

Royal Commission Case Study 41

Disability service providers

TJHC update



Monday 11 July 2016 – Day 1

The Royal Commission started Case Study 41 into disability service providers today in Sydney.

The Commission will hear evidence of the experiences of survivors of child sexual abuse with disabilities and their parents and will inquire into the responses to allegations of child sexual abuse by three disability service providers, Mater Dei School in Camden, NSW Gold Coast Family Support Group (now known as FSG Australia) and The Disability Trust and Interchange Shoalhaven to those allegations of child sexual abuse.

It will also examine the safeguarding of children within the structure of the new National Disability Insurance Scheme (NDIS).

The Commission first heard evidence from a witness given the pseudonym CIC, a mother of a young girl, CIB, who attended school at Mater Dei and lived during the week in the residential cottages provided by the school from the start of 1991.

The then 13-year-old had an intellectual capacity of a three to five-year-old and was allegedly abused by a cottage supervisor, given the pseudonym CID.

The matter was referred to police on behalf of the family, and Suzanne Dixon who was CEO and the principal of Mater Dei at the time also reported the matter to the NSW Department of Families and Community Services (FACS).

The mother told the Commission how her daughter hemorrhaged in May 1991 and had been taken to Nepean hospital for treatment where a surgeon said her condition could have been caused by a sexual assault. She believed the assault was committed by CID. CIC told the Commission she was not given any information about any investigation undertaken by the school or the authorities in relation to her daughter's assault and no one was ever charged with assaulting her daughter.

CIC also said that after the assault and during the remaining time CIB spent at Mater Dei she was not spoken to by anyone from Mater Dei about her well-being or what happened to her daughter.

Finally, in 1997, CIC contacted the hotline operated by the NSW Police Royal Commission and reported her daughter's abuse. She heard nothing further about any response made by authorities to this complaint until she was contacted by the Sisters of the Good Samaritan later that year.

Sister Sonia Wagner, the former Superior of the Sisters of Good Samaritan of the Order of St Benedict, gave evidence about her role in 1997 responding to advice that CIC had made a complaint to the Police Royal Commission.

Sister Wagner told the Commission that she received advice from the Police Royal Commission via the NSW Catholic Education Commission that CIC had made a complaint regarding CIB's assault.

She was initially advised that the matter was subject to a police investigation and she was not at liberty to contact CIC about the complaint. She told the Commission that this was very frustrating because it forced the Order to delay their commencement of a pastoral response for CIB and CIC.

Later in 1997, after receiving clearance from police, Sister Wagner and another member of the Good Samaritan Order met with CIC and her daughter to offer them pastoral assistance. An initial offer of respite care had not been taken up by CIC. It was the Order's first use of the *Towards Healing* protocol, which had come into effect in March 1997.

Sister Wagner agreed that having heard CIC's evidence, it was clear that CIC did not have full information about the sequence of events that had led to the Order seeking to meet with her. As a result rather than helping, the visit of the Sisters had caused CIC confusion and concern. After this, when CIC did not take up the offer of respite, there was no follow up.

Asked what more might have done to help CIB and her family, Sister Wagner said the Order would have made more strenuous efforts to provide pastoral support much sooner than they did and to follow up with CIC and CIB.

The hearing will continue tomorrow.

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