
BUDGET ESTIMATES BRIEF

INQUIRY INTO THE EDUCATION DEPARTMENT'S RESPONSE TO CHILD SEXUAL ABUSE

KEY MESSAGES

- On 27 August 2020, the Tasmanian Government announced an independent inquiry into the systems (including legislation, policies, practices and procedures) of the Department of Education in relation to the risk of child sexual abuse as a result of the child's attendance as a student at a Tasmanian Government School.
- The Inquiry, which is led by two highly respected international experts Professor Stephen Smallbone and Professor Tim McCormack, will examine whether both past systems and current legislation, policies, practices and procedures are operating in a way that addresses the risk of child sexual abuse occurring in Tasmanian Government Schools.
- The Inquiry will take into account the reforms already undertaken within the Department and the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse that have already been agreed to by the Tasmanian Government.
- A Report will be publicly released at the end of the Inquiry, including findings and recommendations.
- The Inquiry welcomes the views of any interested parties, including survivors, and invites public submissions. Submissions can be made to the Inquiry in a variety of ways and support to make a submission can be provided.
- The Inquiry represents part of the Tasmanian Government's ongoing commitment to ensuring that all children and young people in our schools are safe and supported to reach their full potential.

KEY FIGURES

- The financial impact of the Inquiry will be met by the Department of Education.





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BACKGROUND:

- In recent years, there have been a number of high-profile criminal prosecutions involving former employees of the Department of Education in Tasmanian Government schools.  S.27



- These matters were the subject of active criminal prosecutions during the life of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) and as such, were not the subject of a Royal Commission hearing, or investigation. This means that the Royal Commission did not make any findings or recommendations specific to the circumstances of these cases.
- During the life of the Royal Commission, the Department of Education contributed to responses to requests for information and submissions to issues papers. These responses related to the policy issues and not specific individual cases or perpetrators. The Royal Commission did not investigate, conduct any public hearings, and make findings or specific recommendations in relation to, the Department of Education or any other Tasmanian Government Department.
- The Royal Commission's Final Report includes an in-depth analysis into the failings of institutions to protect children from sexual abuse. In response, the Royal Commission made a number of recommendations that addressed the issue of 'best practice' within institutions to prevent abuse or, at the very least, identify it as early as possible.
- On 20 June 2018, the Tasmanian Government tabled its response to the Royal Commission's Final Report accepting or accepting in principle, 281 recommendations, the implementation of 26 recommendations are specific to, and the responsibility of the Department of Education.
- The recent finalisation of the criminal prosecutions of these high-profile cases has been widely publicised and has resulted in calls for an inquiry into the Department of Education. Specifically, whether the Department had a role in facilitating the repeated offending of these convicted child sexual abuse offenders.



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- On 20 May 2020, Minister Rockliff recognised the community concern arising from the convictions of these former Department of Education employees. Minister Rockliff indicated that he would explore options that may assist people affected to achieve closure and invited those aware of historical child sexual abuse cases arising in an educational context to come forward so those cases can be investigated.



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- On 27 August 2020, the Minister for Education and Training publicly announced the Inquiry into the Education Department's responses to child sexual abuse.

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- The Inquiry will also look at whether the current policies, practices and procedures utilised by the Department of Education and/or Tasmanian Government Schools support and encourage the reporting and investigation of, or response to, suspected child sexual abuse.

