

Caveat Brief

To: Minister for Early Childhood Development

Subject: CECA — Allegations of sexual misconduct by an educator at St Nicholas Greek - Australian Preschool and Childcare Centre

Date: 7 December 2023

Noted / Please Discuss

Yvette Berry MLA/...../.....

Summary

On 9 November 2023, the Authority received an information sharing email from Child and Youth Protection Services (CYPS) under the powers of the *Children and Young People Act 2008*. The information related to a child disclosure on 2 August 2023 of an educator touching the child's genitals.

On 15 November 2023, the Authority contacted the approved provider requesting information relating to the information share, requesting all information relating to the CYPS notification be provided. This information was provided to the Authority via email on 15 November 2023.

The Authority conferred with ACT Policing's SACAT team, CYPS and Access Canberra's Working with Vulnerable People team.

ACT Policing advised that the parents of the child had made allegations about the issue. ACT Policing advised that they were no longer investigating the matter as the parents had withdrawn their complaint.

Examining the history of the educator and service in question, CECA found that the same educator was the subject of a complaint about the same conduct in 2017. CECA shared this information with ACT Policing and asked ACT Policing to confirm if they were, or were not, investigating the individual.

ACT Policing confirmed they are not investigating the individual.

Consequently, CECA has commenced an investigation into both complaints relating to the same educator.

Issues

ACT Policing investigated the 2017 complaint which resulted in no findings. CECA has no evidence from ACT Policing on the matter.

The educator in question was dismissed from the Service on the basis that the educator had accessed private information relating to families enrolled at the service. The dismissal summary provided to CECA is concerning given the suggested extent of the access to private information.

The two allegations in conjunction with the alleged access to private information is concerning, particularly if the person intended to groom adults and children.

Under the National Law, regulatory authorities have the power to prohibit individuals if the individual is a risk to children. The goal of the investigation will be to establish if there is probative evidence of grooming and/or harming children.

Next steps

CECA is undertaking an investigation.

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Date 7 December 2023