

Change of plea on sex counts

A FORMER St Joseph's College teacher has pleaded guilty in the Geelong County Court to sexually molesting four young boys.

Alan Edward Swingler, 53, of Gilbert Street, Torquay, yesterday pleaded guilty to seven counts of indecent assault and three counts of gross indecency, over incidents which occurred between 1968 and 1979.

Swingler had earlier pleaded not guilty to these charges.

The trial, before Judge Nixon, began last Friday but a suppression application was granted which prohibited any publication of the matter.

During yesterday's proceedings the suppression order was lifted and publication allowed.

Earlier in the week, a jury found Swingler guilty on two counts of indecent assault, one of gross indecency and one of buggery.

The court heard that Swingler was a teacher of graphics, mathematics and religion at St Joseph's College, Newtown, from February, 1966, to December, 1984.

Swingler's sexual assaults took place between 1968 and 1979, and involved four boys then aged 12, 13 and 14.

The court heard that the assaults took place in the classroom, after school and in Swingler's car.

Prosecutor Mr Gavin Silbert, of the Victorian Government Solicitors Office, told the court Swingler fondled students in the classroom, made the boys masturbate him, had oral sex with one boy and then forced the boy to perform oral sex on him.

The court heard that when students threatened to tell their parents, Swingler offered money or extra tuition so they would not tell.

Evidence was given to the court on Monday, from one of the victims, a 39-year-old man who was a student at the college in 1968.

He was a student of Swingler's and was only 12 years old at the

time of the incidents, the court heard.

The victim said that on one occasion Swingler took him and several other boys to a Queenscliff drive-in to see the film *To Sir With Love*.

On the way home, Swingler dropped off all of the boys except him, he said.

The victim said Swingler stopped the car in a side street near the boy's home and turned to him and said: "Now's the time, Muscles."

He said Swingler forced himself on the boy and had anal sex with him in the car.

At the time of the incident, all the boy could do was cry, the court heard.

When the boy threatened to tell his parents, Swingler told him: "Don't worry about what happened, I'll help you with your maths."

The victim said he then went inside and had a bath because, "I felt filthy".

The court heard the victim did not tell his mother of the incident because he was "ashamed" and because "I didn't think anyone would believe me".

A clinical psychologist, Mr Michael Crewdson, said that during a clinical analysis, Swingler made "certain admissions" that he had engaged in homosexual activities with students.

Mr Crewdson said Swingler was brought up in an orphanage.

He was later institutionalised in the care of a Catholic orphanage and was himself molested, Mr Crewdson said.

As a result, "he had urges of a restricted homosexual nature which focused on young adolescent boys, but not on adult males," he said.

Swingler was remanded in custody. The plea will continue today.

Family threatened, daughter tells court

THE daughter of a former Catholic school teacher who has pleaded guilty to sexually molesting four young boys yesterday told a court the family had received death threats.

Alan Edward Swingler, 53, of Gilbert Street, Torquay, has pleaded guilty in the Geelong County Court to seven counts of indecent assault and three counts of gross indecency.

Earlier in the week, a jury found Swingler guilty on two counts of indecent assault, one of gross indecency and one of buggery.

Louise Swingler yesterday said the family had been tormented and harassed, receiving threatening phone calls and death threats, after the incidents became public.

She described her father as a "loving father" who made his children feel "loved and appreciated".

Swingler — a former teacher at St Joseph's College Newtown — originally pleaded not guilty to four of the charges.

The court has heard the sexual assaults took place between 1968 and 1979, and involved four boys then aged 12, 13 and 14.

Swingler's lawyer, Mr Alan Hands, told the court that his client was not a "moral monster".

Mr Hands said Swingler was brought up in an orphanage. He was later institutionalised in a Catholic orphanage, and was himself molested.

"We heard yesterday that Mr Swingler was sexually abused by

Christian Brothers, but that's no excuse for his own behavior," Mr Hands said.

A character witness for Swingler, Mr Alan Whitland, told the court he had also lived in the Catholic orphanage with Swingler.

