

Background

Name Publish material	[REDACTED]
Address	[REDACTED]
Responsible Church Authority	[REDACTED]
Time of Assaults (Approximate year)	1969-1974 -Numerous sexual assaults by three different offenders, [REDACTED] I was aged 12 [REDACTED] when the first assault took place, committed by [REDACTED]. I froze, I was terrified. The last assault occurred in Year 12, when I was aged 17. In [REDACTED]
Time of Report to Church Authority	1996 to the [REDACTED]
Time Taken to Resolve Complaint	8 Years -the matter finally resolved in 2004
Outcome	Compensation payment

Practices/Policies/Protocols in handling Allegations of Abuse

Initial Contact:

I had an initial meeting with the [REDACTED] at the time [REDACTED] [REDACTED] where I told him my story – the truth of what happened to me [REDACTED]

I did not receive immediate and appropriate assistance; I was simply referred to the [REDACTED] lawyer. I made an appointment to see him and I told him my story, but I felt as though he didn't believe me and that he minimised it. It was very official, I had 5-6 meetings with him and the more meetings I had, the more suspicious of his motives I became. It became obvious to me that he wasn't trying to help me, he was trying to protect the [REDACTED]. It was all very legalistic and defensive, I was so disappointed and disillusioned.

I had been getting counselling which I set up myself, they did not offer me any help. I was in a state of openness and wanting to sort out why I couldn't have a successful relationship with a girl, where God was leading me, and why my life wasn't 'normal'. I was genuine and seeking a genuine response from the [REDACTED]

[REDACTED]

[REDACTED]

I was told that that there had been no other complaints about the three perpetrators in my case.

I was not offered psychological support or counselling. I can't recall if the [REDACTED] funded my counselling but they did fund me going to [REDACTED] for assessment, I think I had about 4-5 meetings with him and then he referred me to [REDACTED]

[REDACTED]

Professor Ball told me this was a program for victims of clergy sexual abuse and said that it might help me. When I started attending the group there, I went in with total honesty and openness, wanting to understand the way I was. There were about 10 men participating, I thought they were all victims of clergy sexual abuse. We had some introductory sessions, and then some sessions on anger, then one day I asked the group how many were victims of clergy abuse. Only one said he was and it was then that I found out that all of them in that group were perpetrators and they were all either priests or members of religious orders.

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thinking I'd been put in the wrong group. Some of those men had just come out of jail for child sex offences. My lawyer sent Professor Ball a letter asking why he had referred me there, his answer wasn't clear. I suffered significant suicidal ideation and depression after these events

[REDACTED]

recommended an independent psychiatrist by my advocate, Helen Last. This psychiatrist was far more understanding than the ones recommended by the Jesuits and I began being treated for depression

[REDACTED]

[REDACTED]

I was not provided clear information about the complaint process. I was not offered independent legal advice. No support was offered to my family or my parents. I would deeply appreciate an apology for my father, now aged 84 and still disaffected and angry by these events. My mother (died in 2005) who grew up a devoted Catholic gave up her practice of the faith due to the poor handling of my circumstances.

Period of Investigation:

As soon I made the report the offenders were removed from their positions. [REDACTED]

[REDACTED]

I was not told to remain silent about my concerns about the alleged perpetrators but it was inferred that I should be quiet about my concerns, that this was sensitive information and "we don't want to let this get out".

I was not told I could have a support person with me during interviews and meetings.

My process had significant time delays before resolution was reached. It seemed to me there was deliberate stalling. They were in no hurry to work it out. After four years of trying to mediate I resorted to civil proceedings to get an outcome. The proceedings took four years to resolve - eight years altogether.

My experience of the process was that it became unnecessarily legalistic - the meetings with the [REDACTED] lawyer and then all the "to-ing and fro-ing" between my lawyer and the [REDACTED] I think they hoped that I'd just go away. I felt they were putting the blame on me, for accusing those men.

I was expecting a far more pastoral response and I got a very legal response.

Outcome:

One alleged perpetrator was moved to a retreat centre/parish [REDACTED] and the other to [REDACTED] - both remained in ministry.

I felt re-traumatised as a result of going through the church authority's complaint process.

