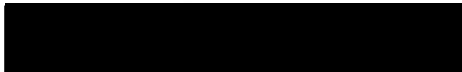


SUBMISSION TO:

**VIC GOVT INQUIRY HANDLING OF CHILD ABUSE BY RELIGIOUS AND OTHER NON-
GOVERNMENT ORGANISATIONS.**

SEPTEMBER 2012


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INTRODUCTION

I am a survivor of sexual abuse within the Catholic Church.

I am a survivor of the awfully damaging process of bringing them to account.

I am writing to this inquiry for 2 main purposes:

- To highlight some inadequacies of the Church's processes in handling complaints, that serve to compound the trauma. (Terms of Ref Part 1)
- To submit an idea to this Inquiry, that may help to address the single biggest oversight remaining to this day, in helping survivors to heal. Once abused, our bodies, minds and emotions are trashed, the nature of which are reasonably well documented. But perhaps the greatest contradiction of all is the combined Churches/Faiths failure to address fractured spirituality and faith. And failure to provide any mechanisms that may assist re-establishing, re-defining or healing a survivor's relationship with their God. In a manner that is safe to them. (Terms of Ref Part 2)

No doubt stories from fellow survivors will be submitted to this Inquiry. I leave it to them to communicate the horror of abuse, and the mountains we climb every day to live. Sexual confusion, loss of sensitivity to our bodies, self-harm by blade and substances, rage and defeat. Self-loathing and hyper-vigilance to safety/danger that is simply exhausting. Every morning represents a rock wall, and every night a pool of crocodiles.

That I will potentially survive to an old age is testimony to my extraordinary wife, who has walked with me through recovery and recompense, and is the very definition of love.

I discovered there was a name for what had systematically been inflicted upon me, on the ABC program "Compass" in the early '90's. No doubt panel members of this Inquiry are aware of the infamous episode that broke the silence. Until then I did not know that there was a name for it, and that it was not normal.

In asking the Church to redress my history I was very straight forward. I sought 3 things:

Money for safety ...I was around 30 years old, broke, and renting a small flat. I had a history of sabotaging employment success so was not well paid. I lived in fear of not being in control of how and where I lived. I needed a sanctuary. I sought money to contribute to buying a villa unit or small home.

Money for therapy ...With my life imploding from late teens, I had already spent 4 years paying for therapy from the age of 19. After the Compass program I went back into therapy. I have spent 10 years of my life in therapy.

A public apology ...Being a survivor cost me friends. A breakdown, rage and community ignorance of the issues cost me family relationships. If the apology couldn't be public to perhaps reach those people, all else was pointless.

Asking for the above was the beginning of a whole new round of trauma. I explain the shortcomings of the process, and some recommendations in submission part 1.

MY BODY

Can my legs contain
the desire to run
from sexual abuse
to oblivion?

Can my groin contain
the paralysis
and ever again
feel erogenous?

Can my nerves contain
exploding pain
blasting from rectum
toward my brain?

Can my hands contain
consuming fury
yet drag the mongrels
before a jury?

Can my heart contain
wretched agony
seeing the truth
of my history?

Can my throat contain
the inflammation
from submission to
male penetration?

Can my voice contain
overwhelming fear
of telling the truth
none want to hear?

Can my head contain
sham insanity
that mocks so deftly
my memory?

Can my spirit contain
the tormenting sense
of body stained
and potential quenched?

Can my body contain
can my body sustain
my abused body?

SUBMISSION PART 1: Terms of Reference Part 1:

"Practices, policies and protocols in such organisations for the handling of allegations of criminal abuse, including measures put in place...in response to Concerns... .

LOOKING BACK: CONFLICT OF LAW, CONFLICT OF INTEREST

Someone always has to be near the front of the pack. Unfortunately that was me...one of the earliest survivors in Australia to take on the Church. So I acknowledge at the outset that process and procedures have improved since the early '90's. Regrettably not enough, and the issues outlined below remain topical.

