

Background

Name	[REDACTED] Primary Victim
Publish	
Address	[REDACTED]
Responsible Church Authority	Melbourne Catholic Archdiocese
Time of Assaults (Approximate year)	November 2005 - October 2006 Period of intrusive and aggressive grooming over nine months culminating in the sexual assaults of my 14 year old son by our parish priest at [REDACTED]. Please see police statement [REDACTED] for further details. The priest pleaded guilty to charges of indecent assault and possessing child pornography [REDACTED].
Time of Report to Church Authority	October 2006
Time Taken to Resolve Complaint	6 Years - still unresolved
Outcome	My son was accepted as a victim on [REDACTED]. I was accepted as a victim on [REDACTED]. I had to fight very hard to even be accepted as a victim. [REDACTED] My claim remains unresolved but I would like an outcome.

I am disgusted with how the Archdiocese of Melbourne has treated my son, me and my family. I was devastated to discover that my son had been assaulted by a trusted parish priest. I was further devastated to learn that my son's offender is the third consecutive priest in the [REDACTED] parish who is a paedophile, please see Appendix 1 for these details.

Practices/Policies/Protocols in handling Allegations of Abuse

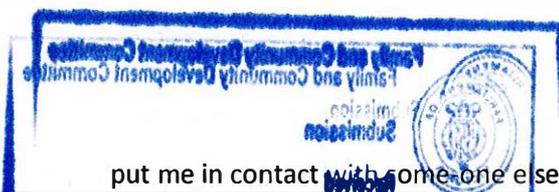
Initial Contact:

My initial contact with the Archdiocese was appalling. I did not receive immediate and appropriate assistance - I was in absolute crisis having realised that my son was in danger from this priest. I was told by Peter O'Callaghan's secretary that he'd get back to me. I was unable to get help as no-one was available.

I had to ring for help several times before anything happened, I was desperate, especially with [REDACTED] calling me and begging me for help. Please see the following paragraphs which explain the lengths I had to go to, to get a response.

Although I was in crisis, I did not receive any form of a crisis response. It took a day for Peter O'Callaghan to call me back. He told me that he was in hospital. I begged for Peter O'Callaghan to

[REDACTED]
[REDACTED]



put me in contact with some one else to address my complaints, [REDACTED]
[REDACTED] I told him that I feared for my son's safety and told him the reasons why, a nurse entered the room and he had to go stating he would ring me back. He later rang back and told me he couldn't assist me and that his secretary would send me a letter. He started to read the letter to me over the phone and I was horrified that he considered my complaints to be so minimal. I cut him off reading his letter but he said he would send it, and that they would also write to the priest about my concerns.

This response was totally unsatisfactory to me as [REDACTED] was harassing me for information about my son. I literally was begging for help. I felt angry at this response. I told Peter O'Callaghan that [REDACTED] would not leave my son alone and in the end I read out some of the text messages that [REDACTED] had sent my son. Peter O'Callaghan asked me if I had the texts on the phone which I did. He then said to leave it with him.

It took another whole day before Peter O'Callaghan called again. During that time the perpetrator [REDACTED] rang me and begged me to help him! This situation was intolerable for me, I called the Archdiocese again to tell them [REDACTED] was calling me and asking for help.

I was furious that the Melbourne Response had put me in this position as [REDACTED] had now been notified that a complaint had been made about him by a Parishioner, but he didn't know it was me. When Peter O'Callaghan finally rang back I told him I was angry due to the fact [REDACTED] was ringing me and begging me to help him. I also told him (again) that I had made the very difficult decision to send my son away from home for his own protection because [REDACTED] was continuing to make contact with him against my express wishes.

During the same call I also told Peter O'Callaghan how I informed two parishioners prior to the last Sunday service that [REDACTED] would stage a breakdown (as he had threatened to me) if I sent my son away. [REDACTED] told me he would stage a break down and go on sick leave. I told Peter O'Callaghan that [REDACTED] broke down crying at the start of the last Sunday service and cried in front of everyone, asking the Parishioners to pray for him as he was not coping. [REDACTED] They took him out the next day saying he was on "sick leave".

I was not told that the accused in my case had been the subject of other complaints but I do believe that he has been the subject of other complaints. [REDACTED]

[REDACTED] I have also found out that he was kicked out by the Salesian Order for misconduct. I also believe that the Melbourne Archdiocese allowed him to do a shorter time of training before admitting him to priesthood. I would like the Committee to ask the Archdiocese why they admitted him to the priesthood without him completing the required training.

