secretary of the Department of Education for the State of Victoria.

20 **MS ATTA:** That's correct.

**MS RYAN:** You've worked with the Department of Education since about 2015?

**MS ATTA:** Correct.

25

**MS RYAN:** And from April 2018, you were Acting Secretary of the Department of Education.

**MS ATTA:** Yes.

30

**MS RYAN:** And you've been Secretary of the Department of Education since March 2019.

**MS ATTA:** Yes.

35

**MS RYAN:** And you provided a statement for the Board of Inquiry dated 3 November 2023.

**MS ATTA:** Yes.

40

**MS RYAN:** And annexed to that statement at JA-1 is a copy of your curriculum vitae, which sets out your experiences and qualifications.

**MS ATTA:** That's correct.

45

**MS RYAN:** Now, in terms of your statement dated 3 November 2023, are you satisfied that the contents of that statement are true and correct?

**MS ATTA:** I am.

5 **MS RYAN:** Now, I understand, Ms Atta, that to start off, you wish to make an apology on behalf of the Department of Education?

10 **MS ATTA:** I'd be grateful for that opportunity. Thank you. I want to say, on behalf of the Department of Education, to victim-survivors of child sexual abuse in Victoria's government schools that I am profoundly sorry for the shocking abuse and injury inflicted upon you, abuse and injury that should never have occurred  
15 anywhere, especially in a place where you're entitled to not only feel safe, a place where you should have been safest. I understand and I acknowledge that harm is not only caused by the abuser; that harm can be caused and, indeed, compounded by the lack of an appropriate response from those in authority. I acknowledge and  
20 I deeply regret the catastrophic failings of the government school system and the Department of Education over the period of time being examined by this Board of Inquiry. Our schools and the Department of Education failed to protect you when you were most vulnerable, when you were a child. I acknowledge this without qualification, and I genuinely believe that institutions, particularly public institutions, should own and be accountable for their history.

25 I have heard how many victim-survivors felt unable to disclose their abuse. The education system did not arm them as children - excuse me - as children with the knowledge to know that the abuse was wrong, or the language and systems or processes to assist them in disclosing. It did not arm teachers with the skills and awareness to identify, check for sexual abuse and understand how to intervene. For those children who disclosed to an adult, they were often not believed. Where they were believed, the response was woefully inadequate or inappropriate. The response left the victims and those seeking to protect them powerless, and enabled  
30 the abuse of children to continue and to spread.

35 The failings of the system were many. There was an absence of policies or processes to prevent abuse or guidance on how to respond to allegations when they were made. There was no training of teachers to be able to identify the warning signs of sexual abuse. While there were processes that could have been used to remove the perpetrator from the teaching service, these were rarely, if ever, used. Teachers were able to remain in their role or transfer to other schools and continue the abuse.

40 It is utterly unacceptable that any child should suffer sexual abuse while under the care and supervision of a Victorian government school. In relation to Beaumaris Primary School and other schools examined through this inquiry, I want to say that it is profoundly troubling that multiple students were abused at a similar time. These were not one-off incidents. Between the department's records and those of  
45 Victoria Police, we now know of at least 44 victim-survivors of four perpetrators over multiple schools. I understand that more have come forward to this Board of Inquiry and there are likely to be more still. Some will have lived their whole lives

in silence, dealing with the trauma of what happened to them on their own. I am  
deeply sorry for the psychological trauma and injury suffered by our former  
students as a consequence of this abuse, and the deep impact and harm that has  
caused them throughout their lives. I want to also acknowledge the far-reaching  
5 impacts of this abuse on parents, spouses, partners, children and other family  
members, which is significant, enduring and often unacknowledged. And I  
recognise the strength and courage of the victim-survivors who have come  
forward to advocate on behalf of other victim-survivors and the bravery and  
resilience required of any victim-survivor to come forward.

10  
In making these acknowledgements and this apology on behalf of the Department  
of Education, I'm acutely conscious of the calls from victim-survivors for not only  
apology but for a commitment to action. And I'm aware of evidence already before  
15 this Board of Inquiry that goes to this point, that apology without a commitment  
and follow-through on a course of action carries the risk of further harm and an  
ongoing loss of trust. I do want to say that there have been many, many changes to  
prevent the abuse of children in schools and to ensure that child safety is a priority.  
We have taken steps not only to change the way in which we respond to  
20 allegations of abuse, but also to prevent it from happening in the first place. I hope  
to be able to talk to some of these today. As Secretary of the Department of  
Education I genuinely welcome the establishment of this Board of Inquiry. On  
behalf of the department, I commit to fully engaging with the findings,  
conclusions and recommendations so that they can tangibly inform steps and  
25 actions for the department and across government to ensure that there are effective  
supports and services for survivors of historical sexual abuse in government  
schools and to inform our continued work to ensure the safety of children in our  
schools is our highest priority. Thank you.

**MS RYAN:** Ms Atta, we've just heard you on behalf of the department  
30 acknowledge a number of failures of the department during the relevant period,  
and by "relevant period" I mean 1960 - we've heard evidence from Dr Howes, it's  
spanning really to 1990. You've mentioned there the absence of policies and  
procedures to deal with these sort of matters, and the fact that there was no  
35 training of teachers to recognise the signs and symptoms of child sex abuse, and  
the fact that despite there being a mechanism for the department to remove  
offending teachers, that was rarely done. Now, Deputy Secretary Howes gave  
evidence to the Board this week about the knowledge of the department of  
allegations of incidents of child sex abuse and the response of the department to  
40 that knowledge. His evidence, in effect, with regard to the four relevant employees  
- with regard to each of the four relevant employees, was that officers of the  
department were aware of allegations or incidents of child sex abuse at or around  
the time of the offending, and Dr Howes also told us that in relation to each of the  
four relevant employees, the department took no meaningful action in response,  
including no meaningful action to prevent further offending. Now, I take it,  
45 Ms Atta, you are aware of the substance of Dr Howes' evidence?

**MS ATTA:** I am.

**MS RYAN:** And you, as Secretary of the department, can you make any comment on that evidence or do you effectively adopt what Dr Howes has said about those matters?

