

Caveat Brief

To: Minister for Education and Early Childhood Development
From: Deb Efthymiades, DDG System Policy and Reform
Subject: Prohibition of Early Childhood Teacher / Suspension of casual teaching registration
Date: 20 August 2020

That you note the updated information in relation to the prohibition of [REDACTED] in response to information received from the Australian Federal Police (AFP).

Noted / Please discuss

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

- Further to the initial caveat brief provided on 13 August 2020 and updated on 14 August 2020 (MIN20/1266).
- On the evening of 12 August 2020 [REDACTED] was issued with a Prohibition Notice under s 186 of the *Education and Care Services National Law (ACT)* (National Law). That prevents [REDACTED] from working with, or being with, children in early childhood services.
- On 17 August 2020 [REDACTED] wrote to CECA in response to the Prohibition Notice issued by CECA. On 18 August 2020 [REDACTED] confirmed this to be an application to cancel the Prohibition Notice under s 186 of the National Law.
- Requests for further information under the provisions for sharing Reportable Conduct information, as authorised by section 863B of the *Children and Young People Act 2008* were issued:
 - To ACT Policing on 18 August 2020, which is being actioned by the relevant section;
 - To Commissioner for Fair Trading - Access Canberra (re WWVP registration) on 19 August 2020.
 - To Child Protection Services 20 August 2020
- CECA is in regular contact with the ACT Police Detective Sergeant to whom carriage of the investigation has been transferred to obtain an update.
- CECA received notification on 20 August 2020 that [REDACTED] has been formally charged under section 474.14 of the *Commonwealth Criminal Code Act 1995* for “using a [telecommunications] carriage service to make a threat”. The first court hearing on the charge is scheduled for 11 September 2020.

- Witness statements will be requested from staff nominated by [REDACTED] (in his application for cancellation of the prohibition notice) at both Giralang Primary School and Palmerston Primary Schools.
- CECA has requested witness statements from staff at Palmerston Primary School which have been scheduled for 25 August 2020 in collaboration with People and Performance.
- Information from ACT Police, Commissioner for Fair Trading and evidence from witnesses will be relevant in determining the section 186 application.
- A number of ACT Independent Schools have contacted Senior Director People and Performance in response to the information sharing (under Reportable Conduct) of this matter that was completed on 14 August 2020. All schools that have made contact have confirmed [REDACTED] was not and has never been an employee of their school.

Signatory Name: Deb Efthymiades

Title Deputy Director General, SPR

Ph 59171

Date 20 August 2020