

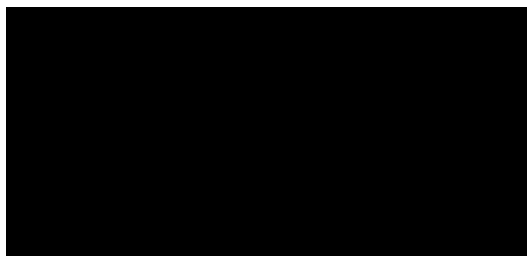
**SUBMISSION INTO THE INQUIRY INTO THE HANDLING OF CHILD ABUSE
BY RELIGIOUS AND OTHER ORGANISATION**

Written by: Philip Nagle



My name is Philip Francis Nagle and I would like to make a submission into the inquiry regarding the sexual abuse I experienced as a child by Brother Stephen Francis Farrell while I was attending St Alipius primary school, Ballarat.

In order to provide some background information to the abuse I experienced I am submitting a copy of the police statement that I made on 2/8/1996. This statement outlines the sexual assault perpetrated against me by Brother Stephen Farrell. At that time I reported four specific incidents where Brother Farrell sexually assaulted me, when I was nine years of age. This was later found proven in court after he pleaded guilty. There were many other incidents when he sexually assaulted me, but these were the ones that were taken to court. In a letter that my brother had written about this he said "it was very difficult and traumatic to remember these events of 25 years ago, but a specific day of abuse was nigh impossible, so it was that I was only able to remember accurately the times that the abuse changed (got worse or the location changed)".



22/8/2012.

PART 1. THE ABUSE

When I was sexually abused in 1974 by Christian Brother Stephen Francis Farrell at St Alipius in grade five at the age of nine, I was not sure what was actually happening. I was extremely scared and frightened by what he was doing. I didn't know what sex was. Growing up you learn that certain things in life that you don't like to some extent can be avoided, like if you were naughty you got the strap, so be good and you don't, touch something hot you will get burnt etc. The confusing thing for me with the abuse is that it was happening for no reason, I had not done anything wrong yet I was being subjected to the most frightening and horrible thing that I could imagine. It would happen without warning and was somewhat un-predictable sometimes Farrell would have me alone and it wouldn't happen. Mostly it would. After then I assumed that this is what adult males do to boys, I had to be very wary, Dad was obviously the other big threat as there would be times I was alone with him, although he didn't ever do anything he was an adult male. So in the car I would always have my hand on the door handle ready to get out, I had convince myself I would even do this if the car was moving, I was terrified whenever I was alone with an adult male, I still remember how this would make me tremble.

Farrell caught me out plenty of times however this only made me stronger in sticking to my plan of always being on the lookout for other danger.

I have no recollection at all of grade six, I was then put into boarding school at St Pats college, the good thing here was that my class teacher was not a Christian Bother, and my plan of not being alone with adult males was working. I had not been assaulted since leaving grade 5 and Farrell's class, although I am not sure what happened during grade six.

As I then progressed through secondary college I became aware of sex etc and realized that Farrell was actually sexually assaulting me, and that the fluid that was left on me was his semen, I was disgusted and repulsed by this and it made me even more determined that no one else would ever do this to me.

PART 2. AFTER THE ABUSE – SUICIDALITY

My first thoughts of taking my own life were during the school camp during grade 5. Farrell had already attacked me twice on this camp. On one of the days we all hiked to the pinnacle (the camp was at the Grampians, we were camping at Halls Gap). I remember getting to the pinnacle, it was so high, it was like standing above all else. I remember the wind; I was standing right on the edge hanging on to the barrier. I looked down, then I realized I could stop the attacks, all I had to do was climb over the barrier and jump. I could picture myself doing it, it wouldn't be hard, just jump. Still now today I often wonder why I didn't, because Farrell continued to attack me.

I still think of the freedom I would finally feel if I did jump, the wind on the way down would take it all away. This is my dream, a possible reality, I have the power now, I can end the suffering, the feeling of helplessness, stop the attacks, and in my time today (current) I could stop all the thinking and agony this has caused me. I have the power, I can end it "my life", when I want.

I have been back to the pinnacle 3 times over the years, once just recently. Funny though I didn't and couldn't walk the last 50 metres to the edge. Not sure if I didn't trust myself. I just trembled and cried. One day I will go to the edge there again, I know I will. I have the power now. The problem I see is that it may be worse being dead than alive, would it really end? What if it is worse !!! It can't be more horrible than this. It's just a timing thing. Yep you can do it, just need to know/decide when you have really had enough.

Suicide
Confused, can do
When!!Timing why not?
My mum dad they're suffering
WHO CARES?

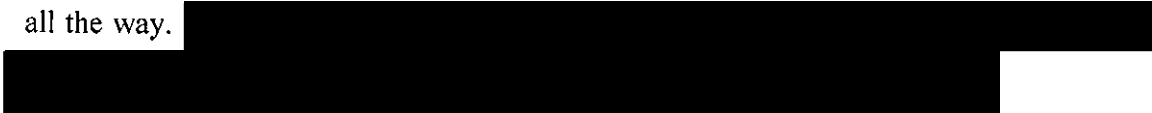
PART 3 COURT CASE

What a terrible experience. It just adds to the trauma of it all. Police officers Kevin Carson and Paul Jolly finally catch up with Brother Stephen Francis Farrell, and charge him. My Dad had to track him down. He checked the electoral roles from the 70's and a certain person was good enough to give his current address. After three adjournments...yep it was simple for Brother Stephen Francis Farrell...I am going to plead guilty to all charges...GUILTY. "Relief, Anger, Rage", It felt like I don't count anymore, "being the victim". The court case was before Magistrate Ian Von Einem, a staunch Catholic who described the abuse as "repulsive and outrageous". Then over three or so hours, it was all about what a good bloke Brother Stephen Francis Farrell was, a top bloke, etc.