5

**MS ATTA:** Yes, I completely endorse what Dr Howes has said, and I think the evidence is stunningly clear on those failings.

**MS RYAN:** In terms of the failure by the department to take any active steps at the relevant time in relation to each of these four relevant employees, are you able to explain why there was nothing done?

**MS ATTA:** It is very hard to understand or provide an explanation why nothing was done. Though we have to rely on what we've been able to discover, the evidence of the time, and it seems clear that there was a complete absence of explicit or clearly articulated policy or instruction or guidance of any kind that went to how the teaching service staff, or how principals should respond to allegations that went to the priority that should be given to the safety and welfare of children in these circumstances. And, in fact, the structure of the department at the time seemed to provide for a very devolved and autonomous role for both principals and then district inspectors with regard to considerations of misconduct.

**CHAIRPERSON:** I wondered if you might have thought about the kind of anterior question, which is, well, why was there a lack of policies and procedures? We've heard evidence that the risk of child abuse in schools was known from the late 1880s, at least, and it certainly seems, from the records that we've seen, that this wasn't something that wasn't understood or known about. So it does raise the question: why didn't the department have policies and procedures in place for these very serious matters?

25  
30

**MS ATTA:** Chair, it is very hard to explain that. Even with regard to reasonable - any reasonable standards of public administration that would have applied at the time, we would have expected to see the articulation of some level of policy and guidance. The legislation provided for identification of misconduct and described that in certain terms, in certain broad terms, which any of the offending or allegations that we have heard about in relation to Beaumaris would have sat within those definitions, and yet no action was taken. Having an understanding of the seriousness of the allegations, the offending that was emerging in relation to Beaumaris, I expected, when we looked back, to see - to see something that would help to explain this, but the absence of policy and procedure, of system and process of governance, is stark, and really quite shocking.

35  
40

**CHAIRPERSON:** And hard to explain?

**MS ATTA:** Very hard to explain.

45

**MS RYAN:** Ms Atta, I take it from the substance of your answer to my question as to really why the department didn't take active steps at the time, that your answer is informed by what material and evidence has come to light in quite recent times; is that right?

5

**MS ATTA:** I'm sorry, could you ask that again?

**MS RYAN:** In terms of your answer as to the structures of the department, perhaps, posing an impediment to any action being taken and the fact that individuals were, in part, left to do as they saw fit - and you gave a number of other reasons - is your answer there informed by what you've learned in more recent times - in what the department has learned in more recent times?

10

**MS ATTA:** Yes, it is. These were events occurring 30, 40 and 50 years ago, and in the lead-up to this inquiry, we've certainly made every effort to look back and try and understand what was in place at the time. So my answer is yes.

15

**MS RYAN:** Having heard from Dr Howes on the part - on behalf of the department to the effect that officers of the department were aware of allegations of child sexual abuse at the time of the offending, are you able to shed any light on whether, at that time, the department conducted any investigations with regard to any of the four employees to ascertain the extent of their offending, that is, whether they had offended against other students?

20

**MS ATTA:** And can I just clarify, are you asking about at the time of the offending?

25

**MS RYAN:** At the time that the department or its officers became aware -

**MS ATTA:** I understand.

30

**MS RYAN:** - of the offending, which according to Dr Howes, was in relation to all four - all relevant employees at or around the time of the offending?

**MS ATTA:** The - so if I can clarify that I think it was around 2001 that the department became aware - initially became aware of claims and allegations relating to that - that period.

35

**MS RYAN:** It was around 2001 that the department initiated its - an investigation of sorts by reason of civil claims being issued against it, but Dr Howes' evidence was that - I will give - for example, in relation to the person known as Wyatt who was offending against students in the '70s, that - that the principal - at least the principal -

40

**MS ATTA:** I understand.

45



**MS RYAN:** - was aware, and in relation to Stan, who was also a figure in the 1970s, the department has acknowledged and certainly a district inspector was aware. So it's that time period -

5 **MS ATTA:** Okay.

**MS RYAN:** - I'm asking about.

10 **MS ATTA:** Yes, it's not clear to me that there was any investigation. There's no evidence that I'm aware of that suggests that the department investigated the - as I have understood it, the principal at the time and the district inspector had responsibilities around response to misconduct. But it's - I'm not aware of any investigation or further examination that the department at that time undertook.

15 **MS RYAN:** Certainly. For example, in relation to David MacGregor, we know that at the time of those reports, that is the contemporaneous reports in about 1985, it wasn't only the teachers on the ground at that school that were involved; there were people within the department who had knowledge of that - of those - of reports of that offending. So -

20

**MS ATTA:** That's correct.

25 **MS RYAN:** - is your evidence that there was no - there's no evidence that any steps were made by the department, for example, in relation to MacGregor to attempt to ascertain the extent of his offending in light of his longstanding employment with the department as a schoolteacher?

30 **MS ATTA:** That's correct. There's no evidence that I'm aware of that that took place.

30

**CHAIRPERSON:** Is your evidence that there's no evidence that took place at all? Or are you confining it to the period of time when the department first became aware of these matters?

35 **MS ATTA:** Well, certainly in relation to the period of time when the department first became aware, I'm not aware of any investigation or further examination at that time. I'm aware that in response to civil claims that came forward in 2001, that the department at that time, as part of its response to those allegations and those claims coming forward, did examine all possible records that were available at the  
40 time, including to identify any witnesses that the department could speak to, to understand as much as possible about those allegations and the alleged perpetrator at the time.

45 **CHAIRPERSON:** And that was on a claim-by-claim basis rather than - and just to give you some context, one of the issues we explored yesterday with Dr Howes was once the department became aware, for example, that Mr MacGregor, who had been teaching for a very long period of time, had convictions, at that time does

the department take some action to say, "Hang on a minute, have we got a series of problems? What happened at the schools that he used to teach at?" Was there any backward-looking analysis to understand the scope of the problem? So that's the kind of issue we're interested in. I understand your answer in relation to the  
5 civil claims to be that some work was done in the context of individual claims, but the question I'm quite interested in is whether that broader analysis was done to understand what is the scope of the problem, given that the relevant employees involved had a long teaching history.