Mr Whitland said the boys "weren't educated to handle the outside world".

"Were you aware that boys were being abused?" Mr Hands asked.

"Yes, the brothers did do those sort of things," Mr Whitland said.

Mr Whitland told the court that after lights out at 8.30 pm, the brothers would "come into the dorm and one of the boys would go out with him".

Mr Hands said that after leaving the orphanage Swingler became a Christian Brother.

Swingler later left the order and studied to be a teacher at St Joseph's College, commencing his career there in 1966.

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Warning
Anyone Changing Jobs,
Retiring Or Receiving

Family
received
threats

FROM Page 3

The court has heard Swingler's sexual assaults of four young boys took place in the classroom, after school and in his car.

Mr Hands said the matter became public in 1987.

"The family has suffered abusive phone calls, death threats and unwelcome visits since 1987," Mr Hands said.

"Their lives have been fractured by these events (and) at the end of these proceedings I would hope there would be no further harassment."

Judge Nixon said Swingler was guilty of "a gross breach of trust" against the victims.

"The community is appalled at these types of offences," he said.

Judge Nixon said the conduct was "quite unacceptable" deserving "condign punishment and that is the bottom line".

"But at the end it must not result in a crushing sentence, but the matters must be balanced," he said.

Judge Nixon said the maximum penalty for buggery was 15 years jail; for indecent assault, five years on each charge; and for gross indecency, three years on each charge.

Swingler was remanded in custody and is expected to be sentenced today.

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Ex-teacher jailed on sex

FORMER teacher Alan Swingler was yesterday sentenced to seven years jail for sexually molesting four young boys when he taught at St Joseph's College, Newtown.

In the Geelong County Court, Swingler wept as Judge Nixon handed down the sentence. He had to be escorted from the court room.

In his summary, Judge Nixon described Swingler's behavior as "repulsive" and "abhorrent conduct".

Alan Edward Swingler, 53, of Gilbert Street, Torquay, pleaded guilty to seven counts of indecent assault and three counts of gross indecency, after originally pleading not guilty.

Earlier in the week, a jury found Swingler guilty on two counts of indecent assault, one of gross indecency and one of buggery.

The court has heard that Swingler was a teacher of graphics, mathematics and religion at St Joseph's College from February 1966 to December 1984.

Swingler's sexual assaults took place between 1968 and 1979, and involved four boys then aged 12, 13 and 14.

Judge Nixon said Swingler fondled students in the classroom, exposed himself to students, engaged them in simultaneous masturbation, had oral sex with one boy and then forced the boy to perform oral sex on him.

Judge Nixon said the assaults took place in the classroom at lunch time or after school under the guise of extra tuition or remedial classes.

Swingler would summon students to the classroom, close and lock the door, then engage them in sexual acts, the court heard. Other assaults took place in Swingler's car.

"You indulged in your sexual aberrations with four young boys," Judge Nixon said.

The court heard that when students threatened to tell their parents, Swingler offered money or extra tuition so they would not tell.

On Monday, the court heard evidence from one of Swingler's victims, a 39-year-old man who was a student at the college in 1968.

The victim said that on one occasion Swingler took him and several other

boys to a Queenscliff drive-in to see the film *To Sir With Love*.

On the way home, Swingler dropped off all the boys except him, he said.

The victim said Swingler stopped the car in a side street near the boy's home and turned to him and said: "Now's the time, Muscles."

Swingler forced himself on the boy and had anal sex with him in the car.

The court heard the boy did not tell his parents about the incident because he was "ashamed" and "I didn't think anyone would believe me".

A clinical psychologist, Mr Michael Crewdson, said that during a clinical analysis Swingler had made "certain admissions" that he had engaged in homosexual activities with students.

Mr Crewdson said Swingler had "urges of a restricted homosexual nature which focused on young adolescent boys, but not on adult males".

Judge Nixon said Swingler knew what he was doing was wrong, but continued to offend in a "premeditated" manner.