Also, in [REDACTED] who was a teacher at [REDACTED] Primary school reported concerns to the school Principal [REDACTED] about [REDACTED] taking boys out of the classroom and taking boys aside at school camps for long periods of time. Another staff member [REDACTED] also reported concerns about [REDACTED] behaviour to the school principal after he had seen [REDACTED] with a young boy at 10.30pm at night on his own. The boy he was concerned about was in fact my son.

I believe that it is shocking and appalling that two teachers raised concerns for the safety of students but the Principal [REDACTED] did not consider the matter needed to be reported to authorities. I understand that [REDACTED] believed that [REDACTED] had an 'odd character'.

[REDACTED]
[REDACTED]

[REDACTED]

When we met with Peter O'Callaghan he asked if my son's information was true and correct. We said yes and then the meeting was finished. I was left feeling confused, as I thought he'd give me help. Or tell me of my options legally, but nothing was discussed at all.

My information was passed to others without my knowledge or consent. [REDACTED] there was the meeting at the parish [REDACTED], and there was also a meeting at the school with the teachers [REDACTED]. I was not invited to participate in any of these meetings. The school staff were told that if anyone raised the issue of abuse to refer the matter to the Principal.

While all of this was unfolding no crisis intervention or support was offered to the school staff or the parishioners.

[REDACTED]

[REDACTED]

[REDACTED]

My minor child was pressured to attend a church authority internal hearing against my wishes.

[REDACTED] Peter O'Callaghan [REDACTED] stated that he had not formed an opinion of innocence or guilt but stated that if the above allegations were proven true, this would form sexual misconduct. [REDACTED]

Peter O'Callaghan said he had to hold an in-house confidential hearing to determine whether my son was a victim. Our lawyers wrote to Peter O'Callaghan to object to my son being pressured to attend a hearing as he was a child and very vulnerable. Peter O'Callaghan insisted on us getting a medical report to support our position. [REDACTED]

[REDACTED] It was after this I decided to seek help from the police. With this so called in-house trial, there were no safeguards put in place for a child. My son was just fifteen years of age by the time this was happening. I did not want him to

[REDACTED]

[REDACTED]

face this situation without with a support person or lawyer to attend with him against a then forty-nine year old man and his lawyer, Peter O'Callaghan being the judge and jury.

I had third parties who worked for the church authority sit in on my meetings without my consent, I was told that [REDACTED] would attend, I was not asked.

[REDACTED]

I was told it would be damaging for others to know. I know now that my son was told by the abuser to keep the abuse secret and for the church to tell us the same thing in my mind continued the abuse. Why should we be quiet? There is nothing for us to be ashamed of. I can see that they were trying to control me by telling me that it was best for my son and protection for him, for me to stay quiet.

I was not told I could have a support person with me during interviews and meetings. They did not offer this but I asked to bring a friend myself and they agreed.

[REDACTED]

[REDACTED]

My process has been characterised by significant time delays and resolution has still not been reached. There was a big delay of four months before the church even spoke to my son about the concerns. Meanwhile they just left [REDACTED] on sick leave. It has been six years and is still going.

My experience of the process is that it became unnecessarily legalistic. Seeing a QC to start with did not help me and I found his role was difficult to understand. [REDACTED]

[REDACTED]

[REDACTED]

My psychological care was paid by the government for five years and now the church is finally paying for it in recent months.

[REDACTED]

[REDACTED]

I have been refused a meeting with the Archbishop. In [REDACTED] [REDACTED] I wrote to Archbishop Hart and asked to meet with him. I was told I would have to meet with [REDACTED] his designated person. This was of no assistance to me as she was the very person that I wished to discuss with him. He said that a meeting with him would not be "appropriate or possible".

Outcome:

The perpetrator was moved away from our parish but he continued to say mass and hold funerals. I was told last year that he has now been defrocked.

The accused in my case was removed from ministry but his canonical faculties were intact

I felt re-traumatised as a result of going through the church authority's complaint process for the following reasons:

- They minimised my concerns
- They asked me to keep what the priest had done secret
- They completely disrespected my parental rights, such that I had none, by insisting on interviewing my son without me being present. After that interview they failed to inform me that my son had been sexually assaulted by the priest and I remained in ignorance until my son disclosed to me a few weeks later.

[REDACTED]

After his disclosure, my son was acting out and I didn't know why. The church did not offer him any care or counselling after his disclosure.

