

Appendix 1 - Summary of the Process of my Complaint

First Report - 10th August 1994 to Vicar General Gerald Cudmore (now deceased)

I first approached Vicar General Cudmore after attending an 8-day retreat run by Fred Van Gestel, former priest with the Missionaries of the Sacred Heart(MSC). He had been working with many victims of clergy abuse and I was able to reveal my abuse to him during this retreat. He was instrumental in my reporting to Cudmore. Mr Van Gestel is willing to give evidence to the Inquiry in regard to my case.

I and my wife, Lu, attended the initial meeting with Cudmore on 10th August 1994. We told him the story of grooming and repeated, pre-meditated abuse by Rubeo as well as his ongoing and controlling involvement in our family life.

We advised him of Fred's support and a scholarly article dealing with the problem of clergy abuse that Fred had provided to me and that Cudmore had in his possession. My understanding is that this article originated with the Archdiocese. I still have this article ("Can a Sexually Addicted Priest return to Ministry after Treatment? Psychological Issues and Possible Forensic Solutions" in list of Supporting Documents).

Although I didn't want police involvement initially, I made it abundantly clear to Cudmore that I didn't want Rubeo to walk away. I demanded that he must be confronted. Cudmore's file notes confirm this. The file notes also confirm that I wanted thorough evaluation, specialist treatment and ongoing monitoring of Rubeo as per the article mentioned above.

Rubeo was interviewed by Cudmore on 31 August 1994 (see list of Supporting Documents). Rubeo did not deny anything of my story and he offered his resignation. [REDACTED]. Cudmore also advised Rubeo that I didn't intend to press charges. How appropriate was it to tell the perpetrator this information?

After Rubeo was interviewed by Cudmore, I was not advised of any other complaints about the accused in my case. [REDACTED]

My brother and I did not become aware of each other's abuse till several years later (see below). [REDACTED]

I was not offered psychological support or counselling. I had arranged my own counselling at the time and was out of pocket for \$2,800 which the Church told me my offender had offered to pay. I was greatly disturbed by this as I felt even my counselling had been tainted by Rubeo's control and influence

1994 -1995 Numerous Subsequent contacts:

Rubeo was only given a very cursory assessment and some counselling, but was allowed to remain fully active in his parish for another 2 ½ years.

Cudmore's file notes reveal that Rubeo received counselling from [REDACTED] the Catholic Family Welfare Bureau. Cudmore, totally inappropriately, provided me with a letter from this counsellor

[REDACTED]

[REDACTED]

dated 11 May '95 which defends Rubeo's actions, and guarantees that he would never offend again or even contemplate offending again. Yet we now know that he was abusing other victims [REDACTED] [REDACTED] some 20 years after he first abused me and my brother.

The letter also casts blame on me and implies that there wouldn't be an issue if only I was appropriately medicated. This letter shows a total lack of comprehension of Rubeo's crimes or the bond of power and control that paedophiles have over their victims. This letter disturbed me greatly and still does.

I and my counsellor [REDACTED] and spiritual director Fred Van Gestel, expressed our concerns to Cudmore about the level of assessment, treatment and monitoring of Rubeo. [REDACTED]

[REDACTED]

[REDACTED]

During this time, Rubeo was also receiving 'spiritual direction' from Fr Gerard Klep and Cudmore's file notes confirm that this was being 'supervised regularly' by Cudmore. This 'relationship' with Klep was active during '94 (while Klep himself was being charged with child sex offences) and incredibly during '95 after Klep had been convicted and was serving a community based sentence. In later years Klep was sent to Samoa by the Salesians. He was eventually extradited back to Australia and received a lengthy prison term.

Cudmore's file notes report that he was 'supervising' this attendance from September '94 and during some of '95. I seriously question the level and quality of this 'supervision'. From what I and my family experienced at the hands of Rubeo for over 30 years, it is clear that Rubeo was 'able to pull the wool' over the eyes of the counsellor. My family and my brother's can all attest that he was a master manipulator, a real wolf in sheep's clothing. The church leaders did not want to hear or see this.

Throughout this 3-year period, I received no feedback about what was happening with Rubeo. If I did, it was only when I made the approach. Although I don't have a record of them, I can attest that my phone calls were often not returned and I had to follow them up. At other times I was fobbed off with platitudes and empty promises that resulted in little or no action.

Toward the end of 1995, I gave up contacting the Archdiocese. I was struggling both personally and professionally and I felt as if I had done everything possible to get action. They were just not listening and I had lost all confidence in the process.

The Archdiocese allowed Rubeo (then aged 61) to continue ministering at his then parish, St Joseph's, Boronia in Melbourne's east. The Boronia families were kept unaware that their parish priest had admitted being a child molester. Presumably, the Archdiocese would have left him working in Boronia except for the police involvement which happened next. This was a most serious abrogation of their duty of care given that Rubeo had engaged in protracted sexual abuse with young boys, and the church knew about it. [REDACTED]

[REDACTED]
[REDACTED] It is this attitude and
[REDACTED]
[REDACTED]

defensive way of thinking that makes it seem to me that the church has learnt nothing in the 18 years since I first went to Cudmore.