10 **MS ATTA:** And I'm not aware that there was a systematic review of that nature that was conducted at that time.

**MS RYAN:** In terms of that - any systematic review being conducted - and, again, going back to the period, for example, MacGregor when the department certainly  
15 become apprised of his criminal offending in 1985 while he remained an employee - and I should say he remained an employee until about 1992, and his employment was never terminated by the department. Just in that context, Ms Atta, you say in your witness statement that earlier this year, you had the opportunity to meet with a small number of victim-survivors, and one of the things you note at paragraph 34  
20 is that they stressed that acknowledgement and, in particular, public acknowledgement of the past failures to protect children in schools and the enduring harm and trauma that survivors of childhood sexual abuse carry with them was not only important to a sense of recovery and justice, but also important - an important additional step to prevent - preventing further abuse of  
25 children in schools. Now, considering that sentiment, surely it was incumbent on the department, in order to be able to acknowledge failures, to have a proper understanding of the extent of the harm that was caused by these relevant employees. Do you agree with that?

30 **MS ATTA:** Yes, I agree that the - that it's very relevant to being able to make those acknowledgements or understand the extent of harm.

**MS RYAN:** And the best time for the department to have the opportunity to understand the extent of the time - sorry, the extent of the harm was to conduct an  
35 investigation when the department, being through its officers, found out about the allegations of offending.

**MS ATTA:** I do agree, which is the practice that would happen today, but there is no evidence that that is what happened at the time.

40 **MS RYAN:** You've given evidence, as I said, in your statement about meeting with some victim-survivors earlier this year. As a part of your role, either as Acting Secretary or Secretary, had you met with victim-survivors prior to the meeting referred to in your statement at paragraph 32?

45 **MS ATTA:** No, I hadn't.

**MS RYAN:** When you commenced your role as Acting Secretary, were you aware of the - in a general sense - allegations of widespread abuse in Victorian government schools?

5 **MS ATTA:** I certainly had a broad understanding of impact, that was soon after the reporting from the national Royal Commission into Institutional Abuse. And prior to that, we had had the Victorian Parliamentary inquiry. So I certainly broadly understood about significant abuse across Victorian institutions working with children and young people, and I was - did understand that that included  
10 schools.

**MS RYAN:** Are you able to say, then, what, if any, action you took to effectively understand the perspective of victim-survivors of sexual abuse in Victorian government schools prior to your meeting with this small group earlier this year?  
15

**MS ATTA:** The - the actions within the department - and it's worth touching on a couple of things here. One, from 2018, we had the redress scheme introduced in Victoria, and the Department of Education was and is a participant in that scheme, and that had provided - in fact, it was a very, very significant step change reform  
20 in the state, and that had provided an alternative pathway for victim-survivors to come forward without needing to lodge a civil claim. And, of course, it provided, among other things, for the opportunity for a direct personal response from the relevant institution. So I was conscious that the department was participating in that scheme, and, through some of those opportunities, hearing directly from  
25 victim-survivors. And, of course, through our civil claims process, and as claims resolved, opportunities to provide apologies to victim-survivors and - and hear their perspectives further. But I also want to note that a lot of the work of the department at the time, including to inform policy settings in the department, had been very much informed by the experience of victim-survivors, as - as it had  
30 come through those two big landmark inquiries, and through the work with colleagues at DFFH and other government agencies to inform better practice, including by taking account of the perspectives of victim-survivors.

**MS RYAN:** One of the failures that you address in your apology, Secretary, was the complete lack of training of teachers during the relevant period to identify signs and symptoms of child sexual abuse. Really two questions: are you able to shed any light on why there was no training, given the department's awareness of the risk of child sexual abuse, and then when did that change, that is, when did training - when was training instituted by the department?  
35  
40

**MS ATTA:** It is very hard to explain why there was no training at the time. We - teachers working for the department had, of course, come through their initial teacher training. They were registered teachers. They had that professional background. But, again, there was no evidence of structured training of any kind  
45 that went to issues of understanding how to identify abuse, sexual abuse, how to respond to that appropriately. And, again, it is very difficult, and I don't have an explanation as to why that wouldn't have occurred. When did that start to change?

It's difficult to put an exact - exact timing on that, but we do know that - and, really, there has been a sweep of significant change really from the start of this century. But we, looking back, can see in schools, for instance, that the - that the guidance for - for school principals and then later for the teaching service was significantly revamped around very clear policies around responding to allegations of sexual abuse, identifying, reporting on sexual abuse. From 2001 through to 2006 or '7, I think, those - some significant changes to guidance was occurring. And I'm assuming that there was some level of training that went with that, or certainly much more explicit policy than previously the case. With the - as we moved through from the Parliamentary inquiry, the Betrayal of Trust Inquiry and then the Royal Commission, both of those inquiries really have driven very significant reform to the range of measures in place at a whole-of-government level and certainly within the department that go to prevention and response to child sexual abuse. Part of that is the introduction of Child Safe Standards in 2016, and central to that is the importance of training of staff, skills, awareness and capability of staff, our professional teaching staff but also all staff working in schools. So certainly since that time, there's been a very structured approach and, indeed, some mandatory training required of staff. Deputy Secretary Stephen Fraser's statement does set out in some detail information about staff training.

**MS RYAN:** If we can go - so training, in some senses, of teachers go to the - this question of prevention, that is, what steps the department has taken in recent years or now takes in order to prevent this sort of thing occurring. So we've got - as you set out, there's teacher training. Can you explain to the Board what preventative measures are in place to reduce the risk of this happening at all, being the reducing the risk of employing someone who either has committed a child sexual offence or may have the proclivity to do so?

**MS ATTA:** And I understand you to be asking about the recruitment and employment of staff, and so there's significant vetting of staff before they are employed. Firstly, they need to be a registered teacher with the Victorian Institute of Teaching and have evidence of that registration. There are a range of criteria that the VIT, the Institute of Teaching, have to satisfy themselves of, including the absence of a criminal record or any previous offending. And the VIT has a code of conduct that teachers must adhere to. But the department's employment processes also require evidence of all of that registration and consideration from the Institute of Teaching and police checks, rigorous checking of background qualifications and fitness to teach.