I believe the Catholic Church has a conflict of interest in applying Canon Law and Common Law. In a sense applying them in reverse, to the advantage of the Church and disadvantage of Survivors.

I was clear in my own mind that I did not want to go through the criminal legal process, as such a path would inflict more trauma upon myself, and delay any healing for years.

So in seeking my 3 needs outlined in the introduction, I advised the Church I did not want to go through criminal proceedings and why. We had an initial meeting on neutral territory, where I laid out my position. After some to and fro, liability was denied and we respectively engaged solicitors. This set us on a 2 year path that saw me borrow \$12,000 from a very generous friend, to fund legal costs. Regrettably, to be taken seriously I had to take them almost to the front steps of court.

At this point, a powerful religion, holding itself out to be our moral authority and guiding light, adopted some of the most base principles Common Law can inflict upon its society...

- They interviewed my school friends
- They had me followed by a private investigator, much to my amusement and disgust. I used to go to work, come home and lock myself in my flat. When I couldn't go to work, I walked. The most boring of candidates for investigation. But what if I wasn't? What if I expressed my sexual trauma by sleeping around? Should it actually change the Church's position?
- They hired someone in their late teens to proposition me for sex, starting the dialogue on a train on the way to my car mechanic. The report on the outcome likely read something along the lines of...the target was non-responsive and simply chatted with our instigator about our instigator's life.
- How do I know this? The proposer lacked credibility. The PI failed unobtrusiveness on occasion. My lawyer warned me I would be followed, as was common practice then.
- They insisted I see their chosen therapist for assessment. A complete stranger, in an unknown environs. It was not negotiable. I gained agreement that my partner [REDACTED] could be in the room. After weeks of indecision, defeat and fear, I felt strong enough to agree. When the time came, this complete stranger simply bullied me into going into his room on my own. At the conclusion of the process he also stood between me and the door. Nearly 20 years later that moment of terror remains etched in my psyche. For what outcome? He advised them I was telling the truth and was indeed a survivor.
- After nearly 2 years, we finally sat around a settlement table at their solicitor's office. Present for them...Lawyer for the Catholic Order involved and his 4 inch thick file; their insurer; their current head of the Order; their junior solicitor; and another solicitor representing one of the abusers who had departed the Order. Present for me...my lawyer and me. They refused point blank to allow my partner into the room. It was too well stacked their way.

- The intimidation was straight out of a movie. The senior lawyer attacked my position; the insurer literally said nothing throughout but did not take his eyes off me for the entire meeting; the other solicitor asked me to recount an incident so they could gauge my strength as a presenter, the head of the Order advised the worst offender insisted it was consensual. The meeting smashed me. I couldn't breathe and had to leave.
- For the printed public apology I sought, they argued with me about using the word "grievous" with "damage", and of course were never going to publish anything implying liability, let alone accepting it.
- In contravention of the UN ruling, I had to sign a confidentiality contract. Silence is one of the most insidious aspects of abuse, and confidentiality perpetuates it.
- And with all of the above, the representative of the insurer in that meeting himself had seen me in the Church house with the main offender on a few occasions, as a visitor.

Perhaps a further reflection of the Church's insularity and mismatch of standards to the community, was my later interaction with them. Many years later, and another 6 of therapy, I was strong enough to tackle the Head of the Order's comment in the meeting that the abuse was consensual. In a single sentence, whatever recovery I had made was gone. I wrote them again asking them to address that statement and its implications:

- That they held themselves corporately unaccountable
- They considered him innocent
- That I was a sham they paid off.

Thankfully they agreed to meet. To their credit with 15 more years of knowledge of the issue, they stated unequivocally I was abused.

I also needed to know what they had done with the main offender. Outcome... Still a practising priest, living with a group of nuns, still refusing point blank to see it as anything other than consensual.

