

DISABILITY SERVICES COMMISSION — SEXUAL ASSAULT AT RESPITE FACILITY

**662. Hon SUE ELLERY to the Minister for Disability Services:**

I refer to the critical incident analysis report into the sexual assault incident at a respite facility funded by the Disability Services Commission on 14 August 2010, a copy of which was provided to the commission.

- (1) Has the minister read the report; and, if not, why not?
- (2) Is the minister satisfied with the decision not to supply the mother of the young woman assaulted with even the extracts of the report that relate the matter she reported?

**Hon SIMON O'BRIEN replied:**

I thank the member for her concern in this matter.

- (1)–(2) The review that I referred to in an answer I gave to her question on, I think, 8 September was an independent critical incident analysis commissioned by two non-government organisations directly involved in the circumstances surrounding an incident that allegedly occurred at a respite facility on 14 August 2010. That independent critical incident analysis was undertaken by Chris Roberts, the principal of C.R. Roberts Health, on behalf of those two non-government organisations. It relates to an alleged incident. One of the matters that flow from that will be that the alleged perpetrator will be appearing in court, I think, on 17 September, which is this Friday.

In relation to the question about where the report has gone, a copy of the report has been provided, as I understand, to the Disability Services Commission. It has been done as a courtesy, because the report was commissioned by two funded agencies that the Disability Services Commission has contracts with, but it was provided in certain circumstances. The report has not been read by me and not been provided to me. The ownership of the report is with C.R. Roberts Health and the two organisations that commissioned the report. The Disability Services Commission is not at liberty to distribute information from the report in whole or in part for two principal reasons: first, Mr Roberts carried out his review and obtained the cooperation and assistance of people from whom he sought information, partly through the guarantee of complete confidentiality as to whatever they discussed with him in his pursuit of his review of the systems that operated in those two organisations. It would therefore be a grave breach of confidence for the Disability Services Commission to now release that information. The second reason is that the police themselves are pursuing matters through the courts, where a charge will again return to court in relation to this matter on Friday. That is another reason that the commission certainly has no role, as indeed arguably do others involved, in making this report public. If the honourable member wishes to ask further questions today or elsewhere, that is fine. I am prepared to offer her, on behalf of the Disability Services Commission, a full, confidential briefing about the circumstances, which may assist her in making sure that the Disability Services Commission, amongst others, has discharged its responsibilities in this matter faithfully and competently.