**MS RYAN:** Is there any system of monitoring a teacher in the sense of we understand that once a teacher's registered, they're registered, having passed their qualifications and not having any criminal offence. But once they're then registered, does the department take any steps to, I suppose, check in or monitor that that teacher remains a fit and proper person to be teaching children?

**MS ATTA:** It's my understanding that the Victorian Institute of Teaching do have access through police databases to any new information that should impact on the

registration of teaching, and that is a core monitoring function, if you like, that they carry out.

5 **MS RYAN:** Does that mean that if - in the event that a teacher is charged with some criminal offence, does the Institute of Teaching get alerted, or how does that work?

10 **MS ATTA:** Yes, that's my understanding. I'm not across the full operational detail of how that works, but they do have a means of monitoring for any convictions of that kind that would - and any criminal conviction would mean that - or, certainly, if charges were laid, that registration would be suspended. Convictions, it would be cancelled. The working relationship that the department has with Victoria  
15 Police will mean that the department is alerted as well in relation to criminal charges, and would take action to - for instance, to suspend a teacher if that was the case.

20 **MS RYAN:** You've told the Board about training, and you said, effectively, there were changes in about 2000 and 2001 and then further changes after the Parliamentary inquiry and the Royal Commission. In about 2016/17, those changes took place; is that right?

25 **MS ATTA:** That's right. And I don't say that there was not other training through those years, but there was certainly a significant step-up early - in the early 2000s in terms of the detail around policy and guidance for staff, and with the introduction of the Child Safe Standards, a very structured approach to ensuring appropriate training and a way through the review and assessment of compliance with those standards to assurance that that is taking place.

30 **MS RYAN:** We've heard evidence through - the Board of Inquiry has heard really a raft of evidence from victim-survivors that underscores the absolute need for teachers to recognise the signs and symptoms of child sexual abuse. And we've heard of, effectively, potentially missed opportunities when teachers were suspicious of relevant offenders but took no action. Now, training is all well and good, but it's only as good as - it's only effective if the teacher then carries the  
35 awareness of that training. So does the Department of Education have any measures in place to really ensure that the teachers are effectively trained and have the necessary awareness?

40 **MS ATTA:** So the - we certainly have measures in place that go to the quality of the training and the resources and information that are available to staff, and consolidated for our whole system on the Protect website that all teaching staff have access to. So there's a quality assurance step in terms of materials and the training itself. Through our compliance review of the Child Safe Standards,  
45 schools are required to demonstrate and we're required to assess that training has been undertaken. I think then that the sorts of assurance that we look to is our - how are we performing, how is the system responding in relation to reporting of allegations. And we can do that through looking at the requirements that exist for

the reportable conduct scheme that all teaching staff have obligations in relation to. That requires reporting into the principal and then into the department at the centre to our Employee Conduct Branch. And we can see that that reporting is taking place. Our policy that - of four critical actions, which - and the second of those is about reporting to authority, really stresses that this is not just about reporting where there is evidence of abuse, but reporting of suspicions, reporting of complaints, reporting of concerns. And so we can see that, that that is happening across our system.

10 **MS RYAN:** In terms of that happening across the system, are you able to give us an idea of who are, in general, the people who do report? Is it a combination of teachers and parents or -

15 **MS ATTA:** So predominantly it's principals and teachers, but sometimes other staff. The principal will, in general terms, make that report through to the centre, but it can be from matters raised to the principal via a teacher or, indeed, other members of school staff.

20 **MS RYAN:** And one of the clear failings that's emerged during this inquiry is reports going to a figure like the principal and then it stops there. So what policies and practices are in place now to ensure that when a report is made, it goes - it doesn't just stop at one person?

25 **MS ATTA:** The - so there are a range of - and I think this is important to say about the framework, if you like, of child safety or child safeguarding measures that we have in place across the system, but one of those from, I think, 2014 and 2015 is that it's worth noting that there are criminal offences that are for the failure to disclose or the failure to protect. This is an important obligation that exists for our school principals. Those legal obligations, the obligations set out in policy directions for principals, are at the forefront of their orientation, their further training toward school leadership. It is one of the things I'm very confident of, is that principals across our school system understand that the default is to report. The department can investigate as - as a form of misconduct, an absence of reporting or a failure to report. So it is, as part of that culture of child safety and the priority given to child protection, this is central to the role of principals. Now, we do have other regional executives and support staff that support the work of schools at a regional and an area basis, who are also working closely with principals, and keeping in mind that the principal class includes a range of assistant principals at the school level, and being able to monitor performance on a range of issues, including these sorts of issues. It is possible as well for members of the public or for parents to report directly through the reportable conduct scheme to the Commission for Children and Young People, but with all of the measures and the policy settings and the compliance review that we have in place around the Child Safe Standards and their implementation and operation at the school level, we do feel confident that principals are taking this incredibly seriously.

**MS RYAN:** And you spoke about a - principals being mandated to report. So who does the principal report to? Are there a variety of people?

**MS ATTA:** Well -

5

**MS RYAN:** A variety of entities? How does it work?

**MS ATTA:** Well, our principals really report into the centre of the department. Our four critical actions require them, for an allegation of sexual abuse, to report to Victoria Police, to report to the department through our Incident Support and Operations Centre and through Employee Conduct Branch. But, in effect, that report comes into the centre and those parts of the department work together to ensure that all next steps are taken, and that includes the responsibility of the department to report through to the Commission for Children and Young People.

15

**MS RYAN:** And just before we get to all necessary responses being taken to report, just so we can clarify, in the case of a complaint being made about a principal, what happens in those circumstances?

**MS ATTA:** The complaint can be made into the department centrally or to - through our regional structure about a principal, and that would then come through again to Employee Conduct Branch and the required onward reporting would take place from there.

