

**To the Hon Justice Peter McClellan AM**

**And**

**Commissioners into institutional response to childhood sexual abuse in institutional care.**

**Submission re -redress consultation paper of the 30/1/ 2015**

**I humbly submit.**

I firstly would like to thank the commission for an excellent consultation paper and all the hard and difficult work that the commission continues to pursue to right the wrong of the passed and to alleviate future happenings.

I know that many like myself will continue to suffer from their abuse for the rest of our life regardless of any payments that are made.

**Re- civil litigation**

I would like to see all governments alter the limitation law, to me it is very important that this happens for without this happening there is no real justice or avenue to fight for the compensation that I see as disserving for my abuse, and those who are suffering like me, the recompense from the institutions should be that of life changing for obvious reasons. Redress is fine and it is the duty of the government to make redress for their failings in their duty of care especially when in comes to child migrants. The Christian Brothers knew about child abuse well before I even arrived in Australia and they continued to hide it by placing offending brothers in different locations were again, and again they continued to abuse, to me this is proof enough of their failures in duty of care, for which so many life's have been ruined. There has to be a judgment and this judgment can only be done by the courts, it is the right thing to do, I don't see any satisfaction in just getting money and forget about what happened to me not that I ever will but it is important to me to hear a judge say you have let down these children, you have ruined their life and for that you must pay. This is a very important point for healing, I am sorry that I could not put it in better words. The Christian brothers have acknowledged the abuse long before we started to take action, they at first omitted parts of the **Reaping of the whirl wind** and did not want it published so how much more proof does a court need to believe our abuse. I am sorry for not understanding the law. Monetary compensation should be an amount that is going to give victims a better and more comfortable life. Equality for survivors is part and partial of the social justice that victims deserve, so is the right to sue the abusers or their organization.

## **Child Migrants**

Many Child migrants not only lost their childhood they also lost their identity and their family and country of birth.

Child migrants should be granted free travel to their country of births many would require careers to be with them because of their age and illness.

Ex-Child migrants are now in their early and late seventies, and time is of the essence for those who wish to spend time in their country of birth. Going to visit your country of birth has been out of reach for many.

## **Health**

Health was always neglected in the institutions such as dental care Many even with pension discount cannot afford dental health. This should be part of the redress scheme for all.

## **Pensions**

Need to establish if money received from redress or any other sources is tax-free and does not affect the pension.

## **Contacts with the institutions.**

The commission has recognized the importance of having dealings with the offenders or their representatives is for many distressful I agree that there should be an independent structure were a victim can go without fear of having to face the institution, I still get panic attacks if I happen to see a priest in his Cossack.

## **Past payments**

I think it would be the view of all concerned that past payments were inadequate in many cases an insult.

I understand that there are many claims and it amounts to billions of dollars, we also should be of the understanding that this redress if it happens is going to be the only money many would get.

In my opinion there should be a request to all governments for law reform so as to be able to first claim through civil litigation this would give those such as myself who were brutally raped and bitten and because of the trauma I could not even continue to work the chance to claim damages.

Redress could make up the difference if required this if I am thinking right could save a lot of money.

My thinking is what if litigation takes place after redress is paid what then does one pay it back?

## **Funding arrangements & interim arrangements.**

If the institutions were to take part in funding would they not use this to get out of any litigation?

It is essential that institutions such as the Christian brothers continue to fund counseling and psychology treatments, also other treatments such as meditation, yoga and medication should be included as part of redress.

## **Re limitation period**

I have already given some of my thinking about this.

I would like to add I am an ex-child migrant who was not given an education, who was raped, who was bitten, used as a slave, I don't understand how any court in this land expects me to know anything about the law, or limitation periods, when my mental problem started the day I was abused and is continuous throughout my life. This is a travesty of justice this land has to change for the protection of those children who been abused passed and future and look at the **Just cause** our constitution there is noting more just then the protection of our children passed and present. I don't pretend to know anything about the constitution I only ever heard the term just cause from a film. Oh by the way in the film it worked. Sorry.

I may add even if as a child I knew anything about what happened to me was an unlawful act, I would have been incapable of doing anything because of the trauma and my mental health.

Sincerely yours

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**To the royal commission into institutional response to child sexual abuse.**

**Re-redress**

I humbly submit.

The issues of redress and the uncertainty of it all are in many ways causing distress.

Although the Christian brothers through their provincial said that they will correct the way they dealt with compensation in the past and make amends, I have found that this is not so.

I have through a lawyer that was appointed to me by Nomore made a claim for damages and my lawyer was told that if we were to proceed they would use the statute of limitation and the Elis defense.

I don't understand how they can say one thing to the royal commission and then revert back to their old ways when it comes to the facts.