- They deeply hurt me by speaking to members of my parish community behind my back.
- They insisted on my complaint being put into writing when I wanted to go to police.

- [REDACTED]

My complaint was not resolved to my satisfaction for the following reasons:

- The church is not allowing me to tell the full story of what has happened to my family.
- The system neglected my son.
- They wanted to keep it a secret.
- They neglected my family throughout the investigation period.
- After I went to the police Carelink withdrew all support until police had finished their investigations. In the last few months since I have signed the Carelink forms, they have started to assist me again. However, as this change of behaviour has only come about as a result of me signing their forms, I have felt completely manipulated. I was desperate for assistance and had to sign the forms even though I didn't want to.

Systemic practices that discourage reporting of criminal behaviours to State authorities

I was not informed of my right to report to the police at the outset or later as the complaint progressed.

[REDACTED]

[REDACTED]

[REDACTED]

I was not discouraged from making a police report as such but they did encourage me to not say anything so as not to upset my son. I think this behaviour was effectively subtle discouragement to report to the police.

[REDACTED]

I was not encouraged to seek independent legal advice

My son was required to prove his complaint beyond reasonable doubt rather than on the balance of probabilities [REDACTED]

[REDACTED] Why force a 15 year old boy to go through a hearing? Later when the priest was on trial he admitted to the offences and [REDACTED]

My decision not to take civil action against the church authority or the accused was due to legal advice that my claim would not be successful because of the following factors:

- The church not being a legal entity
- The church's assets being protected by property trusts
- Church personnel not being considered employees

[REDACTED]

[REDACTED]

I am grateful to police officer Mark Malloy who assisted with the prosecution of [REDACTED] who pleaded guilty [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I am also dissatisfied that although Carelink said they would arrange a social worker to assist me I have had only one visit from the social worker months ago and no further assistance.

Required changes required to law/practices/policies/protocols

I believe the following will improve the church authority's complaints process:

- There should be a non-church organisation response when families report assaults by priests.
- 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 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. The Archdiocese should have checked with the [REDACTED] about [REDACTED] before they allowed him to work in one of their parishes.
- Funding for complainants who seek a holistic casework approach, (spiritual/medical/legal/psychological).
- An acknowledgement that the required pastoral care in this field is specialised and should be provided to victims by appropriately qualified professionals at no cost to the complainants.
- My parish should have been warned as soon as it was clear [REDACTED] had sexually assaulted my son.
- The police should be notified immediately as soon as the church becomes aware of a report.
- Mandatory reporting should include grooming of children. This should be a reportable offence and should be included in criminal legislation.
- There needs to be education for teachers, parents and parishioners about what to do if a priest assaults a child in the community.
- Its come to my attention that my current priest [REDACTED] has come to a number of parishes directly after paedophile priests have exited, such that I am concerned that his role is to cover up/smooth over the issues rather than confront the realities.
- The Carelink forms (see Supporting Documents) should not allow the church to retrieve information about victims from a number of sources, this is too broad and works to the detriment of victims.

I believe that the following changes to the law will improve access to justice for victims:

- 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
- At the very least, include grooming behaviour as reportable in Victoria and make it mandatory to report it. At best, make grooming a criminal offence with strong penalties.
- Everyone should be mandated to report

[REDACTED]
[REDACTED]

- There should be more restrictions in the Sex Offender Registration Act, extend it to ensure protection for adolescents. The legislation should limit the opportunities for sex offenders to be in proximity to children and make Working with Children Checks more strict.
- It should be made much more difficult for offenders to obtain adjournments of their criminal proceedings, as such adjournments delay justice and cause further trauma to victims

Concluding Comments

The Committee will be interested to know that my son's abuser has now been charged with further and multiple offences against children and a hearing is due to be held [REDACTED] I understand that some of the charges relate to him breaching provisions of the Sex Offender's Registration Act and that he plans to contest the charges.

I would like the Committee to explore what role the Archdiocese has played in supervising this former priest as it appears he has simply been "let loose" to assault further children.

What I want more than anything is for the full details of my family's experience to be heard by an independent party unrelated to the church and for the truth to be told.

Witnesses

[REDACTED]

I wish for you to question these witnesses in the course of the Inquiry.

Supporting Documents

My Police Statement dated [REDACTED]
[REDACTED]
Letter from Denis Hart dated [REDACTED]
Carelink forms

I have a number of letters from the Archdiocese in response to my requests for justice and I am happy to make these available to the Committee at their request.

[REDACTED]

Signed

[REDACTED]



21/9/12.

Date