**MS RYAN:** And in terms of a report going into, as you described it, the central part of the department and then a notification or report is filed with the Commission for Children and Young People, I take it that doesn't happen instantaneously.

**MS ATTA:** It must happen within three days, is my understanding.

**MS RYAN:** So say a report comes in on a Monday, what, if any actions, are undertaken by the department before that notification report is filed? Say it's filed on the third day, just in terms of safety of children and teachers at the school?

35

**MS ATTA:** Yes, of course. And so the reporting is one of the actions. But with any reporting of a sexual offence through that reporting scheme, the department, through Employee Conduct Branch, would immediately stand up an investigation. If it was - if - and there would be an immediate risk assessment, if you like, even before an investigation gets underway, if we've got a report of that nature, that - to understand what is the position in relation to the protection of children. So who is at risk, is there a need to remove risk, and that will very often be the suspension - immediate suspension or removal from the classroom, for example, of a teacher. And then appropriate care or support plans in place for children who may have been at risk and appropriate notification - again, consistent with the four critical actions, appropriate notification to parents or carers of the child or children.

40  
45

**MS RYAN:** You've spoken about the Employee Conduct Branch. One of the issues that's arisen when we're looking at matters that occurred, for example, in the 1985 situation was that the department at that time took the view that it would not conduct an investigation while there was an investigation underway by Victoria Police.

**MS ATTA:** Yes.

**MS RYAN:** Has that changed?

**MS ATTA:** Yes. That has changed. So, at this point, if we've got an allegation of a sexual offence, the department is liaising with Victoria Police and taking the steps consistent with our own policy. If Victoria Police were undertaking an investigation and requested that the department did not pursue its own investigation at that time, or concern of any interference, the department would still take actions to remove the teacher from the classroom. So suspension, for example. We could still follow through with that. Suspend our own investigation while the police investigation takes place, and come back to our investigation, make sure we acquit on that at the appropriate time.

**MS RYAN:** In terms of the department's own investigation, necessarily, in order to conduct a proper investigation, it takes time. And so, practically speaking, without going into any specific examples, Secretary, if the department has a - what appears on its face like a genuine concerning report against a teacher, practically, how often does the department remove the teacher from school that day? Has that happened more often? I'm just trying to get an idea of -

**MS ATTA:** It is the case that for a serious report that comes through, an allegation in relation to sexual offending at school, that the immediate response is - is around protecting children and removing the teacher. And, overwhelmingly, that would take the form of a suspension from duty.

**MS RYAN:** And in terms of, then, the department's investigation, which necessarily takes time, are you able to tell the Board what, if any, programs or policies are in place during that time to support the child, the parents and the school community during that time?

**MS ATTA:** Yes, and the - the fourth of our critical actions that is the overarching policy embedded across our schools is to provide ongoing support to children impacted in this way. And that we would do that in - through trauma-informed responses, often involving our triple-S staff, our school support staff, specialist allied health staff - psychologists, et cetera - who would be available to work with a student or students. We would be in contact with parents and carers and doing that in appropriate way with all the necessary advice. But a first step is to ensure that we've got an appropriate plan of support in place for impacted children and a communication around that with parents and carers. In relation to the school community more broadly, if we - in instances where a criminal charge has been



laid, or there is a substantiation of an allegation through non-criminal processes, then we look then - and our Sexual Harm Response Unit would have this responsibility - to consider how we best support the school with communications to the broader school community and to consider, in the case of staff that are  
5 currently employed or recently employed staff, to what extent it's - where there may have been contact with that teacher for past students, for instance, to what extent we should be communicating with past students and how far back we should go in relation to that.

10 **MS RYAN:** And in the event that a - either a charge is found proven or - I take it when you were talking about substantiation, is that in relation to the department's investigation?

15 **MS ATTA:** That's correct.

**MS RYAN:** What happens then in relation to the teacher?

20 **MS ATTA:** And so then, in relation - effectively, in relation to the department's investigation, we go to the outcome of that disciplinary process. And for any substantiation or - and certainly any conviction for a sexual offence, for sexual abuse against a child, that would result in termination. A conviction of that kind - in fact, there is no discretion around that under the Act now, and that immediately would happen. And the registration of - teaching registration of that person would be cancelled permanently. And this is a very important assurance to give and in  
25 complete contrast to some of the fairly shocking evidence the Board has heard from the past.

30 **MS RYAN:** Are you able to say about what time period that changed, in that the Act then provided no discretion in those circumstances?

**MS ATTA:** I just don't have that detail at front of mind. I think it is in our witness statements.

35 **MS RYAN:** As you've acknowledged, Secretary, during the relevant time period in which the Board of Inquiry's concerned, it appears that teachers who had been found to offend against children, or had been alleged to offend against children, were rarely removed from their employment with the department. We've heard from Dr Howes that what happened was that they were transferred, either to  
40 different schools as - remaining as teachers, or, such as in the case with Mr MacGregor to administrative roles. Now, the - as you've acknowledged, and as Dr Howes acknowledged, there was the mechanism within the relevant legislation during the relevant period to remove teachers, that is, terminate their employment, but it wasn't done. Are you able to say - well, going back, clearly, on your  
45 evidence, there has been a shift that's occurred within the department in terms of that practice. Are you able to say when that shift occurred and what caused it to occur?

**MS ATTA:** There has been a complete shift. In relation to the transfer of staff, it's important to note that that option as an outcome of the disciplinary process was removed from the legislation in 2004. Now, it - I can't pinpoint exactly when that - so it couldn't occur after that date. I can't pinpoint exactly when - in preceding  
5 years exactly - you know, whether it was used in years leading up to that or not, but it is no longer, and for a long time now has not been an option to any decision-maker of a disciplinary outcome to use a transfer mechanism to move an offender, or an alleged offender, to another school or another part of the department.

10

**MS RYAN:** The reportable conduct scheme has been in place since about 2017; is that right?

**MS ATTA:** Correct.

15

**MS RYAN:** Now, certainly, I take it you would agree that at least since the early '80s, with the commencement of the Education Service Act 1981, the department had legislated - had legislative levers in place to remove teachers from their positions. Are you able to say why it has taken multiple recommendations from  
20 the Royal Commission and a Parliamentary inquiry to - well, really, for the department to start using those legislative levers that have been in place for so many years?