"Your victims were young. They

Case makes legal history

By Julie Hobbs

A SEXUAL assault case in Geelong made legal history yesterday when it was the first case of *nolle prosequi* to be reinstated in Victoria.

Seven years ago, the Director of Public Prosecutions refused to proceed with sex charges against a Newtown Catholic school teacher Alan Edward Swingler.

The then Director of Public Prosecutions, Mr John Coldrey, QC, said a lapse of 15 years between the alleged offences and the complaint being lodged to police was of vital im-

portance. The complainant, Mr Chris Pianto, shot himself in the leg in protest and went public.

A spokeswoman for the Attorney-General, Mrs Wade, said yesterday that the reinstatement of the charges — last year — was the first in more than 100 years. She said there were believed to be few similar cases in Australia.

In July 1993 other victims came forward to the Geelong Community Policing Squad.

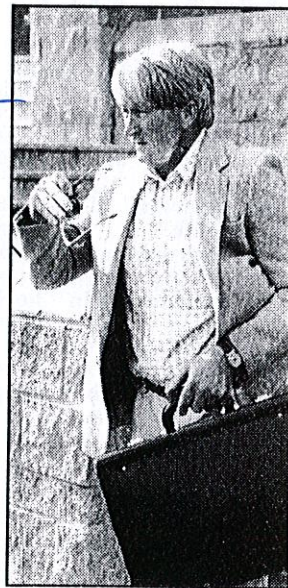
Geelong CIB detectives investigated and were instructed by legal advisors to proceed with charges on behalf of three victims and

re-issue the process in the six-year-old case.

Further complications arose when another — also former — DPP declared a conflict of interest as a close family friend of the victim. The matter was referred to the Attorney-General's office and Government solicitors.

Swingler was charged in May, 1994.

This week, Chris Pianto's case became one of four heard in separate hearings in Geelong County Court. Swingler was found guilty and sentenced yesterday — 27 years after some of the offences began.



● Swingler leaves an earlier hearing.

REGION

Justice done, but could have come much sooner

COMMENT

By Garry Cotton

IN 1987 Chris Pianto, from his bed at Geelong Hospital, told Australia a horror story of his treatment as a St Joseph's College schoolboy at the hands of lay teacher Alan Swingler.

He was in hospital because he had deliberately shot himself in the leg in frustration at the legal system to gain publicity and to help ease the nightmares which were slowly driving him mad.

Then aged 29, Pianto had been rejected by Victoria's Department of Public Prosecutions (DPP) as a credible witness against Swingler.

The reason — the 15 years that had elapsed since the offences occurred.

When Pianto was aged between 12

and 14 Swingler committed sexual offences against him, but through boyhood fear of reprisal and a false sense of shame he did not tell his parents.

He kept his secret, turning to alcohol, self-mutilation and anti-social behavior as he grew up to camouflage his feelings and hatred towards Swingler.

His parents only found out many years later when he told them because a younger brother was to be taught by the same teacher.

The family complained to the school and the Christian Brothers about Swingler but the school refused to act and he continued to teach.

When Chris shot himself and his story was published he probably had no idea of the chain of events which was to follow.



His courage to go public resulted in other students coming forward to tell their stories at the hands of the same teacher and another lay teacher, John Coogan, who last year was jailed for five years. Allegations were also made against Christian Brothers teachers.

The Christian Brothers, faced with overwhelming public pressure, belatedly set up a hotline to counsel and advise former students who had also

suffered, but it was too little too late and was construed by victims as further attempt to cover up.

Last year Chris again stepped forward and told his story to police.

He became part of legal history in Victoria when the DPP overturned its 1987 assessment and accepted his in its case against Swingler.

Justice has now been done, but could have come much sooner.

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Relief as a chapter closes

A CHAPTER of Chris Pianto's life closed yesterday. It was a chapter which had seen him keep secret for 15 years horrific tales of sexual abuse by a teacher at St Joseph's College.

That secret had tormented him and almost ruined his life.

In his waking hours he could cope, but at nights memories he tried desperately to forget would creep in and take over.

