

Royal Commission Case Study 43

Catholic Church Maitland Newcastle

TJHC update



Monday 5 September 2016 – Day 4

The Royal Commission's hearing (Case Study 43) into the response of Catholic Church authorities in the Maitland Newcastle region to allegations of child sexual abuse by clergy and religious continued in Newcastle today.

Day 4 of the hearing commenced with evidence from **Fr William Burston** who served as the Director of the Catholic Welfare Bureau from 1977 and Vicar General of the diocese from 1996 before retiring in 2015.

Fr Burston studied in the seminary with paedophile priest, Vincent Ryan and worked as assistant priest in the Maitland Newcastle Dioceses from 1971 to 1974.

Fr Burston was asked about the death-by-hanging of 13-year old Hamilton Marist Brothers student, Andrew Nash, in October 1974. Andrew's year master at the school was Br Romuald who has been convicted of multiple child sex offences.

Fr Burston said that the statement that Andrew's death was due to a prank gone wrong had come from Parish Priest Fr Cahill who in turn had heard that from the police.

Michael John Balk was a secondary student at St Gabriel's Marists in Pagewood Sydney from 1964 where Br Romuald was class mater and in charge of the school cadets. Mr Balk told the Commission that he had been abused by Romuald in the school's science lab, at the local pool and in the showers after swimming training.

In 1967 Br Kevin, principal at St Gabriel's, came to Mr Balk's home where he spoke to Mr Balk's father about another boy complaining about Romuald's behavior. Mr Balk told Br Kevin about what had happened at swimming training. Br Kevin told Mr Balk that Romuald would be moved to another school. Mr Balk's mother's reaction to the abuse was 'something that happened' and that Romuald was a 'bad apple'.

Mr Balk reported the abuse to the police in 2013 and gave evidence at the trial of Romuald where he was sentenced to 16 years in jail.

Mr Balk's abuse pre-dated the majority of cases that occurred in the Hunter area. He said that Br Kevin should have reported the abuse to the police. "To me, fault lies with Brother Kevin and his superiors who arranged to move Br Romuald to another school. Brother Kevin should have taken action to stop him. In my opinion, it was his fault that Brother Romuald continued to abuse more boys and it is his fault that more lives have been shattered," he told the Commission.

He told the Commission the abuse has affected his career that he has few friends and fears being lonely and he has never reached his full potential. He said the abuse has had a big impact on his life

CNS grew up in the Newcastle area, in a family with devout Catholic parents, one of nine children. He was an altar boy, and started Marist Brothers High at Hamilton in 1969.

CNS told the Commission about being abused by Br Patrick at the school "Brother Patrick sexually abused me on numerous occasions during that year, but I always wore a tight belt so he was never able to get his

hand right down inside my pants and on to my genitals. He would push his hand down as far as his fingers could reach, before my belt prevented him from going further”.

He told the Commission that before leaving the school in 1972 he told the principal, Br Christopher Wade of the abuse. He said that he thought what he was telling Br Christopher came as no surprise.

In 2013 CNS reported the abuse at Marist Brothers to the police, in particular the abuse by Br Patrick.

He told the Commission about the brutality of Marist Brothers Hamilton at the time: “I’ve come to the conclusion that the physical abuse in the form of the harsh punishment, the canings, the grabbing kids around the neck and by the tie and strangling them and punching them, ensured that we were constantly in fear of our teachers, and this enabled them to get away with it. We were too scared to stand up to them and say, ‘No, what you are doing is wrong’.

CNV was born in Newcastle and started secondary school in 1972 at the local Marist Brothers High School in Hamilton. CNV told the Commission about being abused by Br Patrick at a sporting event in 1972 including Patrick putting his hand down his pants at a cricket match.

In 1973 CNV told the Commission that Br Romuald had exposed himself to a group of boys at the Merewether baths. Romuald later told CNV that this was a ‘sex education’ activity. In 1974 CNV told his parents about the sexual abuse by Patrick and Romuald. His father went to the school and told the Principal. CNV said his father told him, years later on his death bed, that he told Brother Christopher about Patrick and Romuald.