So... Canon Law had quietly shifted him out of sight of the flock, and done little else. Common Law had scathed me.

Interestingly, I asked why they took any action with him under Canon Law, if they believed it was consensual. The reply was because he had broken the vow of chastity. A Canonical crime. Not the slightest consideration of a criminal act. Or immoral on so many levels.

In answer to another question, their memory of me was the person who cost them their relationship with the abuser...one of their brethren. Not a person wronged, nor an opportunity lost. Not a candidate with the most raw, unmoulded, passionate spirituality for them to carve. Just trouble...someone who cost them filial tranquillity.

And in the whole process, they were least equipped and unable to respond to my enduring spiritual cancer. The supposed experts in all things God, were silent on my yearning need to repair my relationship with God. It is this I focus on in submission 2...(terms of reference part 3).

So...for the above, clearly some procedural changes are in order. The nature of Common Law itself is a substantial deterrent to achieving justice. The Churches capacity to use it heightens the barriers.

I submit that:

- The Churches must be reined in on wilful and inappropriate use of common law.

- The Churches should be forced to come out from hiding under insurer limitations and conditions.
- Unless the survivor specifically seeks a criminal outcome, a set of protocols should be established to limit Church access to *legal or procedural* superiority. This should also apply to civil action, whether legal or “semi-private” such as mine.
- I may be out of date, but I believe the Catholic Churches procedure for recompense, outside of the legal system actually has a dollar limit. On what grounds? No doubt the insurers.
- A balance of power should be returned to survivors in this process, if not positive discrimination.
- Under no circumstances should the Churches be permitted to call for confidentiality in settlements.

Who's Father?

Our Father
From all around
Your name is mud.

Your kingdom debased
Your wishes erased
All over the place.

Forget your bread
Stale and poison

Forgive your own shepherds
Those lecherous wolves
Beyond a child's forgiveness.

Trespassing in-deed
Crush - we who need

You didn't deliver Father
You didn't deliver.

Hammo '93 & '08.

SUBMISSION: Terms of Reference Part 3:
“Whether changes to law, practices, policies and protocols...are required...”

LOOKING FORWARD: THE ROAD HOME

In this section I explore two aspects of the Churches needing to more fully cover the costs of “fallout” from abuse.

My vocation in my teens had a power never matched in any other employment. I wanted to be a Catholic Brother in that Order. I stayed with them for enduring periods, learning their life. I participated in duties of Mass. I suffered a breakdown in my late teens, and while being cared for was even sexually abused then. Transgressions occurred in the sacristy adjoining chapel immediately before Mass, after Mass, in or out of priestly robes. The first time it occurred with the worst offender, we had to conduct Eucharist to pray for God's forgiveness. I went from a paralysed foetal position, to paralysed prayer.

What is my point? The constant juxtaposition between sex, prayer and God. God in the form of priest or brother, or incarnate in the Eucharist. God as sweat, semen, pain. God as overwhelming devil. Not at all the loving, contemplative prayerful Being from the scriptures, and that I initially experienced. All these Gods...inseparable.

Abuse desecrates and destroys ones spirituality and relationship with God.

Yet this most important of topics is massively overlooked in any resolution and restitution. The best the Catholic Church can offer is counselling, or welcoming back into the Church fold. I have never been able to walk into a Church since the Compass Program. I freak out. If I was able, I still would not. I couldn't attend my father's funeral in 2004. Nor can I participate in the Catholic community that respects the cloth. Even if that community could give me voice to disclaim the acts of their shepherds. And I am sure I not alone.

But I still have a need. Beyond my incredible wife, children, friends and employment. My emaciated dialogue with my God remains a cancer, that cannot be cured by therapy. I have visited physically unthreatening chapels, of a different flavour to the Catholics. Still no good.

The Churches will spend their money on lawyers, media management, and insurance premiums, but not on our spiritual road home.