Outside court yesterday a shaken but relieved Chris Pianto spoke to the *Geelong Advertiser* about his ordeal.

For Chris that chapter may be closed, but according to him a "whole can of worms" has been opened.

"I don't feel the need for revenge, now that the legal system has done justice. I'm glad it's all over and I can start rebuilding my life".

But Chris said he knew of other former students who had attended

the school who had also been molested but were too embarrassed to come forward.

According to Chris, Swingler's case was not isolated and was "the tip of the iceberg". He said the longer he kept his secret the more it played on his mind.

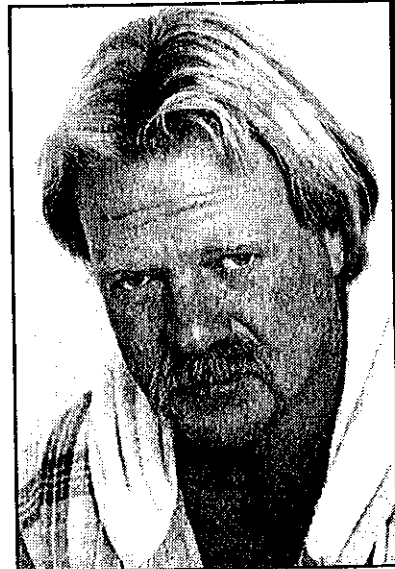
"It was embarrassing to talk about it; particularly for a man to say that he had to perform sexual acts on another man.

"There are people who didn't believe me and doubt what had happened.

"This should end any doubt, and the fact that he pleaded guilty."

Chris said the case had "opened the doors for other victims" of sexual abuse to come forward, particularly for the fact that "people believed my story".

"It was a hard thing to do to see a man go to jail, but I wish it had never happened in the first place and that I could live a normal life."



● Chris Pianto yesterday.

Sunday Herald Sun, March 26, 1995

Pedophile teacher Alan Edward Swingler was this month jailed for seven years for sexual assaults against boys. Victim Chris Pianto tells ANTHONY BLACK his dark secrets and of his long fight for justice

Sex victims fight back

CHRIS Pianto used to tremble with fear every time he came close to Alan Swingler.

"I was scared of him because he was my class teacher and I knew that I had to do whatever he said," Chris said this week when recalling his horror schooling at St Joseph's College, Geelong, in the early 1970s.

"Swingler told me to wait in the science room after school. I waited in the room and when he came in he locked the doors and closed the curtains.

"Then for more than two years he had his way with me. He subjected me to sexual horror.

"I was too scared to tell anyone. I thought that I would get into trouble. I thought they would believe a teacher before they believed a 13-year-old.