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BUDGET ESTIMATES BRIEF

INQUIRY INTO THE TASMANIAN HEALTH SERVICES RESPONSE TO CHILD SEXUAL ABUSE

KEY MESSAGES

- On 22 October 2020, the Tasmanian Government announced the establishment of an independent investigation into the circumstances of a deceased former employee of the Launceston General Hospital, in relation to child sexual abuse allegations.
- The investigation will examine the systems (including legislation, policies, practices and procedures) of the Tasmanian Health Service, Department of Health and other relevant Government Agencies in relation to the management of historical allegations of child sexual abuse.
- The investigation will take into account the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse already agreed to by the Tasmanian Government and the work of the Inquiry into the Education Department's Responses to Child Sexual Abuse.
- Ms Maree Norton be appointed as independent investigator to conduct the investigation. Ms Norton is a barrister, who attained her undergraduate qualifications in law at the University of Tasmania.
- Ms Norton will be provided administrative support by the Department of Justice.
- A Report will be publicly released at the end of the investigation including findings and recommendations.
- The investigation welcomes the views of any interested parties, including survivors, and invites public submissions. Submissions can be made to the investigation in a variety of ways and support to make a submission can be provided.

KEY FIGURES

- The financial impact of the investigation will be met by the Department of Health.

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BACKGROUND:

- On 22 October 2020, the Tasmanian Government announced the establishment of an independent investigation into the circumstances of a deceased former employee of the Launceston General Hospital, in relation to child sexual abuse allegations.
- The investigation will examine the systems (including legislation, policies, practices and procedures) of the Tasmanian Health Service, Department of Health and other relevant Government Agencies in relation to the management of historical allegations of child sexual abuse.
- The investigation has been announced in response to revelations in that a former, and now deceased, nurse – Mr James Geoffrey Griffin - at the Launceston General Hospital (LGH), had been the subject of a Tasmania Police investigation, in which charges related to child sexual abuse were laid – dating back to 1987 and relating to children as young as 11 years old. Mr Griffin was found unresponsive in his Legana home on 14 October 2019 and died 4 days later in hospital.
- His Honour Magistrate Simon Cooper released his coronial findings in respect of Mr Griffin on 18 May 2020. Magistrate Cooper found that... “Mr Griffin’s death was mixed prescription drug intoxication which caused hypoxia. I am satisfied that there are no suspicious circumstances surrounding Mr Griffin’s death and that when he took the drugs which caused his death he did so with the express intention of ending his own life, voluntarily and alone. No doubt the charges he was facing at the time of his death motivated his action.”
- Following media reports of the allegations against Mr Griffin, the Department of Health commenced an internal review of its policies and procedures relating to abuse. The Tasmanian Government, subsequently announced in late October 2020 that further information regarding Mr Griffin had “come to light”, prompting the Government to announce an independent investigation.

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- Ms Camille Bianchi, a freelance journalist, has published a podcast entitled “The Nurse”. The Nurse is a ‘true crime’ story of Mr Griffin’s conduct. Episodes are currently released weekly. S.27
- The Terms of Reference for the investigation have been settled with the Head of the State Service, the Solicitor-General and the Secretary of the Department of Justice. The Terms of Reference include a forensic and systemic investigation of the circumstances of Mr Griffin’s offending and management of child sexual abuse claims by the Tasmanian Health Service.
- Ms Maree Norton be appointed as independent investigator to conduct the investigation. Ms Norton is a barrister, who attained her undergraduate qualifications in law at the University of Tasmania.
- Ms Norton has extensive experience in administrative and public law, personal injuries and tort, commercial and employment law and has recently appeared in Royal Commissions and Inquiries, including the Royal Commission into Aged Care Quality and Safety and the Royal Commission into the Banking, Superannuation and Financial Services Industry. Ms Norton has additionally

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been appointed as 'independent counsel' for the review of former Vice Chancellor Peter Rathjen at the University of Tasmania.

- Prior to commencing at the Bar, Ms Norton completed a Master of Law degree at the University of Cambridge, on a scholarship from the Cambridge Trusts. Maree was awarded First Class Honours in both International Commercial Litigation and Jurisprudence. Ms Norton also has a First Class Honours undergraduate degree in law from the University of Tasmania.
- Ms Norton has had an opportunity to provide input on the proposed Terms of Reference. s.27



- Costs for the review will be met by the Department of Health.
- As requested, the Department of Justice will provide administrative support for the conduct of the investigation.

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