This is causing me more anguish and has set me back more then before, I feel that again I am being abused by a system that suppose to protect victims like me.

What are they trying to do, kill us all, for from what I can see and read many will take this option one, can only take so much, every time one thinks that justice is at hand it always finishes with disappointment were even hope becomes a joke.

My feeling is that the Christian brothers are not genuine in wanting to fix the problem.

They cannot say that they have no money just around my area alone they have sold what I think is a billion dollars of real estate in developed land and buildings. And are selling more.

These sales started when there was a rumor that a royal commission may be appointed, I have stated this before to the royal commission.

So I cannot see that I have to bargain for what I am justly entitled to this to me is immoral and further abuse.

Do they really feel what we the victims have been going through all our life, now it seems that they want us to bargain and beg for what is rightly ours.

The Christian brothers must commit before any redress from governments are made, they must accept liability without prejudiced with each case on its merits.

No more stalling they need to be made to act and this can only be done through the royal commission and the law.

I would not have to right all these things if I was not upset by what is happening behind the commissions back.

Now that all the truth is out victims have courageously put themselves as living witnesses and in so doing we have liberated some of the burdens that has hunted us all our life, there need to be true justice consistent with the laws that is of murder, whether it happened yesterday or 60 years ago it still continues to be investigated regardless of the passing of time.

I again admit that I know noting about the law; I use logic as my guide logic that only a victim like myself can see as being the correct approach.

It is imperative that punishment must happen not only to those who are living perpetrators but also to those who knew all along that these atrocities were happening and continued to ignore them.

Punishment should not necessary means monetary payments there has to be more, such as shutting down were abuse has happened or happens.

I am very concerned for the children of today such as my grandchildren that something like what happened to me could happen to them.

These abusers we now know are very devious they have been able to hide for decades.

My wife and I brought our children with me being over protective and always in fear that something like happened to me would happen to them, parents should be assured that their children are safe, this can only be done by screening all those who are currently involved with children.

The Christian brothers should be reminded of the pledge that brother McDonald made to the royal commission and stop fighting us.

I humbly seek help on this from the commission for I know not who else can help.

Sincerely yours



**To the royal commission into institutional response to child  
sexual abuse**

**I humbly submit.**

I just hope that what I write has some meaning of what redress is all about.

What are the effects of being sexually physically mentally abused as a child?

Over the years I have been battling to find a way to come to terms with it all, reasons of why me, what if, how can I overcome the terrifying helplessness during the abuse.

These questions I have not yet come to terms with.

I ask myself what am I doing wrong, I feel that I am intelligent enough so I can workout a solution.

Can I find a way to forget what happened to me and move on?

The answer to these questions lies within the sickie of the individual, were he came from how was his first twelve years of his/her life, and what was his/her upbringing like during these early years.

If one has always been in an institution then there may be a difference to that of a child who came from a loving family and been thrown in to hell.

The shock of firstly leaving your family behind and one agreed to do this for the betterment of his or her education and learned from the start of entering into the institution that it was a lie is devastating in it self, adding sexual, physical abuse and mental anguish gets firmly imprinted in the child for mind.

The difference to those who came from institutions is that they always have been oppressing for them and in many ways knew no different, even they would have looked for love and affection for which they never got.

I have tried all form of therapy and none have helped me to first accept the injustice and second to forget what happened to me.

The only thing that was left for me to do is either do away with my life, or live a life that has no meaning for me, a way was found to put me on medication from the earlier age of 22years to help me cope, now I am on so much medication that with it I can't function to the extended that my thoughts of suicide are not so prevalent without them I cant live.

There is no way out from such abuse it consumes one it make you feel unclean, shameful, and invaded. The pain is still as real as when it happened, the fact the you have been violently raped aggravates the feeling of helplessness that is followed by uncontrollable tearful spells.

It locks you away to such an extend that you have no mind for a social life; it effects your marital communication, those who have children are forever weary for their children.

Your cry for help went unnoticed and therefor you maintain your distance from authority because you see them as those who oppressed you as a child.

If you are lucky enough to have come from a family then you hold those memories very close to your heart, they alone are your real life anything after is just nightmares that consumes the rest of your live.

Those family memories are all you have and you recall them everyday with many shed tears for you never got to continue that loving bond that only comes from a caring loving family.

I don't like to have a hateful heart; I have battled with this all my life, only to come to the conclusion that I can never forgive them for what they have done to many others and me.

What I have written so far has noting to do with feeling sorry for myself no; it is the frustration that I cannot go back and belt the living day light of them.

The facts that they are still playing games and continue to try and bargain with my life.