We had no say, "No one spoke for us". It was like we didn't exist. During the court case Ronald Conway, the Catholic Provincial psychologist, stated that FARRELL was referred to him by his superiors "in 1973" and spoke of his abuse to my older brother. 'WHAT/ WHY was nothing done then? We just don't count. Farrell was sent back to St Alipius, my brother had moved on to grade six, so I was now the victim.

PART 4. COMPENSATION

It became very clear after our court case and the guilty verdict that the Catholics just wanted us/it all to go away. Brother Godfrey contacted us to sound out what we were going to do. We suggested that some compensation for the abuse was in line. It was made very clear by Godfrey that this would be a long drawn out process; however we would meet with him in Melbourne and discuss the options. We met with Godfrey and their lawyer in Melbourne. The Lawyer made it very clear that what happened to us was no big deal, and questioned why we thought we were entitled to be compensated. I could see this was just part of the game to scare us into doing what they wanted; you could see they just wanted to TICK THE BOX, and for us to go away. He explained that going to court to get compensation would be a long drawn out event that they would fight all the way.



I looked at my brother and he at me. I was thinking about the pain this had already caused for my parents and all around me. So I signed it. I felt very upset by the process and the fact that we had no advice, no help; the Catholics got us to do what they wanted. Just no control for me, once again the choice was taken off me. Just the same way Farrell left me no choice in what happened.

**PART 5. PARLIAMENTARY INQUIRY TERMS OF REFERENCE –
RESPONSES TO CHILD ABUSE – VICTIM EXPERIENCES.**

Reporting the abuse

10.1. Could you tell anyone about what happened?

I didn't know at the time what was happening, I was scared, and I couldn't work out what I was doing that made it happened, as the physical pain I experienced during the sexual assault felt like punishment, so for all those reasons I couldn't tell anyone what was happening, mainly because I didn't understand what was happening.

10.2 Did you feel discouraged from reporting the abuse?

There was never an avenue for reporting at the time it was happening. No one talked about sex education like they do now, so it wasn't something talked about or you could talk about. That is a discouragement. Later I still felt discouraged from reporting because the avenue for reporting wasn't clear. It just wasn't spoken about.

10.3 Who did you tell what happened?

I told Mum in 1981, when I was 18 years old but she didn't believe me. Not being believed drove a wedge between our family and further silenced me and made me resent and mistrust the world more.

10.4 How long after the abuse occurred did you tell someone?

The abuse occurred in 1973, I finally told my mum in 1981, eight years after the abuse, when I was an adult, no longer a vulnerable child.

10.5 Did you tell the religious body about the abuse?

No because they were the perpetrators.

10.6 If you delayed in telling or reporting what prevented you from disclosing earlier?

It took me four to five years to realize that what happened to me was sexual abuse and was inappropriate; even though I was aware it happened to my brother before it happened to me. I became aware that as other men weren't abusing me, that it wasn't what all men did, that it was just about Farrell. I lacked understanding about sex so this also prevented me from even speaking about what happened.

Reponses to the disclosure

10.7 What was the initial response from the organization?

Brother Godfrey, the Catholic Provincial leader, approached us initially, after it had gone to court and Farrell had pleaded guilty. They never approached us in the interim period after our statement and the time leading up to the court appearance. It was clear they knew they had to respond, to do something, even though they never bothered before. It felt like they wanted it to go away, to "tick a box", though the way it was managed, it felt like it was their box, and we had to tick it. It was like being controlled by them, it was all about their way, about them, never about us. No one asked us what we needed or wanted.

10.8 Was there an investigation of the abuse, how was it conducted?

The church didn't investigate the abuse; it was only investigated by the police.

10.9 What meetings or other interactions did you have with the organization?

After the guilty plea, we had two meetings with them.

10.10 Were you encouraged or supported to report your abuse to the police?

I reported it off my own bat in 1996, this was after I heard a report in the news about another similar case of clergy abuse in Ballarat, and I felt I should report what happened to me.

10.10 What were the consequences for the perpetrators?

He got two years prison sentence, entirely suspended. There was no supervision. I am not sure if he was placed on the sex offender's registry. This was despite being found guilty on all charges.

He had already left the Christian brothers and had got married, so there were no sanctions by the church. He had a very expensive barrister, well known, he wouldn't have been able to pay for that himself, I believe the church probably paid for his defense.

SUPPORT

10.13. Were you supported by the organization? If so how?

No, other than them trying to pay us off and get rid of me.

10.14 Did you receive counselling or psychological help.

No

10.15 Did you receive an apology,

Only from Brother Michael Godfrey, who was the provincial leader. ((See attached letter)

10.16

There was no support offered to us

RESULT

10.16 Did the religious organisation accept responsibility?

No

10.17 What was the consequences for the perpetrators

None that I know of from the church

10.20 What actions were taken by them?

None, he had already left the church

10.21 What was your view of the effectiveness and adequacy of the compensation?

It felt and still does, totally inadequate, it was meaningless and just a token. It didn't change anything for us.

10.24 What were the effects of the result on you?

There was no positive change, I felt further disempowered, I felt it was like I was being 'screwed over' / abused all over again. They got what they wanted, and I had the choices taken off me "Again".

Somewhere/somehow, someone other than the Catholics needs to set the number that would be reasonable compensation. Letting them decide and negotiate with victims is just wrong.

I CANNOT FORGET SO I CANNOT FORGIVE.