CNV, who is now a Year 11 and 12 teacher, said the abuse had left him with a ‘spiritual void’ and that he had felt he had never lived up to his full potential.

CNQ started high school at Marist Brothers Hamilton in 1977 where he was regularly abused by Br Dominic. He said after the abuse he felt shame and could not tell anyone. He told the Commission the abuse occurred regularly, ‘every three weeks’. CNQ told the Commission that Dominic told him ‘he was special’, that he missed him and asked if CNQ had ever told anyone about the abuse. The abuse included masturbation and rape.

CNQ said Dominic raped him on the final time he sexually abused him. ‘I screamed. Brother Dominic then released me and helped me gather my clothes. He was rushing me to get dressed and literally pushed me out of his office,’ CNQ said.

CNQ said Dominic did not abuse him again, but sometime later when he walked into Dominic’s office he saw another student being sexually abused.

CNQ told the Commission he has abused alcohol and other drugs. He contacted Zimmerman Services around 2013. Zimmerman Services helped CNQ contact the police and also organised and paid for counselling.

He told the Commission the sexual abuse made him feel ashamed and confused. He developed a stutter which has never completely gone. He said he had two failed marriages and difficulty with relationships including with his children. He has suffered with mental health issues having spent time in hospital and continues to struggle with alcohol addiction. He said he feels his ‘life has been wasted’.

CNR started secondary school in 1969 at Marist Brothers Hamilton. He told the Commission he had several violent teachers in the four years at the school. He said the Brothers’ approach to the boys was to ‘break their spirits’.

In 1971 in third form CNR had Br Dominic as a teacher. In the summer of that year Dominic abused CNR in the classroom by running his hand down his back into his pants. CNR told the Commission he saw Dominic abuse other boys the same way in Forms 3 and 4.

In 1972, while in Form 4, CNR had Romuald as a stand-in science teacher. Romuald abused CNR in the classroom by putting his hand down CNR's pants while at the same time talking to the class. CNR said he pushed Romuald away but no other boys in the class said anything about the abuse.

'There were around 56 or 58 students in the class who witnessed this as I made a big noise, and no-one said anything. It did my head in that no-one said anything and kept looking down.' CNR said he didn't tell his parents, who were devout Catholics, about the abuse.

CNR said he lost interest in school because of the physical and sexual abuse. 'Because of the abuse I left school as soon as I finished fourth form'. He told the Commission he would ride his motor bike at high speed not caring if he was killed.

After marrying CNR and his wife traveled overseas for three years working as a volunteer in India and Bangladesh.

CNR said he hasn't spoken to or socialized with anyone much for 20 years. In 2014 he was in full time psychiatric care for three months after attempting suicide. He told the Commission he is now heavily reliant on the care and emotional support of his wife. 'Even simple decisions are too much to cope with by myself,' he said.

Br Alexis Turton gave evidence to the Commission. Br Turton held senior positions in the Marist order including superior at Hamilton; vice provincial in 1983 and provincial from 1989 to 1995. He was made director of professional standards for the Marist Brothers from 2002. In that role he received complaints about physical and sexual abuse.

Br Turton told the Commission he worked with Br Dominic in Marist schools in Ashgrove in Queensland in 1965 and in 1977 in Hamilton when Br Turton was principal.

Br Turton told the Commission that some brothers had admitted to him they had abused children. Commissioner McClellan then asked him to write down the names of the brothers. Br Turton said that he would need to refer to lists but that over a period of 15 years there would be at least 10. The Commissioner asked Br Turton if all these admissions were referred to Fr Brian Lucas. Br Turton said: 'I couldn't say in every case, because every case depends on the circumstances in which it came up, but usually I would, yes.'

Br Turton was questioned about three abuse allegations he had received while Provincial, two relating to Dominic and one relating to Br Patrick.

Questioning ranged across file notes of complaints Br Turton had received at the time, matters he had referred to Fr Brian Lucas and the overarching responsibility for dealing with allegations of abuse.

Br Turton will continue giving evidence tomorrow (Tuesday).

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