I have been hard on my children, they have only learned the extend of my abuse when I gave evidence to the royal commission, I felt so sorry for them having to put them through such pain.

I feel there love and respect everyday and for this I am lucky.

*A quote by Sydney Smith-Life is to be fortified by many friendships. To love and to be loved is the greatest happiness of existence.*

This is the travesty of justice that is lacking in both the Catholic Church and the Christian brothers they just have no feelings they know no love, they preach it but don't practice it,

They have never held a new born child in their hand and saw just how venerable that little baby is, they have not felt that in no way this child should be harmed and must be protected at all times.

They have never understood that the child no matter the age was first held by his parents were he felt safe and the creation of bond between parents and child thus began.

This hurts me deeply and I am sure that other victims feel the same.

It is because of these failings that I write; yes they have ruined lives.

The royal commission has heard many stories, but I like to put it in the context as I see it.

How dare they now want to bargain for my ruined life.

It is time to pay without having to go through all the suffering again, and again.

I just hope that what I have written gives the commission some idea of just how hurtful its all getting.

The Christian Brothers have had it their way for far to long to continue to play these hurtful games.

Sincerely your

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## **Royal Commission on redress and civil litigation**

I humbly submit

The logistics of redress is one of difficulty I see that the royal commission is battling with and rightly so.

It would be very hard to put a price on the suffering that each victim experienced.

As a victim I know how it affected my whole life, this we know also from all victims.

Reparation must not replace civil litigation, as a victim I hold the **Christian brothers responsible** for my suffering.

The onus is on them, I am sure that in this day and age one can poof scientifically the age of scares and I would think the fact that someone has been raped even with this passing of time, I would be happy to volunteer to such a test.

The immense damage of childhood sexual abuse is now well documented.

It is recognized by experts that it is a life long trauma, and many have taken or tried to take their own life because of it.

We understand that education is essential for the young minds, firstly, and continues on throughout ones life.

A quote from Plato, “ the aim of education is “to develop in body and in the soul all the beauty and all the perfections of which they are capable.

This of course did not take place, and parents were told a big lie when it came to education, parents send us here for that very reason, what onus of proof do we need on this one.

I once again urge the royal commission to lobby all state governments to change the laws on the limitation issues and the Elis defense.

Sincerely your



## Re Consultation Paper: Redress and Civil Litigation

I humbly submit

I like to keep the royal commission into sexual abuse in institutional care informed as how the process of the current redress versus civil litigation is imposing on my health.

I don't know if I ever told the commission that when I was thirty five years old a friend and I who was also abused by the same Christian Brother approached the brother, I was terrified even then to look at him, so my friend did all the talking, [REDACTED] replied that he has to do a lot of penance for all the bad things he done to us, my blood was boiling by this time and all I wanted to do is kill him.

I had one of my children with us who was around three years old my son was sitting down playing, when I picked my son up brother Simon pretended that he want to dust my sons backside I lost all composure right then and proceeded to punch him but my friend held my hand and told me his not worth it.

In respect for my friend I don't think I ever told any one because my friend passed away and did not want to bring hurt to his family.

It never entered our minds to go to the police now thinking back I feel he still had some hold on me and even so it would have meant that we would be open to ridicule.

What has this to do with redress? To me a lot, for I want my day in court, what is happened to me since coming forward to the royal commission is what I can only describe as reliving the helplessness I felt when I was abused, (Raped) and now I have regressed to a point of no return, meaning it has to be all or nothing.

I mean I want an apology in front of a judge from their highest boss I want them to examine all those who are still working with children to be screened and I want them to pay for ruining my life.

This is Australia 2015 there has to be something or someone with a lot of power that is stopping the law to come to our rescue.

We know that the catholic church will do everything to continue to hide behind the limitation laws, I believe that I have the proof of onus I bare the scares and my medical history is well documented.

I would like to think that state governments need to listen to the royal commission and the victims of the importance for laws to be changed for some closure being believed dose not change what happened, only the law can give me the peace of mind that all that needed to be done is done.

Humbly yours

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## **Re redress**

### **I humbly submit.**

I most probably am the voice in the wilderness.

I must with due respect object to having the institution I was in wash its hands from individual cases such as mine regards to redress.

I know that there are others like me whose life has been ruined.

For this I can only hold the Christian brothers responsible for my pain and suffering.

I don't think that the Christian brothers have the right to dictate what money I should be paid.

My lawyer has already worked out a sum for which he sees as fair and just for all my needs and pain and suffering.

In turn the Christian brothers lawyers are threatening to use the limitation defense / and the Elis defense.

I ask how can they be trusted?

I think by now the commission knows how I feel.

I am inclosing a photo of my abuser he is the one that is looking at the other person backside.

Yours humbly

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