

From: Lu Hersbach [REDACTED]  
Subject: Archdiocese response to article about Tony Hersbach in the Age June 5th 2012  
Date: 21 June, 2012 4:52:56 PM AEST  
To: [REDACTED]  
Cc: [REDACTED]  
Bcc: [REDACTED] Ruth Baker [REDACTED] [REDACTED]

Dear Monsignor Bennet,

I refer to the response from the archdiocese to my story in the Age on June 5th 2012.

The archdiocese response is shown in the link below and I refer in detail to it in my notes below.  
<http://www.theage.com.au/victoria/response-by-a-spokesman-for-the-melbourne-archdiocese-20120605-1ztxn.html#ixzz1yM7655q3>

**1) Why didn't the Melbourne archdiocese in 1994 inform parishioners at the Boronia parish that their priest Father Victor Rubeo had been accused (and not denied) of child sex abuse? Why was he still allowed to lead that parish?**

**A.** Mr Hersbach first made a complaint to the late Monsignor Cudmore, the then Vicar General of the Melbourne Archdiocese, in 1994. At the time, Mr Hersbach was, according to Monsignor Cudmore, adamant that he did not want any steps taken in relation to Rubeo except that he receive counselling. This was arranged.

Cudmore's file notes completely contradict this response. While it is true that I didn't want to press charges (with the police), it is very clear from the 2 file notes below that I wanted purposeful and immediate action, not just counselling and no other steps:

- File Note 3 - 23/9/1994: ...I **don't want** VGR(Victor Gabriel Rubeo) to **walk away**. He **must be confronted**
- File Note 5 - 12/5/1995...What I want for VGR(Victor Gabriel Rubeo) - **proper** and **thorough** evaluation of Rubeo, treatment by **specialists** in the clergy abuse field, if it is decided that he can remain in the ministry - **proper monitoring**. (None of which occurred to any professionally acceptable level)

I feel very aggrieved by the published response as it totally contradicts what the file notes state. The response effectively blames me for lack of action by the archdiocese and is clearly secondary abuse by the archdiocese. The culpability alone, remains with the archdiocese which left Rubeo fully active in his parish at Boronia for a further two years, without proper evaluation, treatment or supervision and without informing his parishioners in Boronia. The evidence in the file notes clearly reveals the archdiocese response to be untrue.

**2) Why did the late Vicar General Gerald Cudmore appoint Father Francis Klep as spiritual director to Father Rubeo in 1994 and 1995, even though Klep had been charged and later convicted of child sex offences?**

**A.** The records of the Archdiocese record Rubeo informing Monsignor Cudmore that he was seeing Father Klep as a spiritual director. The choice of a spiritual director is made by the person seeking spiritual direction.

There are 3 references to Klep in the file notes:

- File Note 1: 10/8/1994 ...Cudmore informs me that Rubeo was seeing Fr Frank Klep for spiritual direction

- File Note 3: 23/9/1994 ...On this day it is noted that Fr Klep was Rubeo's spiritual director whom he was seeing fortnightly....(Klep had already been charged with numerous child sex offences)
- File Note 4: 3/3/1995 ...Cudmore states..."I have been supervising the priest's (Rubeo's) attendance with both the counsellor and spiritual director(Klep) (By now Klep had been convicted and sentenced - Dec '94 )

The response from the spokesman effectively washes the archdiocese hands of any responsibility for appointing and/or guiding the spiritual direction of offenders. Effectively the archdiocese is saying it is OK for one offender to be 'spiritually guiding' another offender because they chose one another. It is incredulous and cowardly in the extreme to imply that the archdiocese lacks any responsibility for this scenario. Significantly, what I requested (proper evaluation, treatment and supervision/monitoring) were virtually non-existent and the archdiocese's response was culpable and negligent in the extreme. To not acknowledge this is dishonest and offensive to me and my family and clearly constitutes secondary abuse.

**3) When Rubeo pleaded guilty in 1996 to a few counts of indecent assault of two children back in the 1960s, he moved to Portarlinton with the status and entitlements of a retired priest. Were the Catholic church communities in Boronia told of why their priest had left and were those in Portarlinton informed of Rubeo's past?** (2 counts of indecent assault was just the tip of the iceberg. I made this known to Cudmore from my very first meeting(see File Note 1) and again to Peter O'Callaghan in 1997 and again to Archbishops and Vicar Generals (Pell and Hart in '97; Hart and Tomlinson in 2010) via letters and audiences with them. However, they only ever seemed listen to the outcome of the original court hearing, minimising his offences to just those two charges. Not once in 18years have they ever acknowledged Rubeo's extensive grooming and serial abuse of me or my twin brother or that there were other victims . They have never told the parishes he served in, nor Boronia when he was charged, nor Portarlinton where he retired to. It seems they only ever cared about two indecent assault charges, for which he received a good behaviour bond without conviction - it seems that the archdiocese was relieved to hear this and put him in the 'low offender' category, basically protecting him. He was facing another 30 charges on 12th December last year when he died on the day of the committal hearing. Still no word or publicity to his parishes from the archdiocese about this. Nor hiding Rubeo's funeral details from my family - ask Les Tomlinson about this!)

**A.** Rubeo's faculties were withdrawn on 26 August 1996 i.e. his capacity to operate publicly as a priest were removed and never restored. He then resigned from his canonical office on 2 April 1997 at which time he ceased to hold the status of a retired priest.(He may not have had the official status of 'retired priest' but he did continued to receive financial support 'as if' he were a retired priest. This was confirmed and published in article in the Age on June 15th.)

The school community of Boronia were informed in a letter dated 24 March 1997 from the then Parish Priest of the outcome of the hearing before the Ringwood Magistrates Court(File Note 16 shows that the court hearing was the 8th October 1996! - this is 5 months later and well after he had resigned and retired!)

Rubeo moved to Portarlinton in or about December 2002 by which time details of his convictions had received media coverage.(There was a small article in 1997 in the local press - hardly media coverage)

As I now write this email, I can't summon any further energy to address the remaining responses by the archdiocese. I am overwhelmed by the effort. As my wife said in the video interview, the **duck shoving** that has gone on in my case is intolerable and violates the most sacred principles upon which the Catholic Church is founded.

In 2011, I was left no alternative but to re-open my case so the truth would finally be heard. Because Rubeo died on the day of his hearing and the archdiocese has never revealed the truth about him, I decided to go to the media. AND STILL the archdiocese will not acknowledge the truth and their responsibility for mismanagement - tries to muddy the waters with false responses - not false, in my opinion, but false, based on evidence in the file notes. When will you come clean?

Tony and Lu Hersbach