**MS ATTA:** It is difficult to provide that explanation. As I've said, it certainly  
25 seems clear that from the early 2000s, we started to see, at least by that stage, a genuine shift toward prioritising the safety and welfare of children. It is - it, to be honest, feels even distressing to talk about it taking that long. We saw in the evidence already before the Board that it certainly appeared that the greater  
30 priority was given to the reputation of teachers, to the reputation of schools, certainly through the '70s and '80s, with no clear priority being given to the welfare and safety of children. We did start to see that shift driven by - we saw that shift in the department from the early 2000s. We saw the broader introduction of what I might call a reporting culture and an awareness of the importance of  
35 identifying and reporting on child abuse through reforms such as mandatory reporting - teaching service staff were prescribed as part of that scheme in around 2006, I think. We saw the development of much stronger policy around the obligations of teaching service staff in identifying and responding to alleged sexual abuse and the reporting of that. And we have seen, since 2013, a much  
40 stronger set of interlocking and reinforcing measures that are in place across the school system to ensure that.

**CHAIRPERSON:** Ms Atta, just drawing on a couple of the things that you said. One of the things that was striking from the evidence we heard yesterday in  
45 relation to the MacGregor case was that when one looked at the way the community was responding to him still being - teaching in a school, letters being written, the school and the department being aware of community sentiment, people didn't want him there, and yet the department is taking steps to allow him

to remain within the system. There seems to be a disconnect between what the community is expecting and what the department was doing, which is, again, quite striking because we've heard evidence from experts recently about change in community attitudes about these things, but what we actually saw in the  
5 MacGregor case is the department really falling behind what the community was expecting.

**MS ATTA:** I completely agree. And this is moving into the 1980s, where we really seeing a shift in community understanding and attitudes and expectations.  
10 So, again, it is very hard to understand how a Department of Education, whose whole purpose is the care, supervision and education of children, could be impervious to that.

**CHAIRPERSON:** And one thing I think you mentioned, and I believe Dr Howes might have mentioned it too, is the protection, I suppose, of the reputation and the institution and prioritising that over the safety of children. That's one way to explain it?  
15

**MS ATTA:** Yes. But it is very - that's one way to explain it. It's difficult to understand why that posture, if you like, and attitude within the department wasn't disrupted earlier during this period.  
20

**MS RYAN:** One of the other failures noted by Dr Howes was a - an absence of any policy about record-keeping regarding allegations in terms of child sexual abuse. Are you able to tell the Board - you have touched on this already, but just tell the Board how records of allegations and incidents of child sexual abuse are kept now and how that really supports the department in terms of protecting children?  
25

**MS ATTA:** Yes, and, again, you know, as I think Dr Howes spoke to just the inability of the department to recover or find evidence of - of documentation and records that we might reasonably expect to see goes to this point around an absence of appropriate record-keeping in the past. Certainly, all records relating to the matters that we're talking about now are retained - are created, stored and  
30 retained by the department, consistent with the requirements of the Public Records Office Victoria. And, as I understand, in line with various legislative requirements, there are now different classes of records that are kept for different periods of time. But I understand 75 years for some classes, 99 years for others. But that is a very important focus on our work now: One, ensuring that we've got proper  
35 documentation, for instance, of misconduct processes, of investigations, but, two, absolutely compliant with those requirements around the management of records and their retention.  
40

**MS RYAN:** One of the matters that victims - some victim-survivors have stressed as very important to them is this idea of transparency. Are you able to tell the Board what the department does now to ensure that records are released to victim-survivors when they request them?  
45

**MS ATTA:** I'm not sure that I can speak to a level of detail on that. We're certainly aware, both through participation in the direct personal response process through redress, through working with victim-survivors when civil claims are  
5 bought and working through apologies, et cetera, my understanding is that the department is as responsive as we are able to be around records that can be released or provided, and, obviously, there are sometimes privacy and legal issues to work through. I can't say much more than that on - I'm just not across that level of detail sufficiently.

10

**CHAIRPERSON:** I should say it's certainly something that we've heard a lot about from victim-survivors, a concern about difficulty accessing information, but, broader than that - and I think it ties into the questions that we were asking a little earlier about whether the department had undertaken a broader review to  
15 understand the extent of the abuse that occurred - what we have heard from victim-survivors is if we don't know the full scope of what happened and why, it's very hard to have meaningful healing. And so I'm sure you would understand that, for an individual victim-survivor who might be seeking information about their own case, that's one thing, but, really, what we're hearing from victim-survivors is there's a broader story here, which is has the department taken steps to really  
20 understand itself, so that we, as individual victim-survivors, can understand our place in this broader context. So I suppose understanding transparency and accountability through that lens - and as I understood your evidence earlier and Dr Howes yesterday, that the department really hasn't taken that step yet to  
25 undertake that broader review of what happened and why.

**MS ATTA:** Yes, that's right. We haven't. Our focus has been on responding thoroughly and completely to individual claims as they come forward. And this - and we have had a number of discussions about this internally. It is a complex  
30 matter with a number of sensitivities, including in relation to how the department, as the institution responsible for the abuse ultimately, can reach back or should reach back and reach out to individuals who haven't come forward. We are conscious of advice, for instance, through the Royal Commission into Institutional Child Abuse around the importance of a victim-survivor led process with regard to  
35 engagement and re-engagement and that that should occur if - and then to the extent that a victim-survivor wants that to occur. So we have been very cautious about unilateral reaching out to individuals.

**CHAIRPERSON:** Just to be clear, I'm not referring to reaching out to individuals,  
40 but what we have heard is, for victim-survivors to understand that the department has - once it becomes aware, for example, of someone like MacGregor, someone who was convicted of sex abuse in relation to children who had a long history in the department, victim-survivors saying, "Why hasn't the department done its own work to understand the extent of that abuse?" or what was known at the time? Did  
45 parents raise concerns? What was done? So that there is an ability to properly account and be transparent about what happened. That's really - that's really the concerns that we've heard. And I'm sure you would understand that that is very

relevant to healing, because if there's not an understanding of what happened, it's hard for people to properly heal.