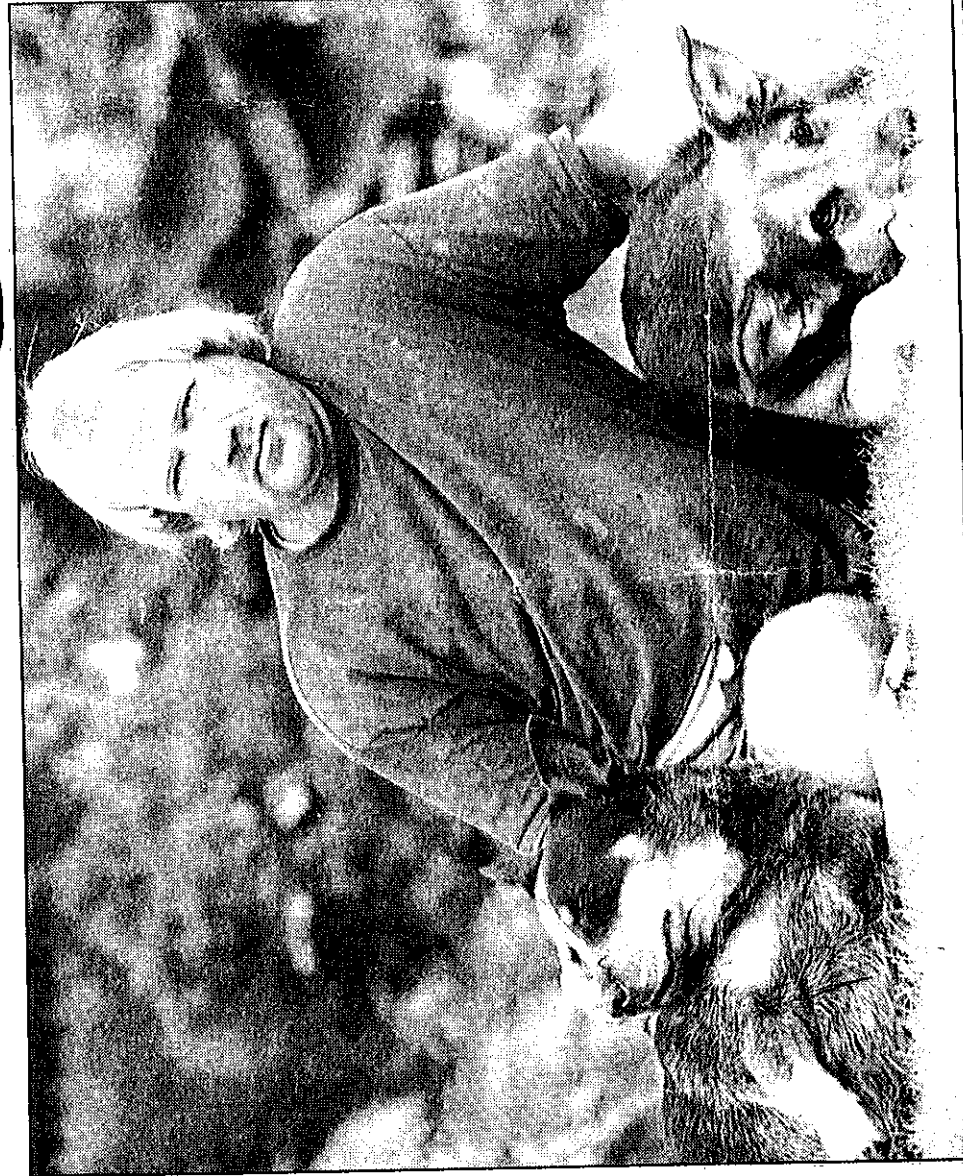
"I also didn't want my mates to find out that the teacher was performing sexual acts on me.

"Swingler told me to keep it a secret, that what he was doing was natural, that it's OK to be bisexual, that I shouldn't be ashamed of these things."

What took place in that room would almost destroy Chris Pianto and send his former teacher to jail.

But at the time he was attending a strict Catholic college and felt he had nowhere to turn.

Chris went to work after leaving St Joseph's in 1974, but was unable to get on with life. He turned to alcohol, resented authority and ended up in "beans of fights".



Healing the pain: With the comfort of his pets, Chris Pianto gets on with life. Picture: DARREN TINDALE

SUPREME Court writs seeking damages for sexual abuse have been issued against St Joseph's College, Geelong, and the Christian Brothers.

Slater and Gordon solicitor Paul Henderson said his firm was acting on behalf of 11 former students who claim to have suffered sexual abuse at the hands of two lay teachers, Alan Swingler and John Coogan, between 1974 and 1984.

No hearing date had been set for the civil action.

Mr Henderson is not acting for Chris Pianto who has already reached an out-of-court settlement with the Christian Brothers last year for an undisclosed sum.

Brother Michael Godfrey, of the Christian Brothers Provincial Council, confirmed civil action had been lodged against the Christian Brothers by former students.

"The current provincial council is the body which has to deal with issues that have come up in the past," he said.

Brother Godfrey said civil proceedings prevented him from answering questions about Chris Pianto or his teachers at St Joseph's College in the early 1970s.

"The school is a fine college and that fact would be attested to by thousands of past students over 60 years," he said.

"No school would want the hurts felt by any individual used as a means of branding the school in a negative way."

