

TRANSCRIPT

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Inquiry into the handling of child abuse by religious and other organisations

Melbourne — 1 March 2013

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Mr P. Komiazyk.

The CHAIR — On behalf of the committee, I welcome Mr Peter Komiazyk. I thank you for your willingness to appear before this hearing. All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Any comments made outside the precincts of the hearings are not protected by parliamentary privilege.

This hearing today is being recorded, and you will be provided with a proof version of the transcript. Following your presentation today, the committee members will ask questions relating to both your submission and the evidence you are providing. Again, on behalf the committee, we thank you very much for appearing before us this morning. We appreciate it. Please commence when you are ready.

Mr KOMIAZYK — I do not know how I am going to go here, at all. I do not feel comfortable.

The CHAIR — Just take your time then, very slowly; that is absolutely fine.

Mr KOMIAZYK — This is something I have to do. Sitting in the gallery over there listening to Dr Coldrey, I suppose with my background I thank him for speaking out. I just wish there were more like him.

Last night, watching the *ABC News*, George Pell stated — I quote — he would like to see more discipline in the Catholic Church. I would like to show him the discipline that was instilled into me as a kid. I look at some of these issues as the modern-day Christian crusades. I lost my innocence as a kid, tortured and tormented. I wrote some of these things down last night, and I had to push it away and walk away.

I was raised a Catholic by my parents. I have photos of us as kids growing up, prior to my incarceration in a boys' home. My beliefs, by the Catholic Church, have been shattered. I do not believe in God or the church, the bible and all of those that I have come across in my life: Salvation Army, Careforce and other organisations. I have stated from the start that: do not preach the bible to me or any verses from the bible, and we will get along just fine, that way we can become friends — nothing to do with Christianity.

St Augustine's Boys' Home was nothing but torture. My submission to this parliamentary committee is not just about sexual abuse but also the physical abuse: the bashings. I wrote down here about the scars that I bear and carry with me, that will live on until my last breath. That is the Christian way.

There are so many answers that I would like, but how can I explain my pain and my suffering within 10 minutes to this committee? This is what I have difficulty with, along with the past and those memories. I do not think I will ever get over those memories or what happened as a kid.

I ran away from that boys' home — St Augustine's — three times; twice I was successful. On being returned back to St Augustine's, the torture and the beatings were pretty horrific. To be placed into their chapel, as a kid, kneeling down, hour after hour, being told to seek penance and forgiveness. For what — not wanting to be there? I do have some documents that I will tender after to the committee — supplementary documents. I have got photos of the boys home, some of the surrounding areas and things like that.

I made a lengthy statement to a representative from the Catholic Church who came down from Sydney. I believe her name is Robyn Bailey. I will tender a copy of that transcript. The final address from Robyn Bailey was that the church is not going to concede or deny my allegations. So again you are left in limbo. I want this monkey off my back. And for those that want to put me down, ask yourself the reason why. It is a question I always put to my boys: you always ask yourself why. If Dad gets angry, why? There is always an explanation — why?

I took this upon myself some years ago now to actually go to the police. I made a statement. The process that I went through with the police — I have no confidence within the police. There is a crucial statement that was lost, so I had to sign another statement, and I have heard nothing since. That is probably about 12 months ago now.

I have no faith in the church. I have no faith in those investigating the child abuse at all, whether it is the police — I suppose I am a sceptic. Maybe this committee will do something positive. I take the approach of wait and see.

I suppose I will say it about the Christian Brothers: they instilled in me never to lag, to do in, to say anything — these are parts of their threats. I carry that on to this day when I find myself here before this

committee. When my boys want to dob on each other, at times I get frustrated and say, 'Don't'. Is that the Catholic coming back?

I want this nightmare to end, to be put to rest. I have not had a look at the photos for some years, and I have no really good memories of the Christian boys home, I suppose apart from one issue, maybe two issues — being released back to my family, and the other one was that it won the premiership flag in 71, the Panthers, which I have got in a frame because I am proud of that. All the other memories are bad — bad. I hope that you members find the strength to make the church accountable — transparency, and I know that there are others that would be suffering too at the hands of the church.

My older brother is a Catholic schoolteacher. We do not see eye to eye. He knows virtually nothing of my past in that boys home. My parents passed away. They knew nothing, really. It was the threats. I hope the committee has a look at the photos — as a kid with boxing gloves on, fighting another kid. Ten minutes is not long enough. I think I have said enough though.

The CHAIR — Thank you, Peter. Thank you very much for providing the additional information but, more importantly, giving us your story today. You speak of the church's accountability and transparency and the nightmares that will not go away for you, and I think you said you just want this monkey off your back.

Mr KOMIAZYK — Yes.

The CHAIR — Is that what it will take for the church to be accountable or for the Christian Brothers and the church to recognise what happened to you under their care? Is that part of what will assist you and other survivors like you?

Mr KOMIAZYK — Yes — to accept responsibility and not leave people in limbo. I mean, the words were 'not going to concede nor deny', so they are not admitting. We did go through freedom of information to get documents, and most of my file has disappeared.

The CHAIR — Can you just explain that process that you undertook to do that FOI?

Mr KOMIAZYK — First off, I have got correspondence here from Slater and Gordon, which I first went to — I think that was in 2007 — and a good friend of mine said to me, 'We will bypass Slater and Gordon, because they will drain you; I will help you'. He is well versed in the law, so we took it upon ourselves to do as much investigating as we could, and the first choice was to seek documents from the Christian Brothers, from the welfare agency and all that sort of stuff. As I said, there are so many documents that have not been found, that have gone missing, or who knows? There is nothing at all in relation to me running away from that boys' home three times. It has been explained to me that bookkeeping back then was atrocious. That is not good enough.

