

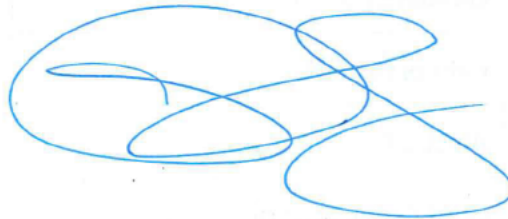
## Caveat Brief

**To:** Minister for Education and Early Childhood Development  
**From:** Deb Efthymiades, DDG System Policy and Reform  
**Subject:** AFP investigating an Early Childhood Teacher  
**Date:** 12 August 2020



That you note the response of the Education Directorate and the Children's Education and Care Assurance (CECA) to information received from the Australian Federal Police (AFP).

**Noted / Please discuss**



Yvette Berry MLA *13/08/20*

- On the morning of 12 August 2020, Children's Education and Care Assurance (CECA) received information from the AFP, referred by CYPS, regarding [REDACTED] who recently worked at a long day care service in the ACT.
- The information from the AFP included:
  - a possible charge of using a carriage service to threaten to stab a 13-year-old (NSW resident) girl in the back
  - Seizure of [REDACTED] mobile phone which contained images of young children (The images were not sexual in nature and contained no nudity)
  - [REDACTED] phone also revealed that he consistently sends messages to random people on Instagram and other social media asking if they know paralysed people. [REDACTED] becomes angry and threatening when he doesn't receive an answer he likes.
  - Other conduct involving paraphilia not specific to children.
  - The individual has conceded his behaviour, his belief he is unwell and that he has a paraphilia.
  - The investigation did not find evidence of child abuse material or grooming etc.
  - Police are likely to lay one charge against the individual but not arrest him. It is likely AFP will charge him in the ACT as the conduct occurred in the ACT.
- CECA records indicated [REDACTED] previously worked as an early childhood teacher at Springbank Rise by Busy Bees, an approved early education and care Service in the ACT. [REDACTED] resigned from Busy Bees on 21 July 2020.

- [REDACTED] had registered as a casual teacher with the Education Directorate on 27 January 2020. He has been engaged in casual work with the Education Directorate at five different schools between 21 July 2020 and 12 August 2020. He was not employed in this capacity prior to 21 July 2020. A full list of casual teaching engagements is provided at Table 1.
- On the final day at Palmerston Primary\* (3 August) it is alleged he left the class unattended and left the school grounds without notifying anyone. This behaviour was described as atypical and these atypical behaviours appeared have escalated during the period he was employed at Palmerston Primary (28 July – 3 August).

**Table 1 : Casual Relief Days**

Date	School
21 July	Giralang PS
22 July	Palmerston PS
24 July	Ainslie PS
27 July	Gold Creek School
28 July	Palmerston PS
29 July	Palmerston PS
30 July	Palmerston PS
31 July	Palmerston PS
3 August	Palmerston PS*
6 August	Giralang PS
7 August	Southern Cross ECS
10 August	Southern Cross ECS
11 August	Gold Creek School
12 August	Gold Creek School
13 August	Taylor PS**

- The Directorate has taken all possible action as quickly as possible under relevant legislation, regulation and policy to ensure the safety of children.
- On the afternoon of 12 August 2020, CECA's Triage Committee determined that consistent with relevant sections of Education and Care Services National Law (ACT), [REDACTED] presents an unacceptable risk to children and that it was necessary in the interests of children's safety to issue a notice prohibiting

██████████ from working in the education and care sector (Section 282) with immediate effect (Section 183(2)).

- The prohibition notice was made and issued via email to ██████████ at approximately 6pm on the evening of 12 August 2020.
- In relation to ██████████ casual employment registration with the Education Directorate, ██████████ will be notified via formal letter dated 13 August 2020 that his casual employment registration with the Directorate is suspended with immediate effect until the Directorate completes appropriate enquiries. This decision has been made under Section H8 of the *ACT Public Sector Education Directorate (Teaching Staff) Enterprise Agreement 2018-22* due to the unacceptable risk to young and vulnerable persons that ██████████ may present if he were to continue working as a casual teacher. This will ideally be delivered in person, failing that it will be delivered by email and via registered post with a courier on 13 August 2020.
- Access Canberra (Working with Vulnerable People Registration regulator) have advised the Directorate that a notice of proposed suspension has been issued to ██████████ ██████████ has 10 working days to respond and in the interim will retain a current WWVP registration.
- Formal notification to the Teacher Quality Institute will be completed by 10am on 13 August 2020 under section 70B (notification of suspension of casual registration) of the *ACT Teacher Quality Institute Act 2010*. The A/CEO of TQI was advised at 4pm on 12 August that there would be an urgent section 70B for their immediate attention first thing on 13 August.
- A reportable conduct notification will be made by 14 August 2020 to the ACT Ombudsman's office in accordance with the Directorate's obligations under section 17G of the ACT Ombudsman Act 1989.
- The Directorate will enact a request for information sharing under Section 863b of the *Children and Young People Act 2008* to obtain further information from relevant entities.
- In addition to the actions outlined above, given the nature of the circumstances and the police report, Senior Director People and Performance has attempted to contact ██████████ by phone and text to undertake a wellbeing check and to invite him to meet with the Directorate.
- As contact has so far been unsuccessful, the Senior Director People and Performance will attend Taylor Primary\*\* (where ██████████ had been booked to fulfil casual relief) before the school day commences on 13 August 2020. If ██████████ does arrive at Taylor Primary, this would provide an opportunity to undertake the wellbeing check and provide the suspension of casual registration correspondence noted above.
- Taylor Primary have been advised of ██████████ unavailability so they could make alternate arrangements for casual relief on 13 August.
- Updates on the situation will be provided as soon as available.

Signatory Name: Deb Efthymiades

Title Deputy Director General, SPR

Date

12 August 2020