The terms of this Inquiry are rightly focused on prevention, and management of abuse claims. But there is a gaping hole in addressing the resultant spiritual conflict. Whether older like myself, or a child with an emerging concept of God.

There is a second aspect where I feel their contribution to the fallout is lacking. When I first sought help the morning after the Compass program, I was referred in the first instance to CASA. They were brilliant, and then referred me to a Men's self-help group which I participated in for a couple of years. CASA is funded by the Government, the Men's self-help group was funded by the Government. Parts of the decade of therapy I undertook were funded by Medicare.

And the Churches dollar contribution was how much?

Clearly Government is paying for some of the fallout of Church based sexual abuse..

I submit the Churches should collaboratively:

Be made to contribute in real \$ terms, to the true cost of sexual abuse *beyond the compensation boundary*. To facilities, support structures and counselling in mainstream society, that would otherwise be funded by Govt.

In particular these facilities should be of society's design, not the Churches, which has often been the case to date. They are least qualified to design what we need, but most able to fund it.

Most importantly, it is time for the Churches to collaboratively fund "the road home" for survivors. I can see a space for survivors. A new place... a new space to reconstruct God dialogue.

- I would love to see it in each capital city and major regional town in Australia. But perhaps to start, each capital city.
- It is centrally located, and easily accessible. A place of peace and greenery, perhaps in a garden, or roof garden.
- Glass walls so that visitors do not feel enclosed or trapped, as is the case in Churches.
- A whiteboard for writing messages to God. Angry messages, hurting messages, loving messages, why me messages.
- It has couches for sitting and just being.
- It has chairs for meetings, or simple ceremonies, that are no more complicated than inviting dialogue with each visitor's God, in that space.
- It has a facilitator or mentor on hand at all times while open. Casually dressed. Qualified to provide counsel. Able to conduct simple informal ceremonies.
- The space is only lightly decorated. Not overdone with any symbolism, or heavy on religion.
- A space of peace, not religion.
- Where the Churches \$ are welcome, but not their input in any way.

They can either collaboratively fund the costs they create, or Government tax them to raise necessary funds.

We manage such a concept easily in society already, with Workcover or TAC claims. Simply add another question to the list...e.g. "Is your current interaction with a Government service consequent to being a survivor of sexual abuse from a Church, or church based school". If the answer is yes it commences a series of actions or tracking, for which a given Church (or the communal pool) foots the bill.

Thanking you for taking the time...for us.

How can I explain
Our souls in such pain
From church of disdain
That did not abstain?

Their impact despair
No hope of repair
Unhealable tear
My failing self care

Their doctrines dictate
In love procreate
But their sex I hate
For my detached state

She gently restores
My body God tore
She reeled me ashore
Remoulding my core

Pious crap shoved
Replaced by her dove
Sweet velvet glove
Conception through love

The day announced she
Your presence might be
Her fear plain to see
And I wished to flee

My kids want to sing
Dad gives everything
Dilemma you bring
Can't spread my love thin

I've no more in store
To give even more
Can't open the door
Your life to explore

We waited so long
Sorting right from wrong
All spare time was gone
The pressure was on

Spiritual prison
Torment and schism
The killer decision
Your life or excision

A very grey day
we sent you away
No permit to stay
Forbidden to play

Shut window louver
White starched remover
sterilised Hoover
Performed your murder

The look on her face
In the salvage space
A mum out of place
Her soul was defaced

Cursed by the brethren
No joy I'm forgiven
wedge that was driven
tension arisen

She wants it to be
back in history
I can't don't you see
I'm so sorry!

I'll never forget
The contrast you set
More joy I could get
Or anguish I've met

I'm crushed underneath
Failing your belief
Your life had a thief
Not even a wreath

So where did you go?
In someone on show?
Or where spirits flow?
I wish I could know

I still hear you scream
Dad don't end the dream
We could be a team
Yes, you should have been
Seen.

Hammo 07,12