

Tony Hersbach

16th July 2013

The Honourable Georgie Crozier MLC  
Chair  
Family and Community Development Committee  
Parliament House  
Spring Street  
MELBOURNE VIC 3000  
Email: [fcde@parliament.vic.gov.au](mailto:fcde@parliament.vic.gov.au)

Dear Ms Crozier,

I write regarding the evidence given by Archbishop Dennis Hart on 20 May 2013 to the Inquiry into the Handling of Child Abuse by Religious and Other Organisations.

My concerns relate to Archbishop Hart's answers, and lack of recall to questions from the Chair about aspects about my case that became public in The Age on June 6, 2012. The relevant pages from the transcript are Pages six, seven and eight.

Archbishop Hart uses following phrases in response to the Chair's questioning:

- I do not remember being aware of it
- I would honestly say that I do not remember
- I do not recall. I can honestly say that I do not recall what happened there last year
- It does not give me any pleasure I assure you
- I do not have that information, I am sorry
- If I was aware, I would have certainly stepped in. I must say I was not aware.

I find these responses to be manifestly inadequate. His statements refer to responses from the Archdiocese media spokesman about my story that appeared in The Age on June 6, 2012. Please see a link to those responses below:

<http://www.theage.com.au/victoria/response-by-a-spokesman-for-the-melbourne-archdiocese-20120605-1ztxn.html?rand=1338905097070>

I robustly challenge the ongoing claim by the Archdiocese that I "only wanted counselling" for Rubeo when I first reported him to Vicar General Monsignor Gerald Cudmore on the 10th August 1994. This contradicts the information obtained directly from Cudmore's own file notes as set out below:

File Note - 23/8/1994: (stating what I wanted to happen)... "I don't want VGR (Victor Gabriel Rubeo) to walk away. He must be confronted."

File Note - 12/5/1995: What I want for VGR (Victor Gabriel Rubeo) – "proper and thorough evaluation, treatment by specialists, proper monitoring"

While it is true that I didn't want to press charges with the police at that time, it is very clear from the above file notes that I wanted purposeful and immediate action, not "just counselling".

The Archdiocese simply ignores the file notes and compromises the truth by omitting key information from Cudmore's files. This has caused me considerable distress as the Archdiocese response effectively blames me for its own lack of action. This is both unacceptable and is a form of secondary abuse by the Archdiocese.

I wrote to Vicar General Monsignor Greg Bennett on 21 June 2012, expressing in detail these exact sentiments and copied Mr Peter O'Callaghan in on that letter. I received a 12-page letter from the Independent Commissioner fully defending the Archdiocese response. However to this day, I have not received a reply from the Vicar General Monsignor Greg Bennett.

The Archbishop and the Archdiocese need to be held accountable for the ongoing 'muddying of the waters' with regard to my case. It is abundantly and regrettably clear that far from wanting to cooperate and tell the whole truth, they continue to 'duck shove'.

Sincerely yours,

Tony Hersbach