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He would suffer nightmares and nervous breakdowns. Psychiatric treatment could not alleviate the pain.

In September 1984, Chris, then aged 26, learned that his younger brother, Steve, was to be taught at his former school by Swingler. He told his parents what had happened years earlier in the hope it would safeguard his brother.

A short time later, Chris suffered a nervous breakdown. "I couldn't get out of bed, I couldn't answer the door or phone," he said. "I was done."

Chris's mother, Bev, said the family immediately complained to the school and the Christian Brothers about Swingler, but were told nothing could be done because there was no corroborating evidence.

Mrs Pianto said her husband, Peter, approached Swingler in late November 1984 and demanded he leave the school.

She said Swingler left St Joseph's and took up another teaching position the next year.

Chris said the Christian Brothers accused him of "fantasising" when he told them what Swingler had done.

St Joseph's College principal, Mr Peter Cannon, this week would not comment about events surrounding Chris Pianto's school days.

Chris, after a year of ill health, finally made a statement to

police on April 17, 1986. But because so much time had elapsed, the then Director of Public Prosecutions, Mr John Coldrey, QC, would not proceed with charges.

After learning that Swingler would not face the courts, Chris shot himself in the left leg in a desperate bid for attention.

News about Chris spread around Geelong, and his courage to go public resulted in other former students coming forward with similar stories about Swingler and another teacher at the school, John Coogan.

Coogan is serving a five-year jail sentence after pleading guilty to 17 charges of indecent assault in the Geelong Magistrates' Court last March.

Geelong CIB detectives investigated three other complaints against Swingler as well as re-opening Chris Pianto's file.

Mrs Pianto recalled telling her son "to go to the bathroom and wash his mouth out with soap" when Chris, then in his mid 20s, said he had been subjected to oral sex and other sex acts by Swingler.

"I couldn't believe it at first. I'd never heard such filth," she said. "When Chris started crying, I knew something was wrong."

Chris's father Peter, a former Geelong's Football Club player and coach, said his son's cour-

age to go public would have saved many others from abuse.

"I'm so proud of him," he said. A support group for victims of sexual assault, Broken Rites, said it had received more than 700 reports of sexual abuse since it was set up in 1992.

Broken Rites spokeswoman Chris Mac Isaac said it had received 330 reports of sexual abuse involving boys, and 190 involving physical and sexual abuse of girls. Many of the offences occurred at schools.

SENIOR Sergeant Jim Matheny, of the Geelong Community Policing Squad, and one who followed the Pianto case, said sexual abuse victims normally knew the offender well.

He said some victims committed suicide and some mutilated themselves because they could not live with the shame.

Chris, now 36, a self-employed bricklayer and living in the Belairne Peninsula township of Drysdale, is rebuilding his life.

He said his mental scars would remain forever, but he felt a lot better since Swingler was jailed.

He said he hoped his experiences would encourage others to come forward if they had been sexually abused.

"Justice can be achieved. You can have confidence in the legal system. I ought to know that."

Teachers jailed for abuse

ALAN Edward Swingler taught Greek, mathematics and religion at St Joseph's College, Geelong, from February 1966 to December 1984.

At Swingler's trial this month, the court heard he sexually assaulted four students aged 12 to 14 between 1968 and 1979.

Swingler, 53, of Gilbert St, Torquay, was charged last year and this month a County Court jury found him

guilty on two counts of indecent assault, one of gross indecency and one of buggery. Swingler also pleaded guilty to seven counts of indecent assault and three counts of gross indecency, after originally pleading not guilty.

Judge Nixon sentenced him to seven years' jail with a non-parole period of five years.

The Geelong Magistrates' Court heard that John Patrick Coogan

was a physical education teacher at St Joseph's College, the then Bell Park High School and the then North Geelong High School between 1962 and 1983.

In March last year, Coogan, 61, of Mernard Waters, Queensland, pleaded guilty to 17 charges of indecent assault and was sentenced to five years' jail by magistrate Brian Barrow.



Alan Swingler: Seven years' jail.

A Declaratio

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