

UPDATE 37

Royal Commission Marist Brothers

Canberra



Wednesday 11 June 2014 – Day 2

Day two of the Marist Brothers Canberra Royal Commission hearing started with Mr Damian De Marco continuing to give evidence about being abused by Br Kostka Chute at Marist College Canberra.

Mr De Marco was asked a number of questions about a meeting he had with the former head of the Marists, Br Alexis Turton at Canberra airport in 1993.

At this meeting Mr De Marco told Br Turton about the abuse by Br Kostka. Mr De Marco was asked a series of questions about his discussions with Br Turton, what he had said about the abuse, and what he wanted to happen following his complaint.

At the conclusion of Mr De Marco's evidence, a former student of Marcellin College in Randwick Sydney known as AAJ gave his evidence about being abused by Kostka Chute.

AAJ was a student at Marcellin from third class through to completing his Leaving Certificate in 1965.

AAJ was 12 years old when he started being abused by Kostka Chute who was his religious education teacher.

Mr AAJ described how he had been groomed over some months and described the abuse, which included fondling in front of the class, and it's continuation over three years.

Mr AAJ said the abuse had greatly affected his life, which has involved dealing with alcohol abuse, failed relationships and disruption to his employment opportunities.

Mr AAJ said Kostka Chute "took away from me any ability, as a result of the abuse he committed upon me, to have an enjoyable and normal life as a teenager, a young man and even older adult."

The fourth victim to appear before the Commission, Mr AAP, gave evidence about his engagement with his lawyers, Porters, and his legal efforts to sue the Marist Brothers for abuse he suffered in the mid-1980s at the hands of Kostka Chute at Marist College Canberra.

Mr AAP gave evidence about the legal advice he was provided with in relation to the civil claim he made against the Marist Brothers and the steps the Marist Brothers and their lawyers took in response until his claim was settled after mediation in September 2009.

He said that he had been led to believe he had a strong case and was confident about its prospects, until the mediation, when the assessment became less positive. He told the Commission that his experience of the civil process was a pattern common to many victims.

Mr AAP said that one of the main reasons he had gone forward with his case against the Marist Brothers was to expose what had happened to him and other students at the school.

The letters between lawyers exchanging offers were tendered in evidence. AAP said that he had been content to settle his claim at a level providing him \$200K, leaving his lawyers to sort out the costs.

The final witness for the day was a former teacher at Marist College, John Doyle, who gave evidence by phone from the UK about what he had seen during the time that he and Br Kostka taught at the school.

Mr Doyle said that he had no memory of having spoken with Mr De Marco about Kostka when he was the Year 12 house master in 1986, as claimed by Mr De Marco. He also said he thought he would have remembered such a conversation.

The hearing will continue on Thursday.

CONTACT: Michael Salmon 0417 495 018