

Background

Name	Chris Pianto
Publish	
Address	c/-Lewis Holdway Lawyers 20 Queen Street Melbourne 3000 Ph 96299629
Responsible Church Authority	Christian Brothers
Time of Assaults (Approximate year)	1971 -1973, Sexual assaults by a lay-teacher employed by St Josephs College Geelong. The teacher was an ex-Christian Brother and was married at the time he assaulted me. The assaults began when I was aged 13 and occurred on numerous occasions over a two and a half year period.
Time of Report to Church Authority	September 1984, aged 26.
Time Taken to Resolve Complaint	10 Years - January 1994
Outcome	Ex-gratia payment

The Handling of My Report of Abuse to the Church

Initial Contact:

My father complained to the Principal of the school, Brother Howe in 1984 after my disclosure to my mother. I disclosed the assaults because my younger brother was going to be taught by the perpetrator the following year and I did not want the same thing to happen to him. Brother Howe did nothing so my father complained to the Provincial, Brother Chapels at the Christian Brothers headquarters in Melbourne. At that time I was 26 years old.

I did not receive immediate and appropriate assistance. My parents and I were not able to get any help as the Christian Brothers would not do anything about our report to them. My mother wrote to the Christian Brothers a few times to chase them up as nothing was being done about our complaint. My parents were devout Catholics and it was very painful for them to be treated so badly.

We were not offered immediate counselling or intervention or any kind. I was asked to put my complaint in writing before any action could be taken.

We (my parents and myself) were never offered psychological support or counselling. I was never provided clear information about the complaint process. I do not know if one existed at that time, (1984).

I was never offered independent legal advice, nor told I should seek it. I was very unwell with severe depression at that time.

No support in any shape or form was offered to my family or my parish community, (St Bernards).

It was only when my mother met a policeman who became a friend and she confided in him about what had happened to me, that I was encouraged to make a police statement, in 1986. Following that, the perpetrator was eventually charged and was sentenced to five years imprisonment. During the criminal investigation I became aware that there were 4-5 other victims of the same perpetrator, all St Josephs boys.

The Brothers never offered to pay for my counselling, I had to organise all of that myself and pay for it.

Period of Investigation:

I do not believe that the Brothers investigated the perpetrator before he was arrested. To my knowledge, he remained in his teaching position at St Josephs. He eventually did leave the school but only after my father approached him personally and asked him to go, as the Brothers would not suspend him. My father did this as my younger brother was due to be taught by him that following year. After that, Brother Howe told my father that his actions had "upset his curriculum planning for the next year" (please see my mother's handwritten notes dated September 1984).

After leaving St Josephs the perpetrator went to teach at another Christian Brothers school, St Marys in Geelong.

We still did not get any pastoral care or psychological care from the Brothers. I was in a very poor state of health with depression and anxiety and my illness was made so much worse by the lack of response from the Brothers. I felt extremely frustrated that they had refused to suspend the perpetrator in my case and had not responded at all to me or my parent's desperate pleas for help and acknowledgement. In desperation in September 1987, I literally shot myself in the foot as a protest to get the attention of the Brothers. I was driven to this self-mutilation because of the lack of response by the Christian Brothers.

My story was reported in the Geelong Advertiser and in the Sun. After that the Christian Brother's lawyer contacted my father. They warned him about defamation and said that if my allegations were true, then the perpetrator would go to jail. Two Christian Brothers also visited me in hospital. They offered me counselling. I never received an apology, either for the initial assaults or for the mishandling of my complaint which had caused me and my parents so much anguish.

Outcome:

My complaint was not investigated by the church authority.

My complaint to the Brothers went nowhere. The Brothers did nothing, even after I had shot myself to get their attention, and I faced a delay of 10 years before resolution was reached. It was a total failure in that there was just no response from them. I was the one who settled my case on my own after seeing a lawyer in 1994.

The perpetrator in my case was moved to another Christian Brother school and remained in teaching.

Despite my report, the perpetrator in my case remained in their position. He was not "stood down" or removed from ministry.

I felt re-traumatised as a result of going to the church authority for help because they simply disbelieved me and refused to do anything. My depression and anxiety got much worse and I was completely frustrated due to their lack of actions and answers.

Even after my complaint had been dealt with, I was not offered any ongoing support.

I have self-harmed and been suicidal on many occasions although I am now doing much better. I still suffer from Post Traumatic Stress Disorder. I am unable to work.

In summary, my complaint to the Christian Brothers was not resolved to my satisfaction for the following reasons:

1. The Christian Brothers denied the facts and did nothing about my complaint.
2. The Christian Brothers tried to cover up what happened to me- they tried to keep it all quiet by insisting on confidentiality.
3. The Christian Brothers avoided meeting with my parents who had to write and attempt phone contact on many occasions, none of which was responded to by them.
4. Their response can only be described as a complete lack of response to me and my family. To ignore the allegations of abuse is as bad as the actual crime of abuse, it is not acceptable.
5. They allowed the perpetrator to stay on in a teaching position at another Christian Brothers school after my report - how many more children were assaulted by him?

Harmful Systemic Practices

I was never informed of my right to report to the police at the outset, or at a later time.

I was never encouraged to seek independent legal advice.

I was never given any psychological support

I experienced bias because I was the first complainant in relation to this perpetrator.

Required changes required to law/practices/policies/protocols

The church authority's response organisations should be locally based and have a public profile such that they are approachable to the public and professionals

The church authority's organisations should include complainant representatives to ensure that their services appropriately target the needs of complainants.

Recognition and Inclusion of spiritual damage as a critical element in the harm caused

Recognition and practical response and support should be provided to family members of the complainant – the secondary victims

The relationship between Canon Law and civil and criminal law should be transparent and Canon Law should be subject to the law of the State.

There should be psychiatric screening of all current church personnel including those currently in training for religious life to minimise risk to children.

There should be funding for complainants who seek a holistic casework approach, (spiritual/medical/legal/ psychological)

The Church orders should be a lot stricter with those they give the job of caring for children to.

They should be made to help victims throughout their lives.

They need to recognise that spiritual damage is very harmful as well as the actual abuse.

I decided not to take civil action against the church authority or the accused due to legal advice that my claim would not be successful because of :

- The Statute of Limitations
- The church not being a legal entity

I believe the following changes to the law will improve access to justice for victims of Catholic clergy abuse:

- The Statute of Limitations – amend to allow historical abuse claims
- Amend corporations law so that the church authority is legally a corporation and capable of being sued over time
- Amend property trust legislation in each state to prevent the church authority from protecting its assets from civil suits
- Amend the law on vicarious liability so that priests and religious are treated as employees and therefore church authorities can be held responsible for breaches committed by church personnel.
- Introduce Mandatory Reporting for priests, religious and those appointed by the church to investigate complaints of sexual assault.

Supporting Documents:

Handwritten notes by Mrs Bev Pianto dated 1984, noting Brother Howe's comment to Mr Peter Pianto.

Articles from the Geelong Advertiser and in the Sun.

All documents are available to the Committee at their request.

Witnesses:

Chris Pianto

I would welcome the opportunity to speak in person to the Committee and if so, I would like to bring at least two support people with me.

Signed



Date

13/9/2012