

Investigation regarding the alleged inappropriate conduct of Mr Doyle - Executive summary of the Final Report

Mr Charles Scerri QC presented his final report for the investigation on 20 April 2018. His findings are set out in summary below.

1 Allegations

- 1.1 The conduct alleged by the Complainant (if established) would reflect badly on Mr Doyle, and Melbourne Health. The alleged conduct varies in degree of seriousness. Some of the alleged conduct, particularly touching the Complainant's inner thigh, would constitute serious misconduct of a sexual nature within the terms of reference.
- 1.2 Mr Scerri has no reason to doubt, and at present does not doubt, the veracity of the Complainant.
- 1.3 However, because of ill health, Mr Doyle has been unable to respond to the allegations.
- 1.4 In the absence of any response from Mr Doyle, Mr Scerri is not able to reach, and has not reached, any conclusions about the allegations.

2 Handling of the allegations by Melbourne Health

- 2.1 The allegations were brought to the attention of Melbourne Health in late December 2017 following publicity about allegations concerning Mr Doyle in his capacity as Lord Mayor of Melbourne.
- 2.2 At that time, Melbourne Health had in place formal policies and procedures for handling such complaints. The availability of these policies and procedures was not drawn to the attention of the Complainant. This was because the relevant officers of Melbourne Health were not aware until late on 16 January 2018 that the Complainant (who had already made a complaint to the Melbourne City Council investigation being conducted by Dr Ian Freckelton QC) wished to make a complaint to Melbourne Health. The Secretary of the Department of Health and Human Services appointed Mr Scerri to conduct an investigation on 17 January 2018.
- 2.3 Mr Scerri QC has concluded that, in all the circumstances, Melbourne Health did respond to the complaint appropriately. Of particular importance was Melbourne Health's understanding until late on 16 January 2018 that the Complainant did not want to make a formal complaint to Melbourne Health, the fact that the Complainant had made a complaint to Dr Freckelton, and Mr Scerri's appointment by the Secretary to investigate the matter.