5 **MS ATTA:** I completely accept that and agree, and it is an area where we are genuinely open to considering and getting further guidance on what that can best look like. For instance, and taking your point about the importance of healing, in our more recent practice of working through apologies with victim-survivors, we understand the importance of consulting with them on what - how that apology should be constructed, what they would like included in it, and - and in some  
10 cases, and this does vary considerably in some cases, a victim-survivor might wish for as much detail as we can provide to be set out as part of that acknowledgement. I do think this is an area that - where there is room for the department to learn more about what this could best look like, even without reaching out to our victim-survivors who haven't come forward. I think sometimes  
15 there is - there are matters around privacy or legal privilege of information that we have, matters that have the potential to disrupt police investigations that are still underfoot. So I do think there is a complexity there. I completely understand the call for victim-survivors for more transparency and why that is important to them. And the department is genuinely open to how we might better do that.

20

**CHAIRPERSON:** Thank you.

**MS RYAN:** Ms Atta, just a question about a - I suppose a function of district inspectors who were operating until 1983. Parts of this inquiry - parts of the  
25 evidence in the inquiry, district inspectors have loomed large in terms of their function to respond to allegations of child sexual abuse at the time. Are you able to shed any light on how district inspectors were assessed in their performance of their duties?

30 **MS ATTA:** No, I'm not really able to shed any light on that.

**MS RYAN:** I should say Dr Howes wasn't either. I just - I suppose you're then also unable to tell the Board whether the district inspectors were able to transfer teachers beyond their own area, or just within it?

35

**MS ATTA:** Yes. I'm - I'm not - I'm not certain. They seem to have a good deal of autonomy and discretion, but I don't understand whether it was constrained to a particular area.

40 **MS RYAN:** Now, Secretary Atta, in your statement in paragraph 36, you speak there about your own reflections on how best the department can provide acknowledgements and recognitions for survivors of abuse. In terms of the position of the department now, and reflecting about what occurred during the relevant period and the failures, I just invite you to make any further comments  
45 you wish to make, taking up your - taking up your description of reflecting on these matters.

**MS ATTA:** Yes. And it was a very important opportunity for me to hear directly from victim-survivors. It - they were very important insights for me to hear directly, issues that I was aware of certainly in the broad and in hearing perspectives from victim-survivors secondhand, if you like, but it was really very powerful and very helpful, as Secretary of the department, to have that opportunity to hear directly. And I did very much take on Board the discussion and the feedback about the importance of apology and acknowledgement and the importance of - of healing and how those things can contribute to that. My - following that meeting, the issue I reflected on most immediately was that it would be very important that there be a public apology on behalf of the department and an acknowledgement of the extraordinary failures at that time and in relation to historical child sexual abuse, and so I was really turning my mind to the form that that might take and the timing of that, it being a very significant step and wanting to ensure that there was an appropriate forum, we could reach as many people as possible. Not too long after that meeting, the government did move to announce the establishment of this inquiry, and I considered that it would be important to seek to make that apology on behalf of the department, that formal apology, as part of this inquiry. And so that is a first step, if you like. The other discussions that we have had internally and turned our mind to are around what further steps we could take in terms of acknowledgement, we understand and I have heard the - the calls for memorials, for instance. I'm also conscious that that is something that there will be some consideration of as part of this inquiry. We have commenced work to look at what has been in place elsewhere, what way could we think about that, but we're very interested as well in the guidance that might come through this inquiry and the further victim-survivor perspectives that would come forward as part of this inquiry on that. The department - if there's one thing I really took away from that meeting, it just reinforced to me the very important and significant role the department has as the institution responsible for what took place. So I very much want us to move forward by looking at what other ways that we can formally acknowledge what happened and commemorate the bravery of victim-survivors and their advocates who have brought these issues forward.

**MS RYAN:** Chair, I have no further questions for Secretary Atta.

**CHAIRPERSON:** Ms Atta, thank you very much for the time that you've given to us. It's significant for the inquiry to hear from you, given your role, and I've heard what you've had to say about the department's openness to the recommendations that we will make. So thank you for your time. We will take a half an hour break, and then we will resume at 12 o'clock.

**MS ATTA:** Thank you.

**<THE WITNESS WAS RELEASED**

**<THE HEARING ADJOURNED AT 11.32 AM**

**<THE HEARING RESUMED AT 12.02 PM**

**CHAIRPERSON:** Thank you, Ms Ryan.

5 **MS RYAN:** This week, as with all of our hearings, we wanted to ensure that the experiences of victim-survivors continued to inform the questions we are seeking to answer and the issues we are seeking to explore.

10 Ms Stowell shared the experiences of four victim-survivors: 'Hank', 'Samuel', Grant and earlier today those of 'Christie'. These experiences spoke to the nature of the child sexual abuse they experienced at Beaumaris Primary School and elsewhere, including that it was perpetrated not just at the school but also at camp or in a teacher's house. These victim-survivors also spoke of their experiences engaging with the Department of Education and their views on apologies. They also told us about what they had - they had found useful in living with their trauma and things this Board of Inquiry could consider in relation to healing.

20 We also heard from Professor Patrick O'Leary, an expert witness, who explored the findings of research on perpetrator behaviours, including grooming. Professor O'Leary told us the concept of grooming relates to a perpetrator's preoccupation with creating credibility and trust, both with individual victim-survivors and their wider community. Tactics of control and influence over the children and the family are often used. In a school, this credibility and trust can be established through the perpetrator's work and undertaking responsibilities that affords them a living level of authority and influence, such as services to the school community.

25 At an institutional level, this credibility creates a sense of goodwill amongst the community towards the perpetrator. And he also told us that tactics of building credibility and trust effectively facilitate the perpetrator's offending behaviour in a multiple of - in multiple ways. Grooming enables access to children, provides protection if allegations are raised and provides an impediment to disclosure.