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

- Because I felt my plight was genuine, I was seeking assistance, yet I got treated terribly and my harm was minimised.
- I was put into the hands of the [REDACTED] legal representative which did not assist me at all. In fact, it caused me much anguish, frustration and anxiety.
- I went through four years of frustrating lawyer to lawyer contact and unsuccessful meetings with the [REDACTED] I found to be uncompassionate and ignorant of the impacts for victims and very protective of the [REDACTED] reputation. Fortunately [REDACTED] who was [REDACTED] 2002- 2008, was much more understanding and gave me better treatment; my case experience changed from a lack of compassion to a much more open and pastoral and genuine response. Since my claim has settled I have had contact with the current [REDACTED] who has been supportive in general.
- [REDACTED]
- I was offered ongoing support after my complaint was dealt with; particularly more recently (in the past 5 or 6 years) I have had ongoing pastoral support in the form of spiritual support, retreats and the like.

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 on during the process.

I felt that the [REDACTED] did not perceive the assaults as crimes, I felt they minimised what happened.

I was not encouraged to seek independent legal advice although I was getting independent legal advice from

I made a police statement during the process but the police told me they didn't have the funds to go interstate to track one of the offenders down. I was disappointed by this and felt the police did not see my case as a priority.

In my case both offenders (of the three offenders, only two remained the other one left the Order in 1974 and was not able to be followed up) were given strict instructions by the lawyer not to apologise to me, one of them told me this fact but then he apologised to me anyway, because he thought it was the right thing to do.

I did take civil action against the despite legal advice that my claim would not be successful because of the following factors:

- The Statute of Limitations
- The church not being a legal entity
- The church's assets being protected by property trusts.
- Church personnel not being considered employees.
- The accused having no assets due to vow of poverty

Each of the above legal issues were all raised and argued about during my civil case.

Required changes required to law/practices/policies/protocols

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

- 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.
- There should be recognition and inclusion of spiritual damage as a critical element in the harm caused to victims and their families. My Mum and Dad's faith was damaged and none of my siblings have continued to practice their faith because of what happened to me.
- 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.

- 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

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

- The Statute of Limitations – amend to allow historical abuse claims
- Amend corporation’s 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.

The impacts are lifelong, and I have lost opportunities to advance in my career. [REDACTED]

I have felt exhausted as a result of the long and drawn out journey since 1996. My will has been very low for many years now. My physical and mental states have suffered greatly as a result.

My family relationships have been challenged to the limit. My parents and siblings have ditched their practice of the faith and have no time for the Church authorities. There has been a very significant ‘ripple effect’ since the first sexual assault to which I was subjected as an innocent 12 year old back in 1969 up until today and the truth needs to be known. It needs to be understood that the impacts are lifelong.

SUMMARY of impact on my mental health:

1. Anxiety and lack of concentration at school when I was a student.
2. Major psychotic episode at age 20, mental breakdown and subsequent admittance to psychiatric hospital [REDACTED]
3. Profound loss of self-respect and self-confidence as a result of these events.
4. Profound disturbances in my relationships with my family and friends when I was at school and university. I was unable to talk to anyone about the abuse.
5. Struggled to complete tertiary education, [REDACTED]
6. [REDACTED]
7. When I worked up the courage, [REDACTED] to approach the [REDACTED] the

response was cold and legalistic which caused deep despair and disillusionment in me, with feelings of abandonment and being treated as a hostile person by the very church believed in (and worked for) and tried to forgive for my experiences of abuse. This profound despair and depression continued for 10 years during most of which I was having to deal with inappropriate processes, horrible errors of judgment, including [REDACTED] [REDACTED] All the while trying to [REDACTED] function as a normal human being. Coping day to day was extremely challenging [REDACTED]

8. Gradually, with a lot of support from psychological professionals, family, friends, colleagues, spiritual advisors and [REDACTED] I have improved mental health [REDACTED]

9. This extreme experience of many years of mental anxiety and anguish have made me more aware of, and determined to be more supportive, understanding and devoted to the children in my care.

What is presented in this submission is just a snapshot of my experiences, it is by no means the whole story.

***** I believe that as a result of my 'battle for justice' with the [REDACTED] over the 8 year journey, their processes protocols and response have improved dramatically and have a far more pastoral approach now than I first experienced.**

Supporting Documents:

My Impact Statement is available to the Committee at their request.

Witnesses:

[REDACTED]

I would welcome the opportunity to speak in person to the Committee and if so, I would like to bring at [REDACTED]

Signed: [REDACTED]

Date: September 21 2012