

One man's struggle to be delivered from evil - and indifference

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EXCLUSIVE

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MELBOURNE'S Catholic archdiocese permitted a priest charged with child sex offences to be the "spiritual director" to another priest accused of child molestation.

The revelation is contained in confidential Catholic Church documents obtained by *The Age* that provide an insight into the archdiocese's handling of child sex abuse cases.

[Click here to read a response from a spokesman for the Melbourne Archdiocese.](#)

The documents show how senior church leaders continued to shield Father Victor Rubeo from scrutiny after child sex abuse allegations about him were first reported to the archdiocese in 1994.

Rubeo, who did not deny the allegations when questioned by a senior church official, was allowed to continue preaching in Melbourne's Boronia parish without his parishioners or police being told of his child abuse.

Rubeo died of natural causes in December last year on the day he was due to face a committal hearing in the Melbourne Magistrates Court after being charged with 30 fresh child sex offences. He was 78.

When police went to his house at Portarlington on the Bellarine Peninsula last year to lay the charges, they found Rubeo alone with a young boy. There was no evidence to suggest the boy had been abused.

But one of Rubeo's victims, Tony Hersbach, is concerned the boy was put at risk because of the archdiocese's failure over 18 years to inform church communities about Rubeo's history as an abuser.

A spokesman for the archdiocese said yesterday that church officials were aware of three complaints against Rubeo involving children and two involving adults. The archdiocese was not aware of the Portarlington matter involving the boy, he said.

Mr Hersbach decided to speak out about Rubeo's repeated sexual abuse of him between the ages of 11 and 19 after seeing photographs of clergy abuse victims who had taken their own lives on the front page of *The Age* in April.

Mr Hersbach, who initially did not want Rubeo reported to police, wants the state parliamentary inquiry into abuse in religious organisations to recommend mandatory reporting laws. "It would have saved me 18 years of having to deal with this," he said.

File notes made in September 1994 by the then vicar-general of the Melbourne archdiocese, Gerald Cudmore, reveal he oversaw the appointment of Father Frank Klep as Rubeo's spiritual director after Mr Hersbach reported Rubeo's sex abuse.

At that time, Klep had been charged by police with child sex offences. He was convicted of indecent assault in December 1994. Despite his conviction, Klep continued to act as Rubeo's spiritual adviser during 1995.

Klep had since the 1980s been the subject of repeated child sex abuse complaints from parents of students attending the Salesian order's school at Rupertswood in Melbourne's outer north-west. He was sentenced to perform community service for his 1994 conviction and sent to Samoa by the

Salesian order in 1998, when it became clear he was to be charged with more child sex offences. Klep was deported from Samoa in 2004 and hit with numerous child sex charges on his return to Melbourne. He was jailed for five years and 10 months in 2006.

Mr Hersbach, who only discovered Klep's appointment in 2010, said he was amazed that senior church leaders thought it appropriate to have a convicted paedophile advising another child-abusing priest. "It makes you wonder what they talked about, doesn't it?" he said.

Documents show Rubeo offered to resign as a priest in 1994 but this was rejected by the archdiocese, which took no action against him until August 1996, when police began investigating a sexual abuse complaint about him lodged by a woman. Although he denied the woman's claim, Rubeo admitted to police a few instances of abuse against Mr Hersbach and his twin brother, Will, dating back to the 1960s.

In October 1996, Rubeo pleaded guilty to one charge of indecent assault against each of the Hersbach twins in the Ringwood Magistrates Court and received a two-year good behaviour bond without conviction.

Mr Hersbach was given counselling and compensation by the archdiocese on condition he took no legal action against the church. He has met former Melbourne archbishop Cardinal George Pell and his successor, Denis Hart, to discuss Rubeo's abuse. Documents show Rubeo resigned as a priest on being charged in 1996 and asked for permission to live in Portarlington with the "provisions made for retired priests".

The archdiocese's spokesman acknowledged that the response to Mr Hersbach's complaint had been "inadequate" when compared to today's standards, under which Rubeo would have been suspended once abuse was reported.

In regards to Klep's role as Rubeo's spiritual director, the spokesman said: "The choice of spiritual director is made by the person seeking spiritual direction."

This story was found at: <http://www.theage.com.au/victoria/one-mans-struggle-to-be-delivered-from-evil--and-indifference-20120605-1zud5.html>