The CHAIR — They kept a personal file on you but did not fully explain your time there, is that what you're saying?

Mr KOMIAZYK — Yes. If you run away from a boys' home or any other institution, the police are called. I remember my mother said to me, 'I have to take you back to Baltara because the police will be here'. She contacted the child welfare agency or whatever, and she took me back to Baltara. There have got to be recordings there and everything else, and there is nothing. I was returned back to St Augustine's after the first escape, and as I have stated, the beatings, and not just the beatings but the mental torture of facing a brick wall for hours outside the church and of being placed in that church, knelt down for hours asking for penance and forgiveness. I ran away again, and the same thing happened, but because I did not learn the first time — —

The CHAIR — Peter, you do not have to continue with that question.

Mr KOMIAZYK — The beatings got worse. Even if you swore — back then swearing was 'bloody hell' and 'bastard'; now it is a lot different — you would be punished for that too. If I hear my kids swear, I do not punish them in that way; I will raise my voice. Maybe I have learnt something. I would not want to impose any of the harsh regime and the abuse that I went through as a kid upon any other kid. Maybe somebody will understand and know me one day.

In a copy of the transcript of the taped interview that I made to a lawyer representing the church I stated in there about wooden clothes pegs being placed on my genitals, and I am not going to concede or deny, and it goes on. When you go through being bastardised and then you have got a brother come up to you showing you affection but there are sinister motives behind that, not knowing right from wrong, it becomes sexual. That was better than the beatings. This gets very bitter. I get angry. I get frustrated. I did not want my wife to be here; I try to do this on my own.

The CHAIR — You are doing very well.

Mr KOMIAZYK — Will it ever be put to rest?

The CHAIR — Are you happy to have another question, or would you like to say anything further to the committee?

Mr KOMIAZYK — I look back down at what George Pell said about discipline. I have gone through the church's Towards Healing process. I have got the documents here and everything else from Towards Healing. It was put to me on a number of occasions, 'What do you want out of this?'. I was offered psychological help, and I was offered a computer. My response was that I would like to confront my abusers personally. Subsequently I found out that one of the brothers is deceased. One is still here in Melbourne, Victoria, and one of the other ones has relocated up to Queensland. I have not got the right or the address to confront my abusers. I am not a kid no more; I am a man. That is what I would like to say to them. I know I am not the only one; that is the thing.

As I said, I hope this committee stands firm. Modern-day words that I have picked up through the media and everything else are things like 'closure'. I do not think I will ever see closure. I could not sleep last night, knowing about today's events. I did not know how I would handle it. In this taped interview I have here I got pretty emotional and a recess was taken for about 10 minutes. As stated before, I do not know how but I want this monkey off my back.

The CHAIR — Thank you. I know Mr McGuire has one question in relation to the question you raised about the police investigation and your report to the police. Are you happy to take that question?

Mr KOMIAZYK — Yes.

Mr McGUIRE — Thanks for the strength you have shown in giving your evidence today and in your submission. I would like just to go to that issue. You said you had no confidence in the police. Can you give us the reasons?

Mr KOMIAZYK — The investigating officer who was looking into the brother I mentioned in the statement was based down at Geelong. I had a couple of telephone conferences with him. I was assured that I would be called to the brother's committal hearing, which was in Melbourne. After that I heard nothing from the police whatsoever. My barrister informed me that I should write a letter of complaint to ESD, the ethical standards department.

Mr McGUIRE — When was that?

Mr KOMIAZYK — In 2010 or 2011. I wrote a letter to the DPP, and I have the response from the DPP stating that they cannot assist me because they are prosecuting me. Then I wrote to ESD. ESD then responded, and I had to make another statement. Then I had to re-sign another statement months down the track because they had lost the original statement. I cannot believe this. Are the police conceding that they do make mistakes and that they do lose things? Again, it is the mentality, as I heard Dr Coldrey say, of the brotherhood.

Mr McGUIRE — Just to understand that, are you saying that your lack of confidence is because they lost the document, or is there another reason as well?

Mr KOMIAZYK — There are many reasons. I was not kept up with what was going on with the investigation. I was told that I would be called as a witness against the brother. There is a fair bit that happened in between. When I made the second statement to the police, I was informed then by the police that I was the fourth person abused by this brother. The brother had separate trials. The first jury came back not guilty. The brother then commenced a second trial immediately after that, and the jury came back not guilty. Then they withdrew the third and apparently mine, being the fourth, from the hearing. Charges were withdrawn or

dropped. For the life of me I cannot understand why. I know a little bit about the law and similar fact evidence. If this brother has been accused by others of perpetrating assaults in whatever form, is that not similar fact?

Mr McGuire — Separately and independently of you; is that what you are saying?

Mr Komiazyk — Yes.

Mr McGuire — Do you have the letter from the DPP explaining that?

Mr Komiazyk — Yes, I do. What I could not understand was that they could have assisted me. If they are saying that they are prosecuting me, leave that issue out. Leave it alone. I was a kid. I am asking them for help. This is the DPP. In other words, tough titties — pardon the French. I showed it to my barrister at the time, and he just shook his head. John Kelly was the barrister's name. Because of the whole scenario, I believe there is more to the reasons why I am being shunted and my life is being put into the closet and locked with a key. There is more to it. I was seeking help, and what better person, I suppose, to go than the DPP?

Mr McGuire — Can we have that letter on the record?

Mr Komiazyk — I have the original.

Mr McGuire — A copy is fine.

Mr Komiazyk — I would like to keep copies for myself.

The Chair — We will ensure that we take copies of the information you would like to provide to us. On behalf of the committee, I thank you very much indeed for the evidence you have given to us this morning. We appreciate it, and we are grateful for your time.

Mr Komiazyk — Thank you.

Witness withdrew.