1996 - Police Involvement

[REDACTED]
[REDACTED]
[REDACTED]

In his 1996 police interview, [REDACTED] admitted to detectives that he had committed "a few" less serious offences 30 years previously against my twin brother and I.

The police contacted me and we met with my wife and counsellor, [REDACTED] soon afterwards. It was during this meeting that I first became aware that my twin brother, Will, had also been abused by Rubeo. We were both required to attend Hawthorn police station (Glenferrie Road) to give our statements.

This was very traumatic and not well handled by the police in that the area we gave our statements was quite public with other officers/people passing through. Even though we told the police that the abuse happened frequently, we were only able to 'particularise' one incident each. The police process was quite confronting. I never received a copy of my statement from the police or any follow-up about what would happen to Rubeo, not even that he had been charged and was going to court.

Because of police involvement and possible publicity, we now had to face the prospect of informing our children and other family members, including my aging parents. My mother was battling ovarian cancer at the time. Telling our four children was an incredibly difficult process, given the nature of Rubeo's overwhelming influence and role in our family. Even though we had cut off contact with Rubeo since reporting the abuse, we hadn't talked to our children about this. Given the nature of the response from the Archdiocese up till then, I didn't feel I could turn to the church for help in this area (eg. family counselling etc)

In mid '96, the prosecutors decide to proceed against Rubeo in our case [REDACTED]. The court charges were confined to two selected incidents – one indecent assault (that is, indecent touching) on me and one on my twin brother, Will. The police issued Rubeo with a summons to appear at Ringwood Magistrates Court on 8 October 1996. There is an entry in Cudmore's file notes on 5th July '96 relating to this.

On the 22nd August 1996, while awaiting his court case, Rubeo resigned from his Boronia parish. This was six weeks before the scheduled court date. Parishioners were not told that he was facing criminal charges. My brother and I were not told about the court date by either the police or the Archdiocese.

In court on the 8th October '96, Rubeo pleaded guilty regarding my brother and I. As the court was told of only two offences (and this small number could be interpreted as merely 'isolated incidents'), the magistrate imposed a lenient sentence on Rubeo – just a 2-year good behaviour bond with no conviction. This was so far from the real truth about Rubeo, of which the church was fully aware. Because my brother and I were not advised of the court case we never had an opportunity to submit Victim Impact Statements.

[REDACTED]
[REDACTED]

Even after the court date and Rubeo's guilty plea, the Archdiocese did not tell Rubeo's current or previous parishioners about the matter or the full truth about Rubeo. Nor did the church tell parents at schools where Rubeo had visited as chaplain.

A Melbourne priest told Broken Rites in early 1997 that "Rubeo's resignation was only from his parish, not from the priesthood. He hopes to get another parish after serving out his good-behaviour bond period - but it would be difficult for him to get a new parish if the public learns about his court case. As yet, (in early '97) hardly anybody knows about it"

On 23rd March '97, an article was published in the Sunday Herald Sun about Rubeo's court appearance and guilty plea. This was the first time anything about Rubeo was made public. The court case subsequently became news in the local suburban newspaper in the Boronia area, the Knox News on the 8 April '97. The revelations in the two newspapers made it impossible for Rubeo to be re-instated in a new parish, even after his two-year good behaviour bond, which was due to expire in October '98.

Schools and parishes in Boronia or previous parishes where Rubeo served were never advised of his crimes until it became public in the newspapers. Even then, it was minimised to just the court case and two charges. The full truth about him was never told and still, to this day, has never been told. At no stage since then has the Melbourne Archdiocese ever revealed the full truth about Rubeo's crimes against me.

It has now been 18 years since I first reported the abuse and my overwhelming feeling is one of a sense of abandonment and a failure by the church to acknowledge the full truth.

One of the most troubling aspects is that for nearly two decades there has been no meaningful pastoral or spiritual program to assist me, my family or local parishes in any form of pastoral or spiritual rehabilitation. This should be the 'core business' of the church.

The only direct 'pastoral' response to me has been assurances in letters and meetings with Archbishops, Vicar Generals and even the Vatican is that they would 'remember me in their prayers'. The Congregation for the Doctrine of Faith, the Vatican organisation charged with responding to this problem included a set of rosary beads, blessed by the Holy Father with their response to me. As much as this could be a very meaningful and appropriate gesture, it rings hollow and even hypocritical, when you look at the overall mishandling of my case and the church's ongoing failure, to this day, to acknowledge the full truth about it.

This continuing betrayal over such a long period of time represents significant secondary, institutional abuse.

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