30 Professor O'Leary also briefly spoke to support services, and he noted gaps in support services for adult victims of child sex abuse, and he noted that they are historical and complex and the fact that the genesis of these support services was through the women's movement has resulted in a lack of specialised services for men managing their experiences of child sexual abuse.

40 For the rest of the week, we examined two senior representatives from the Department of Education, Dr David Howes, the Deputy Secretary, Schools and Regional Services, and Ms Jenny Atta, the Secretary of the Department of Education. Deputy Secretary Howes gave evidence over two days in which he was asked questions about, one, the Department of Education regulatory frameworks that applied during the relevant period of 1960 to 1999, including whether there were department policies and practices in relation to child sexual abuse; two, the role of District Inspectors and the way in which the transfer of teachers between schools for disciplinary and non-disciplinary processes occurred and might be relevant to teachers alleged to have perpetrated child sexual abuse; three, the

nature of the information and records the Department of Education has been able to find about allegations and incidents of child sexual abuse and when and how the department began to investigate these matters; and four, the Department of Education's response to the abuse perpetrated by the relevant employees we  
5 considered in more detail, namely, Stan, Wyatt, Grahame Steele and David MacGregor, including the department's knowledge and actions it took or failed to take at or around the time of the abuse.

10 Dr Howes, on behalf of the department, was only able to share limited information about the abuse and limited information about the policies and practices which might have existed to manage allegations of child sexual abuse at the relevant time. It is fair to say that what information is available suggests that the department and its officers failed to take a range of action, including conducting  
15 investigations into alleged abuse and actively seeking to manage ongoing risks to child safety. Indeed, it would be fair to say that there appears to have been a culture of overlooking the risk and impacts of child sexual abuse and preferencing the reputation of the system, schools and teachers and their ongoing employment over the safety and wellbeing of children.

20 This was despite children, parents and teachers and others making allegations or reporting abuse perpetrated by the relevant employees and despite at least one District Inspector, a principal and teachers knowing about these allegations and reports at the time of the abuse. It appears that no reassurance or support was  
25 provided to any of the children, parents or staff members who reported allegations of abuse. In some cases, reports of child sexual abuse were rebuffed.

In combination, this inaction may be seen as indicating a lack of understanding of the impacts of child sexual abuse and an unwillingness at or around the time of the abuse to change and improve policy and practice. Dr Howes described the lack of  
30 action in one case as a dreadful failure, and in another case referred to the failures by the education system as devastating. He pejoratively described actions taken by a principal as extraordinary and bizarre. He acknowledged repeated failures by the department and the way in which risks to child safety had not been managed as  
35 distressing.

Dr Howes also acknowledged the efforts by one principal and of many children and their parents in seeking to manage the risks of child sexual abuse presented by these relevant employees. Dr Howes expressed his deepest regret and apologised  
40 for the failure to protect children. He offered a commitment to those - that those who, like him, are current officeholders would do everything they can to make sure that these things do not happen again. We appreciate Dr Howes giving candid evidence and offering his reflections.

Secretary Atta acknowledged the extraordinary failures of the Department of  
45 Education during the relevant period, which were stated to include a lack of policies and procedures relating to identifying, preventing and responding to child sexual abuse; a lack of training of teachers to recognise the signs and symptoms of



child sexual abuse; a lack of use of mechanisms to remove teachers against whom allegations of child sexual abuse were made. The Secretary, on behalf of the department, offered a formal apology for its failures and also a commitment to action and follow-through in response.

5

The Secretary outlined the ways in which the Department of Education had sought to understand this child sexual abuse, as well as seek to be informed by the perspectives of victim-survivors in responding to it. The Secretary outlined current approaches to preventing and managing the risk of child sexual abuse which reflected a shift in the prioritisation of the safety and wellbeing of children. These changes include vetting and training of staff for these purposes, mandatory reporting of and mechanisms for investigating allegations of child sexual abuse and automatic termination of staff who are the subject of criminal convictions in this space.

10  
15

The Secretary was asked about opportunities for the department to be more transparent and share relevant information about aspects of child sexual abuse with victim-survivors, as this might be relevant to the process of pursuing healing. The Secretary referred to privacy and legal complexity, but acknowledged this was an area in which the department could reflect on how it might do more and do better. The Secretary advised that the department has commenced work on considering memorialisation of the experiences of victim-survivors, guided by the work of this Board of Inquiry.

20

25

Chair, as we outlined at the start of the hearings this week, the Board of Inquiry has much information now available to it. It will not be possible for the public hearings to explore all of this information, including because some of this information may prejudice criminal and civil proceedings. The Board of Inquiry will, of course, continue to carefully consider all the information it has received as it continues its inquiry and prepares its report.

30

The Board of Inquiry acknowledges that the evidence we have heard this week about the department's responses and its action and inaction between 1960 all the way up to the 1990s has been distressing. We recognise that it has had a significant impact on victim-survivors, their families, friends and supporters and the communities affected by this inquiry. We encourage all those who have attended these hearings and who have watched and read about the hearings this week to take care of themselves. Seek help if you need to do so. The Board of Inquiry's website has information on relevant organisations that may be able to assist.

35  
40

Chair, our hearings will resume next Thursday and Friday as we explore the topics of support services and opportunities for hope and healing. Thank you.

45

**CHAIRPERSON:** Thank you, Ms Ryan. I agree that the evidence that we've heard this week has been very important to understanding what has occurred and why. I also acknowledge that the evidence that we've heard this week has been

very hard to hear. Some of it has been disturbing, difficult to comprehend and, ultimately, very sad.

5 As you've said, the inquiry's work in relation to accountability doesn't end with this public hearing. We have many more documents we're reviewing and we have more victim-survivors that we'll be hearing from in private sessions. I wish to pay a special thanks to everyone who has participated in the hearings this week and, in particular, the victim-survivors who have contributed to the work that we've done this week. We will now adjourn the hearing and we will be back next week for support services and healing.

10

**<THE HEARING ADJOURNED AT 12.15 PM TO THURSDAY, 23  
NOVEMBER 2023**